

Re: Hearing on Nordic Application

Public Hearing

Tue 7/30/2019 9:56 AM

To: Larry Theye <ldtheye@gmail.com>

Hello Larry and Betty

I have received the comment that you submitted via email on July 30 regarding the Nordic Aquafarms permit applications. Your comment will be provided to the Belfast Planning Board for their review at their meeting of August 5.

Wayne

From: Larry Theye <ldtheye@gmail.com>

Sent: Tuesday, July 30, 2019 9:43 AM

To: Public Hearing <public@cityofbelfast.org>

Subject: Hearing on Nordic Application

We wish to comment on Nordic's claim to Title, Right, and Interest to cross the intertidal zone of our shore. That this intertidal area is owned by Jeffrey Mabee and Judith Grace is apparently not in dispute. What is disputed is the ownership of the intertidal zone in front of the Eckrote property. Our shore front, along with the flats in front of the Mabee/Grace property, has been placed in a conservation easement. Despite these concerns, the current Nordic plan calls for a 40-foot trench and industrial pipes to cross this protected intertidal zone.

According to the DEP, these conflicting claims will be sorted out in court. For the Planning Board to consider Nordic's claim to Title, Right, and Interest at this time seems premature.

Larry Theye and Betty Becker-Theye

Re: Nordic Aquafarms

Public Hearing

Tue 7/30/2019 9:58 AM

To: William Leavenworth <william.leavenworth@gmail.com>

Mr. Leavenworth:

I have received the comment that you submitted via email on July 30 regarding the Nordic Aquafarms permit applications. Your comment will be provided to the Planning Board for their upcoming meeting of August 5.

Wayne

From: William Leavenworth <william.leavenworth@gmail.com>

Sent: Tuesday, July 30, 2019 9:51 AM

To: Public Hearing <public@cityofbelfast.org>

Subject: Nordic Aquafarms

This project may jeopardize the recovery of the entire Penobscot Bay, by enabling an algae takeover north of Camden and west of Fort Point. We currently have a growing number of wild salmon returning to spawn in the Penobscot River and the smaller tributaries of the Bay, including the Passagassawaukeag and the Ducktrap. A single mistake at NAF would put the Bay's recovery back a century or more.

Very truly yours,

Dr. William Burgess Leavenworth, Ph.D., retired environmental historian & mariner.

Re: message for Belfast Planning Board regarding Nordic Aquafarms

Wayne Marshall

Tue 7/30/2019 9:34 AM

To: Natalie c <mallard1843@gmail.com>

Natalie

I have received your July 30 email regarding the Nordic Aquafarms permit applications. I will be providing the email comment to the Board for their meeting of August 5.

Wayne

From: Natalie c <mallard1843@gmail.com>

Sent: Tuesday, July 30, 2019 8:11 AM

To: Wayne Marshall <planner@cityofbelfast.org>

Subject: message for Belfast Planning Board regarding Nordic Aquafarms

Dear Planning Board,

To insure integrity, I urge you to wait for Nordic Aquafarms to show RTI before issuing any permits.

Sincerely,
Natalie Charles
Belfast

Re: Comments for Planning Board Meeting 8/5

Wayne Marshall

Tue 7/30/2019 9:14 AM

To: Robyn Duffy <robynd10@yahoo.com>

Ms. Duffy

I have received the comment that you submitted via email on the Nordic Aquafarms permit application. Your comment will be provided to the Board for its upcoming August 5 meeting.

Wayne

From: Robyn Duffy <robynd10@yahoo.com>

Sent: Monday, July 29, 2019 8:32 PM

To: Wayne Marshall <planner@cityofbelfast.org>

Subject: Comments for Planning Board Meeting 8/5

Dear Belfast Planning Board Members,

As a year round resident and property owner in Belfast I feel compelled to write you. I am alarmed and absolutely dismayed by the permitting process for Nordic Aquafarms. I urge you to do the right thing. Allow our community to be more involved, slow the process down, remove persons that clearly have a conflict of interest, and stop letting money dictate our democratic processes. Even though most city officials support this project you can't ignore the large number of individuals that are against it for good reasons. Please represent our entire community and do the right thing.

Sincerely,

Robyn Duffy

Re: Nordic Aqua Farm Permit

Wayne Marshall

Tue 7/30/2019 9:16 AM

To: Chad Mills <cmillz@yahoo.com>

Mr. Mills.

I have received the comment that you submitted via email on the Nordic Aquafarms permit applications. I will be providing your comment to the Board for its upcoming meeting of August 5.

Wayne

From: Chad Mills <cmillz@yahoo.com>

Sent: Monday, July 29, 2019 8:46 PM

To: Wayne Marshall <planner@cityofbelfast.org>

Subject: Nordic Aqua Farm Permit

Dear planning board members,

I am writing to give comments about the Nordic Aqua Farms project.

After hearing from Jeffery Mabee, I am very concerned that Nordic Aqua Farms does not have the proper legal access to get their waste pipe to the bay. This is a decision for the courts and I urge you not to grant any permits until there is a decision from a judge.

Thank you.

Chad Mills
Resident of Belfast

Re: Nordic

Public Hearing

Tue 7/30/2019 9:46 AM

To: Lewis Cisle <lcisle@bluestreakme.com>

Mr. Cisle:

I have received your email of July 29 regarding the Nordic Aquafarms permit applications. I will be providing your comment to the Planning Board for their upcoming meeting of August 5.

Wayne

From: Lewis Cisle <lcisle@bluestreakme.com>

Sent: Monday, July 29, 2019 11:39 PM

To: Public Hearing <public@cityofbelfast.org>

Subject: Nordic

Dear Belfast Planning Board,

As a business owner in Belfast I am deeply concerned about the impact that NORDIC's facility will have on the thriving business community we have now. There are too many questions that have gone unanswered or glossed over. The intertidal zone is one of them, my understanding is that NORDIC has no legitimate claim on this property. The health of the bay itself is another. Our bay is warming rapidly even without the waste material that NORDIC plans to dump into it. Will the people who come from all over world want to sail or swim in a polluted bay? Has anyone here considered the effects of climate change on our coastline as towns all up and down the coast are doing. This summer we have more visitors on the streets than I have seen in all the years I have been here. Do we really want to return to being an industrial town.

Too many questions regarding this fish farm and its effect on well-being have gone unanswered. They need to be addressed before we go any further. We are doing fine as we are, NORDIC could easily be what breaks our little town.

Thank you for your time and attention,

Lewis Cisle
243 High St

*Belfast
Business Owner*

To: City of Belfast Planning Board

From: Lawrence Reichard, Belfast Resident

Re: Nordic Aquafarms

I am a freelance journalist; I have lived in Belfast for five years; and I have lived in midcoast Maine for most of the last 37 years. Over the course of the last year and half I have done extensive research on Nordic Aquafarms, and I have written extensively on the company. That writing has appeared in The Republican Journal, Village Soup, the Bangor Daily News, two California newspapers and one national publication.

In the fall of 2018, I traveled to Norway and Denmark to look at Nordic Aquafarms' operations in those countries. As chance would have it, I was an exchange student in Denmark, and as a result, I speak Danish and am able to understand Norwegian.

What I found in Norway and Denmark, and what I have found through my research, should be of considerable concern to this body and to the entire Belfast community.

In the interest of brevity, I won't here go into all that I have uncovered about Nordic Aquafarms, but I urge all members of the Planning Board to read the eight columns I wrote on Nordic Aquafarms that were published by The Republican Journal and Village Soup. All eight of these columns are available online at waldo.villagesoup.com.

I understand that the Planning Board is accepting comments on Nordic's technical capacity to manage and administer a large land-based fish farm, and on the company's financial ability to successfully build and manage such a project, and I shall address these two areas, which are related and interconnected.

I am not an expert of Nordic's finances, and frankly I don't think anyone outside of the company knows much about this, as Nordic Aquafarms has publicly said essentially nothing about its finances except to issue assurances that it is financially capable of completing its planned \$500 million project.

But the signs and indications that are public are not re-assuring.

Despite its statements to the contrary, Nordic Aquafarms has little experience in financing, building, or managing fish farms, and it has no experience in financing, building or managing a fish farm at anywhere near the scale of what the company proposes to do in Belfast. Nordic Aquafarms did not build its Maximus smolt operation in Denmark – it purchased the facility. And according to Danish aquaculture expert Bent Urup, Nordic Aquafarms played a relatively minor role in the development of its Sashimi Royal fish farm in Denmark. Urup was himself heavily involved in the development of both facilities and in fact owned the Maximus operation and sold it to Nordic Aquafarms.

Nordic did build its operation in Fredrikstad, Norway, but none of Nordic's three fish farms is more than one fifth the size of what the company has proposed for Belfast – and its Maximus plant is much smaller than one fifth that size.

What little we do know about Nordic's finances raises considerable doubts about the company's ability to build and operate a very complicated and complex project of this size.

By its own admission, Nordic doesn't yet have in place the financing necessary to complete its Belfast project. In other words, Nordic Aquafarms proposes to clearcut and pave over dozens of acres of the cherished Belfast Woods for the sake of an unsure - and unprecedented - industrial project.

For its operations in Norway and Denmark, Nordic Aquafarms has sought and received numerous grants and tax breaks from local and national governments, and from the European Union (EU). And Nordic has sought, and in at least some cases received, similar grants and tax breaks here in Belfast. Nordic's track record on project financing is clear: it has not carried its own financial burden; it does not intend to start carrying its own financial burden; and by its own admission, its very ability to carry its own financial burden is open to question. Clearly Nordic Aquafarms is not averse to having taxpayers shoulder financial responsibility for its operations.

As stated previously, the issues of Nordic's finances and expertise are inter-related. According to the previously cited Danish aquaculture expert Bent Urup, at least some of the personnel hired by Nordic Aquafarms to manage its facilities are not of the caliber to manage here in Belfast what even Nordic itself admits is a very complex and complicated system. And the evidence suggests that Mr. Urup is correct. Nordic's chief technology officer has no advanced degree, has published no papers or articles, and has no experience running or managing anything near as large as what is being proposed for Belfast.

Other key personnel pegged for Belfast have similar minimal or negligible experience and give every appearance of being woefully unprepared for managing a system such as that being proposed for Belfast. No land-based fish farm this big has ever been built anywhere in the world, and the credentials of Nordic's Belfast personnel are well short of what is likely required for the successful operation of such an unprecedented operation. This glaring lack of experience contrasts sharply with, for example, the plans of Aquabanq, a U.K.-based company that seeks to build another land-based fish farm in Maine and which has hired Mr. Urup to oversee its Maine operation.

In announcing the hiring of some of its key Belfast personnel, Nordic Aquafarms cited their experience as lab assistants, in building log cabins, and in having lived in Florida. Clearly this is not re-assuring.

But one need not rely on the questionable resumes of Nordic personnel to assess the company's abilities. Nordic's actions here in Maine also speak to the company's lack of experience, or worse. Earlier this year, in official testimony to the Maine legislature's Joint Standing Committee on Agriculture, Conservation and Forestry, Nordic Aquafarms management stated that fish cannot escape from land-based fish farms. As I fully demonstrated in a subsequent letter to the committee, this is simply not true, and even Nordic Aquafarms itself had admitted this on multiple occasions prior to this testimony. This testimony, made in contradiction to Nordic's own previous statements, seems to have been the result of incompetence or an intentional attempt to mislead. I am happy to make my letter to the legislative committee available to the Planning Board.

In fact, the lack of experience and expertise of Nordic's Belfast personnel is so glaring that cost-cutting, incompetence and or sheer indifference to end results seem to be the only logical explanations. With the health and wellbeing of Belfast Bay and our watershed and aquifer at stake, this is no place to gamble or experiment on a decided, profound and glaring lack of expertise.

But Nordic's struggles with managerial competence stretch beyond its proposed Belfast project.

In Denmark I interviewed a former Nordic Aquafarms employee whose duties, at the age of 14, included cleaning with a DuPont chemical called Virkon S. The labels on containers of Virkon S clearly state that the chemical can be harmful to human eyes, but in violation of Danish law, this former employee was employed to clean in Nordic's Maximus smolt plant without protective eyewear. And what is more, it is illegal under Danish law for a child of 14 to handle Virkon S under any circumstances.

Clearly this magnitude of incompetence on the part of Nordic Aquafarms management does not speak well for the caliber of such management, nor does it bode well for the successful management of Nordic's operations here in Belfast. And while Nordic Aquafarms attacked my reporting on this mismanagement, the company has never denied this charge made against it.

In closing, Nordic Aquafarms will face many sizable and significant hurdles and challenges if it is allowed to proceed with its proposed Belfast project, and the evidence to date is strong and clear: Nordic's experience, expertise and competence is well short of what should be expected of a company that wants to risk the future of our bay, our watershed, our aquifer and indeed our community as a whole on a project of unprecedented scope.

Lawrence Reichard
6 Congress St. #406
Belfast, ME 04915
(207) 322-1043
reichard@gmail.com

Re: Comment

Public Hearing

Tue 7/30/2019 10:42 AM

To: Jason Rawn <rawnjason@gmail.com>

Mr. Rawn

I have received the comment that you submitted via email on July 30 regarding the Nordic Aquafarms permit application. It will be provided to the Planning Board for their meeting of August 5.

Wayne

From: Jason Rawn <rawnjason@gmail.com>

Sent: Tuesday, July 30, 2019 10:12 AM

To: Public Hearing <public@cityofbelfast.org>

Subject: Comment

To Whom It May Concern:

As a Lincolnville resident, a neighbor on Penobscot Bay, I'm concerned about the proposed enormous industrial project that would primarily benefit a very small number of Norwegian investors at the expense of those of us here "on the ground" in our natural habitat. It's clear that NAF is not a reputable entity. They have been caught lying multiple times in public, and their whole business plan is 100% based on destruction and pollution here where we live.

They are cons and should be denied many times over.

Jason Rawn,
Lincolnville

Sent from my iPad

Re: NAF

Public Hearing

Tue 7/30/2019 11:43 AM

To: katenia keller <kateniakeller2@gmail.com>

Ms. Keller

I have received your email of July 30 regarding the Nordic Aquafarms permit applications. Your comment will be provided to the Planning Board for their meeting of August 5.

Wayne

From: katenia keller <kateniakeller2@gmail.com>

Sent: Tuesday, July 30, 2019 10:39 AM

To: Public Hearing <public@cityofbelfast.org>

Subject: NAF

I oppose the proposed NAF factory farm.

I feel it is not in keeping with the values of clean water that many people live here for or that bring vacationers, who are a vital part of our economy, to our beautiful town.

Aside from cutting down the forest and putting effluent into the bay, it only takes one mistake in the 365 day 24/7 schedule to create a pollution problem.

Please listen to what so many people are saying and keep this for-profit corporation from using the water here for their own purposes.

Sincerely
Katenia Keller

Re: Letter for planning board August 5th meeting

Public Hearing

Tue 7/30/2019 12:47 PM

To: schlueter.ERICA@gmail.com <schlueter.ERICA@gmail.com>

Ms. Schlueter:

I have received your email of July 30 regarding the Nordic Aquafarms permit applications. Your comment will be provided to the Planning Board for their upcoming meeting of August 5.

Wayne

From: schlueter.ERICA@gmail.com <schlueter.ERICA@gmail.com>

Sent: Tuesday, July 30, 2019 11:54 AM

To: Public Hearing <public@cityofbelfast.org>

Subject: Letter for planning board August 5th meeting

To The Belfast Planning Board,

The responsibility of the planning board is monumental on the divisive issue of Nordic Aquafarm proposed fish farm. This project has so many moving parts it's hard for me, as a citizen of Belfast, to fully grasp the breadth of details. I hope the planning Board has had time to do the much needed research to fully comprehend the information in NAF permit applications on this type of business. Early on things for this project seemed rushed to get the ball moving, now that more details and potential impacts are brought to light I hope each planning Board member is 100% sure of the facts they have prior to making any irreversible decisions.

Thank you for all the time and attention you have hopefully given to the many details of this projects and the long term impact the many aspects this facility could have on the holistic well being of Belfast and the surrounding towns. I hope if anything is unclear or uncertain to any of you you will delay proceedings in an effort to prevent any ill informed decision.

Measure twice cut once.

Thank you,

Erica Schlueter
Belfast, ME

Re: Write in for TRI

Public Hearing

Tue 7/30/2019 12:45 PM

To: Suzanne Stone <whitegourdia@gmail.com>

Ms. Stone.

I have received your email of July 30 regarding the Nordic Aquafarms permit applications. I will provide the Board your letter for their upcoming meeting of August 5.

I have also chosen to address your comment regarding how Nordic Aquafarms is paying for the services of City Attorney. To be clear, William Kelly, City Attorney, is working for the Belfast Planning Board. The City has assessed Nordic Aquafarms a permit fee, \$102,150, to enable the Planning Board to engage the services of various professionals to assist them in their review of the Nordic applications. The Planning Board will be using these permit fees to hire professional services on matters such as civil engineering, hydrogeology, traffic, and yes, legal concerns. All professionals hired by the City work for the Planning Board, not Nordic Aquafarms.

Also, it is standard practice for the City to assess fees on respective applicants who apply for a Planning Board permit rather than relying upon taxpayer funds to pay such specific costs associated with the review of a specific permit application. We also use these fees for costs incurred with publishing required public notices and in this case, the rental of outside meeting space.

Wayne

From: Suzanne Stone <whitegourdia@gmail.com>

Sent: Tuesday, July 30, 2019 12:08 PM

To: Public Hearing <public@cityofbelfast.org>

Subject: Write in for TRI

Dear Belfast Planning Board,

I am writing as a Belfast resident, to encourage you to slow down this process with Nordic Aquafarms & ultimately halt this project of pollution, of disregard for the natural world & of future generations' drinking water.

Most recently I am appalled at Nordic Aquafarms paying for the services of our City Attorney to assist with their proceedings. This is a major conflict of interest & Nordic Aquafarms should be hiring their own attorney. Please look into this sketchy detail carefully for this sets the stage for Belfast to be owned by a large corporation as well as is a gross unethical practice. Would this be one a new practice for businesses in Belfast to hire the City Attorney to push forward their agendas? This process is not democratic; it can be likened to bribery.

As well, there seems to be a court case underway to decide if Nordic Aquafarms has access to the intertidal zone in Belfast Bay & thereby would be wrong for the Planning Board to allow

a permit for this way right of way. Allowing this permit would undermine the legal process that is taking place, if it is even possible legally for the Planning Board to do such.

Nordic Aquafarms is not something I wish my tax dollars to go towards for many reasons including my love of the Bay & all its inhabitants, protecting drink of water in aquifers for future populations, & for salmon, living beings, who should not be in a holding tank swimming around with antibiotics, soy (GMO?) food products & cleaning agents. I definitely do not wish to offer tax breaks to this expensive, on too many levels, project.

Please do not hand Nordic Aquafarms the permit to access through the intertidal zone. This process must continue to slow down.

I'd like to also mention that I am disappointed in the undemocratic process of not allowing public comment at the August 5 meeting.

Thank you for listening.

Suzanne Stone
12 Mill Lane
Belfast

Local Citizens for SMART Growth
38 Perkins Rd., Belfast, ME 04915

Dear Members of the Belfast Planning Board,

First off, we would like to express our gratitude for your service, particularly in light of the huge requirements of reviewing the Nordic Aquafarms permit application. However, we are compelled to register our written concern with certain procedural details of the upcoming Planning Board deliberations regarding the NAF application.

We are aware that at least two members of the Planning Board have inquired about whether they will receive "**objective, independent legal help**" to understand and make decisions regarding the outstanding issues of Right, Title, and Interest. We have seen on tape that Mr. Marshall indicates Mr. Kelly can serve in that role, and that his oversight and advice on all matters of the Planning Board proceedings will be paid for by Nordic Aquafarms.

While we acknowledge that there is a procedural precedent to have an Applicant paying for City expert support in processes like this, the particulars of this occasion seem to cross over the line. It is certainly as clear as day that the City will do everything it can to move this project forward, including having Mr. Kelly draft and present a Procedural Order to the Planning Board on July 11 that includes disallowing any oral testimony on the issue of Right, Title, and Interest at the August 5th Planning Board hearing.

We also understand that while the City is accepting written testimony on the issue of Right, Title, and Interest, Mr. Kelly will be deciding what he deems necessary for the Planning Board to receive as well as controlling the narrative that accompanies the discussion and deliberation.

We urge you, the Planning Board, to consider the appearance to a significant number of citizens of a significant Conflict of Interest in this instance. If what you have inquired about is truly an "**objective, independent legal help**" to assist you in your understanding and decision making, you are entitled to truly receive it.

Sincerely,

Ellie Daniels, on behalf of Local Citizens for SMART Growth

ellie@greenstore.com, (207)322-6464

Re: Letter to the Planning Board

Public Hearing

Tue 7/30/2019 12:29 PM

To: ellie@greenstore.com <ellie@greenstore.com>

Ellie

I have received your letter sent via email on July 30. I will provide such to the Planning Board for their meeting of August 5.

Wayne

From: ellie@greenstore.com <ellie@greenstore.com>

Sent: Tuesday, July 30, 2019 11:53 AM

To: Public Hearing <public@cityofbelfast.org>

Cc: 'Bruce McGlaflin' <bmcglaflin@pmhlegal.com>; 'James Haddow' <jhaddow@pmhlegal.com>

Subject: Letter to the Planning Board

Good Morning, Wayne,

I have attached a communication to the Planning Board. Would you please acknowledge that they have received it.

Thank you,
Ellie

Ellie Daniels

The Green Store, Inc.

(207) 338-4045 x2 Work
ellie@greenstore.com

71 Main St.
Belfast, Maine 04915

Re: Planning Board meeting written comment for aug 5 meeting

Public Hearing

Mon 7/29/2019 12:34 PM

To: Steve Byers <stevejbyers@gmail.com>

Hello Steve

I have received the email that you sent on July 29 and will be providing your comment to the Belfast Planning Board for their consideration at their upcoming meeting of August 5.

I am also choosing to respond to your comments about "— City Attorney, Nordic Aquafarms is paying him for various services to their cause".

William Kelly, City Attorney, is providing services to the Belfast Planning Board. He works for the Planning Board. The City assessed a permit fee to Nordic Aquafarm associated with Planning Board review of their application and Nordic has paid the fee the City identified; \$102,150. Nordic Aquafarms has no control of how the City spends the fee to obtain professional services that the Board may require; the City, not Nordic manages expenditures from this account. The City is using the fee collected from Nordic Aquafarms to provide independent professional services associated with the review of their proposed development plans (civil engineer, hydro-geologist, and traffic engineer), legal services, and for meeting room rental fees and advertising (public notice) costs.

Continuing, the above is standard practice in the City's review of development/permit applications reviewed by the Planning Board. The City charges the applicant, rather than the taxpayer, for specific professional services and advertising services associated with the review of their application. All applicants pay fees based on respective costs associated with their proposal. The fee assessed to Nordic is much greater than other applicants because of the range and amount of professional services associated with the Planning Board's review of their application.

All persons hired by the City work for the City and the Planning Board.

Wayne

From: Steve Byers <stevejbyers@gmail.com>

Sent: Monday, July 29, 2019 11:54 AM

To: Public Hearing <public@cityofbelfast.org>

Subject: Planning Board meeting written comment for aug 5 meeting

Dear Belfast Planning Board

I am aware that the intertidal zone is hotly disputed right now. According to the newspapers, this process is now a court case and must be decided by a judge if Nordic has the TRI to the intertidal zone. I am concerned that if the planning board chooses to grant a

permit to Nordic prior to this ruling that they will be putting the cart before the horse and setting a precedent for broken procedural assessment of the permit. Is this true?

Even if it isn't true and the Planning Board can make a ruling prior to the court ruling, I wonder what message will be sent to the public. Perhaps we will think, "Any wealthy corporation can get permits from the city, go across disputed conservation land, and avoid servicing the greater good of the public."

This process must slow down. SLOW DOWN. There is no need to rush. We have every need and right to take our time with the process. If a corporation with 500 million dollars needs to take a little more time to do the right thing, then they should.

I am also concerned about the payments being made to the City Attorney. Nordic Aquafarms is paying him for various services to their cause. I believe that this is a conflict of interest. Please prove that it is or isn't a conflict of interest and if any other business in Belfast from here on out is able to pay the City Attorney for any legal fees to promote their business. Please inquire into the exact dollar amounts, reasons, and intentions behind why Nordic is using the City's Attorney to work for them rather than hiring their own attorney.

Thank you for your time, integrity, and honesty in this process,

Steve Byers
135 E. Waldo Rd. Waldo, ME 04915
Business owner- Belfast

Re: Belfast Planning Board

Wayne Marshall

Mon 7/29/2019 2:26 PM

To: Jeffrey Mabee <jrmabee@gmail.com>

To Jeffrey Mabee and Judith Grace

I want to let you know that I have received the email that you sent today, July 29. The letter will be included in the formal record of the Planning Board and will be provided to the Board for its meeting of August 5.

Wayne

From: Jeffrey Mabee <jrmabee@gmail.com>

Sent: Monday, July 29, 2019 2:18 PM

To: Wayne Marshall <planner@cityofbelfast.org>; Amy Flood <cityclerk@cityofbelfast.org>; Samantha Paradis <mayor@cityofbelfast.org>; Ward1 Councilor <ward1councilor@cityofbelfast.org>; Ward2 Councilor <ward2councilor@cityofbelfast.org>; Ward3 Councilor <ward3councilor@cityofbelfast.org>; Ward4 Councilor <ward4councilor@cityofbelfast.org>; Ward5 Councilor <ward5councilor@cityofbelfast.org>; Joe Slocum <citymanager@cityofbelfast.org>

Subject: Belfast Planning Board

7-29-19

To the Belfast Planning Board,

We, Jeffrey Mabee & Judith Grace, stand in awe of a procedure that will allow scores of people to do unnecessary work and lawyers to be paid tens of thousands of dollars when it makes so much sense for the city to reject Nordic's claim to title, right and interest. All deeds prior to 2012 show the property now owned by the Ekrotes ending "along high water of Penobscot Bay"– The deed on which Nordic is basing it's TRI originated In 2012. In that deed the words " along high water of Penobscot Bay" were changed to "along said Bay". One signer of that deed was Kenneth Lindell who is in prison for embezzling millions of dollars from the then-owner of the upland property. You can ask any lawyer (including Bill Kelly), whether you can convey property based on a wording change in a deed. The answer will be "no". It is just that simple. Nordic Aquafarms has continued to base its TRI in that intertidal land on this illegally reworded deed, and because of that, we have begun a suit asking the court to verify our ownership of that piece of intertidal land. This expenditure of time and significant money could be avoided by the lawyer in your employ making this simple determination.

As long-time Belfast residents, we are requesting that you pause in your process with Nordic to find out what is the truth about the ownership of the land they plan to cross.

Please let's save many people from doing unnecessary work from having to spend, perhaps, hundreds of thousands of dollars. Do the right thing and reject this claim of "color of title" which is based on an illegally reworded deed.

Sincerely,

Jeffrey Mabee
Judith Grace
290 Northport Ave
Belfast, ME. 04915

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What is the world coming to? Click on this link and find out!
www.mainehousing.org

"When you open yourself to the continually changing, impermanent, dynamic nature of your own being and of reality, you increase your capacity to love and care about other people and your capacity to not be afraid. You're able to keep your eyes open, your heart open and your mind open." -Pema Chodron

Wayne

From: Deborah Capwell <deborahflora@gmail.com>
Sent: Monday, July 29, 2019 2:59 PM
To: Public Hearing <public@cityofbelfast.org>
Subject: comment submission to the Planning Board

To whom it may concern;

Attached please find my comment to the Planning Board re: issues to be taken up at the Aug. 5 meeting.

Thank you for forwarding it to them.

Deborah Capwell

Dear Members of the Belfast Planning Board,

I am writing to urge you to consider carefully all aspects of the complex and contentious situation surrounding Nordic Aqua Farms permit applications. Most importantly, Nordic **DOES NOT HAVE TRI** to the intertidal property, which is crucial to permitting.

Jeffrey Mabee and Judith Grace, the owners of the intertidal property, are presently the plaintiffs in a suit against Nordic regarding TRI. The BEP did not make a decision, deferring to the courts. It is essential that you do not sign off on a permit application before the court has ruled on this matter. The rule of law must prevail.

Signing off on this permit now, in addition to accepting Nordic's desperate attempts to circumvent the facts, would also set a dangerous precedent. Can property owners have their property taken away or used without their consent? This is what would happen if you rule for Nordic, and later on the court rules in Mabee and Grace's favor. I'm guessing that Nordic is anxious to start the project as soon as possible, but again, the rule of law is more important than their project schedule. Property owners **MUST** be protected by their government. In this case, this means that you need to rule on Nordic's applications **AFTER** the court has made its decision.

In addition, I am **MOST** concerned by the news that Nordic is paying the counsel for the City, Bill Kelly. This is most certainly a conflict of interest and needs to be stopped immediately. Have the specifics of this arrangement been made public? Don't the citizens of Belfast have a right to know what our attorney for the City has agreed to? Again: what kind of precedent does this set? Will any business with enough cash be able to make a similar deal?

In these difficult times, it isn't easy to stand up for what is right. There is enormous pressure to allow corporations to extend their power further and further. The reason we have laws is to ensure that a democratic and civil society can survive. Please do what is right and refuse to sign off on any claim to TRI until the court has ruled. Also, please do your best to investigate the agreement between the City attorney and Nordic.

Thank you for your time and attention.

Deborah Capwell
22 Wight St.
Belfast, ME 04915

Re: comment submission to the Planning Board

Public Hearing

Mon 7/29/2019 5:48 PM

To: Deborah Capwell <deborahflora@gmail.com>

Dear Ms. Capwell:

*Response From
Wayne Marshall
to Deborah
Capwell*

I want to let you know that I have received your comment and that your comment will be provided to the Planning Board for its upcoming meeting on August 5.

I am also choosing to respond to the following two comments that you made:

- 1) " I am MOST concerned by the news that Nordic is paying the counsel for the City, Bill Kelly. "
- 2) "Have the details of this arrangement been made public?"

To be clear, William Kelly is serving as the Attorney for the City of Belfast Planning Board; he is not working for Nordic Aquafarms. Nordic Aquafarms, like all applicants for a permit, has paid the City the permit fee requested by the City to facilitate Planning Board review of their permit application. The fee the City identified for the review of the current Nordic Aquafarms permit applications is \$102,150. The Planning Board and our Department, not Nordic Aquafarms, will decide who we hire to review their plans and the scope of work that will be performed to assist the Board in their review of the application. Our Department manages the fees collected on behalf of the Board.

One of the professional service costs the City will pay through the fee we have collected is for services provided to the Board by Attorney Kelly. The City will use some of these same permit fees for the services of a civil engineer, a hydrogeologist, and a traffic engineer to provide advice to the Board, and we will use others to pay certain meeting space and advertising/public notice costs. This is standard City practice for permits that the Planning Board reviews. Belfast, like many Maine municipalities, believe this is a much better approach than relying upon local tax dollars for these type of services that may be needed by the Board.

You also question if any of these arrangements have been made public. I specifically addressed the permit fees and how they would be used in two public meetings; the Planning Board meeting of July 11 and the City Council meeting of July 16. In addition, at other public meetings I have often spoken of how the Planning Board would engage professional services to assist in its review of the permit applications; most recently at the June 26 Board meeting at which Nordic Aquafarms presented their application to the Board.

In closing, the City approach to require the applicant to pay a permit fee to the City so the Planning Board has professional services available to assist in its review of an application is standard practice, and all professionals engaged by the Board work for the Board and City, and not for or at the behest of an applicant.

Democracy in Belfast

Jim Merkel <jimimerkel@gmail.com>

Tue 7/30/2019 1:57 PM

To: Public Hearing <public@cityofbelfast.org>

Dear Belfast Planning Board,

I do not believe that attorney Bill Kelly can provide objective and independent legal help to the Planning Commission as Mr. Kelly has been actively working to restrict citizen input and has been working to represent the city in a lawsuit challenging the following of democratic procedures. Mr. Kelly has been actively representing the interests of Nordic Aqua farms through City Council and Staff direction, however, this has not been 'objective.'

Jim Merkel
97 Patterson Hill Rd.
Belfast, Me 04915

Re: letter to planning board

Public Hearing

Tue 7/30/2019 2:39 PM

To: Sally Brophy <sallybrophy@icloud.com>

Ms. Brophy:

Sally Brophy
20 Bradbury St.
Belfast

I have received your email comment sent earlier today regarding the Nordic Aquafarms permit applications. Your comment will be provided to the Planning Board for their upcoming meeting of August 5.

Wayne

From: Sally Brophy <sallybrophy@icloud.com>

Sent: Tuesday, July 30, 2019 1:26 PM

To: Public Hearing <public@cityofbelfast.org>; Sadie Lloyd Mudge <slloyd@cityofbelfast.org>; Erica Nealley <planningandcodes@cityofbelfast.org>

Subject: letter to planning board

July 30, 2019

re: Nordic Aquafarms Permit Review

Belfast Planning Board:

I have many concerns regarding the Nordic Aquafarms project. One of the biggest is this statement from the permit: "Based on the geotechnical investigations presented in Section 11, project development is expected to require blasting of approximately 18,000 cubic yards of bedrock during the construction of Site buildings and ocean pipeline infrastructure." (Ransom Consulting Section 20, Page 1, Figure 20-1, Appendix 20-A and 20-B).

What would the results of this blasting be on the mercury buried in the bay? Will there be any warning given to people who might be swimming, fishing or boating when the blasting occurs? Along with the blasting, the dredging required to bury Nordic's three pipelines will stir up and re-suspend mercury deposited 50 years ago by HoltraChem. Sediment samples taken found at least one with a mercury concentration of 239 nanograms/gram (ng/g).

Concentrations over 200 ng/g justify closing an area. If the bay is contaminated by mercury what will this do to the reputation of our area for fishing, real estate values, and vacationer's choices?

According to Exhibit Supplemental F by Ransom Consulting the proposal now includes burying the pipelines by creating a 5.5-foot high, .5 mile long underwater seawall off Northport. What kind of studies have been done to show the effects this wall will have on lobster migration, currents, and shoreline erosion? Thank you for your work on this process.

Re: Nordic Aquafarm project in Maine

Public Hearing

Tue 7/30/2019 2:34 PM

To: Carolyn Pressley <carolynpressley@gmail.com>

Ms. Presley

I have received your email of July 30 and will provide such to the Planning Board for their upcoming meeting of August 5.

Wayne

From: Carolyn Pressley <carolynpressley@gmail.com>

Sent: Tuesday, July 30, 2019 1:33 PM

To: Public Hearing <public@cityofbelfast.org>

Subject: Nordic Aquafarm project in Maine

Fellow citizens/ members of the Planning Board of the City of Belfast,

Try to remember the Seven Generations Principle as you do your work to review the application of Nordic Aquafarm.

Whatever the colorful graphic, will what we permit in our city benefit not only immediate residents, but those for the next 7 generations? This advice becomes no less vital, if we have less than 7 generations left because of our prior decisions.

Thank you for your attention and trust. I need your support to feel safe in the environment and to give the community a sense of honor. Thank you for your responsible efforts.

Carolyn Pressley

43 Union Street Apt. 3

Belfast, ME 04915

Re: Belfast Planning Board re Nordic Aqua Farms

Public Hearing

Tue 7/30/2019 2:30 PM

To: Ridgely Fuller <ridgelyfuller@gmail.com>

Hello Ridley

I have received your email of July 30 regarding the Nordic Aquafarm project. Your letter will be provided to the Board for their upcoming August 5 meeting.

Wayne

From: Ridgely Fuller <ridgelyfuller@gmail.com>

Sent: Tuesday, July 30, 2019 1:34 PM

To: Public Hearing <public@cityofbelfast.org>

Subject: Belfast Planning Board re Nordic Aqua Farms

Dear Members of the Belfast Planning Board,

I am writing to express my concern over the permitting of Nordic Aqua Farms and urge you reject granting any permit at this time.

I am deeply concerned over their handling of the issue of rights to the intertidal zone. First, it is clear that the corporation has known of the title issue for months and sought to bury this information. This practice certainly does not speak well for the integrity of the company, especially as our community is risking ALOT..our water, capacity, the quality of the Bay, loss of preserved land. Furthermore, NAF has made many promises related to feed, employment, noise, safety traffic..all of which are now very suspect due to their behavior in the TRI issue.

Secondly, the TRI issue is now facing litigation and it seems imprudent for you to grant a permit when this dispute is still in the courts.

You are also requesting information on their managerial capability....I would suggest that the strategy employed to conceal the rights of intertidal zone does not speak well for integrity of NAF's management

Finally, even the report commissioned by the City to examine the financial capacity of NAF acknowledges the difficulty facing RAS aquaculture .in terms of generating sufficient finances to initiate and maintain such a business....let

alone one on such a scale.NAF has acknowledged they are just in the beginning stages of raising revenue and it appears that the \$65 million on hand may also be marked for the Norwegian and Danish aquaculture operations as well as here.The report spoke of the

reluctance of insurance companies to provide coverage.
NAF personnel have also stated they expect the facility to last 30 years and refuses to supply any bond or other means of indemnifying our City should the corporation fail in its promises or execution of its intent.

I believe Belfast is being asked to risk way too much in terms of our environment, and quality of life to permit such a venture to move forward.

Sincerely,
Ridgely Fuller

Re: Nordic comment

Public Hearing

Tue 7/30/2019 2:19 PM

To: Kathryn Shagas <kathryn@kshagasdesign.com>

Kathryn Shagas and Tony Mackowski

Kathryn Shagas
Tony Mackowski
26 Bayview St
Belfast

I have received the comment that you submitted on July 30 regarding the Nordic Aquafarms permit applications. Your comment will be provided to the Planning Board for their upcoming meeting on August 5.

Wayne

From: Kathryn Shagas <kathryn@kshagasdesign.com>

Sent: Tuesday, July 30, 2019 2:01 PM

To: Public Hearing <public@cityofbelfast.org>

Subject: Nordic comment

To the Belfast Planning Board:

Thanks for your hard work on this important issue. We are writing to urge you to deny the Nordic Aquafarms proposal.

The City of Belfast has begun admirable work to reduce its carbon footprint, with the solar farm and attention to plastic bags etc. By Nordics own estimates, the combination of energy use, with only six percent renewable, will cancel out other efforts by the city to reduce its carbon footprint.

The argument has been made the Belfast needs the jobs and that is worth adding a little more pollution to the bay. Business owners We have spoken to can't find enough people to work and say that Belfast has a housing problem, not a jobs problem. Most of Nordic's technical jobs have already been filled by people from elsewhere, and the level of remaining jobs is not likely to be the type that will keep young people in Belfast.

As far as Nordic's presence resulting in tax reduction, we attended a Council meeting last fall where Mary Mortier told the other councilors that property taxes would not be lowered.

With additional pollution in our bay, or even the perception of additional pollution in our bay, the fishing industry and the tourist industry are likely to suffer.

The technology of land-based salmon farming is in an infancy stage, and the huge tanks the Nordic will build that will cover 22 football fields are likely to be obsolete long before Erik Heim's prediction of 30 years. How will that be a boon to Belfast?

We appreciate your time on the planning board and hope you will make the right decision.

Re: NAF

Public Hearing

Tue 7/30/2019 3:03 PM

To: joan proudman <joanproudman@gmail.com>

Ms. Proudman

I have received your email of July 30 regarding the Nordic Aquafarms permit application. Your comment will be provided to the Planning Board for their meeting of August 5.

Wayne

From: joan proudman <joanproudman@gmail.com>

Sent: Tuesday, July 30, 2019 2:48 PM

To: Public Hearing <public@cityofbelfast.org>

Subject: NAF

Hello,

I am writing a brief note to say that I disagree ¹⁰⁰ with the proposal to build one of the largest aquaculture farms in the world in the quaint, seaside community of Belfast. The ramifications of such a project will, without a doubt, profoundly and irreversibly affect the entire area. I am shocked and saddened that people - who claim to love our Maine home - would even consider such a proposal. Our wildlife, our waters (both fresh and salt) and the land around us will be irrevocably harmed by such a large industry at such a close proximity and they are already dangerously diminished.

Please halt this project now.

Thank you.

Joan Proudman

--

Joan Proudman

<https://joan-proudman.squarespace.com/>

Freedom, ME



**City of
Belfast**

Wayne Marshall <planner@cityofbelfast.org>

from Conny Hatch

3 messages

Conny Hatch <connyhatch@icloud.com>

Mon, Jul 22, 2019 at 2:09 PM

To: planner@cityofbelfast.org

To the members of the City Planning Board of Belfast;

As a resident of Belfast I am gravely concerned that the permit evaluation process for the NAF applications by the Belfast Planning Board has gone dark.

Nordic Aquafarms Corp. appears to have infiltrated our city government and is now financing and dictating how the Planning Board will proceed.

It's blatant undoing of democratic precedents and everyone in Belfast, the mid-coast and all of Maine should be alarmed.

I can only hope that you, Planning Board members, will refuse allow this non-transparent, non-inclusive approach to this permit review.

Sincerely,
Conny Hatch

Wayne Marshall <planner@cityofbelfast.org>

Mon, Jul 22, 2019 at 2:34 PM

To: Conny Hatch <connyhatch@icloud.com>

Dear Ms. Hatch.

I acknowledge receipt of your email to the Planning Board and will provide such to the Board for their upcoming meeting of August 5.

Wayne

[Quoted text hidden]

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Wayne Marshall
Director, Code & Planning
City of Belfast
131 Church St
Belfast, ME 04915
207-338-1417 x 125 (phone)
207-338-1605 (fax)