

# Comments on Preliminary Site Plan Review & Permitting

A scenic view of a red building with a stone foundation and a waterfall in the background. The building is situated on a rocky outcrop overlooking a river. A waterfall flows over a concrete structure on the left side of the image. A red kayak is visible in the water near the waterfall. The background is filled with lush green trees under a blue sky with light clouds.

**UPSTREAM  
WATCH**

# Standards for Site Plan Regulations & Guidelines:

## Belfast Planning Board

(Sec. 90-42, Criteria for review by Planning Board, [Ord. No. 58-1997, 5.2, 7-17-1997])

Topics listed in Belfast Ordinances that concern Upstream include sections:

- (10.) Financial and Technical Capability
- (11.) Surface waters
- (12.) Groundwater
- (18.) Solid Waste Management
- (29.) Adequacy of waste disposal, and
- (30.) Additional Standards for development that may substantially affect the environment



# Standards & Guidelines

- Given the **size, risk, permanency** and **potential liability** of the proposed project, **it is essential that the area be protected** from projects where short-term objectives may cause **long-term damage to the natural resources**
- Best Practices, standards, guidelines and diligence are key tenants
- Uncertainty can be minimized by accuracy, surety of technical information, and the financial means to mitigate consequences in case of failure
- **To the extent those standards are not met, or are non-existent, the burden is with the permitting authority, unbiased by hypothetical tax revenue or jobs**





**What about the location chosen  
by Nordic Aquafarms?  
Is this a suitable location?**

# Lack of a sufficient deep water/current at the outfall.

Nordic told us initially that the discharge would be at least a mile out into the deep fast-moving currents. Instead they are now proposing 34 feet of a slowly circling eddy in which the effluent can't go anywhere. Nordic's scientist evaluated the currents using a simplistic modeling program. Our scientist, a Professor in Oceanography at UMO, has studied currents in Penobscot Bay for over 30 years, and **he questions Nordic's evaluations finding them wrong on flow direction, flow rate, and dissolution capacity. We can't afford this big of a mistake.**



# Why use a “green field” rather than a “brown field”?

There is a lack of adequate assessment of natural resources on the site and to the ocean systems receiving discharge. Nordic has had 2 years to perform an evaluation, something that should have taken place before an application was filed.





# Availability of ground water

We were told that there was plenty of water, now we learn that there is no sand and gravel aquifer.

Data already collected from field tests demonstrates saltwater intrusion and a lowering of the water table.

To those negatively affected Nordic states: “If you have a problem with your well we will *work with you*”. Not “we will drill you a new one”. Not “we will hook you up to public water at our cost and pay your first 10 years of water bills for destroying your asset – your well”.  
**No promises at all.**

**Poor construction clay site soils that require significant excavation mean full size trailers to remove and replace clay soils. How many truck loads for how many years?**

**Nordic has not made this clear.**



**The dependency on fragile dams to contain necessary surface water is an enormous unresolved issue. Belfast owns the two dams, both of which are badly in need of repair.**



# In addition to site suitability, the permit keeps changing. How can we review an application if we're not always informed of the changes?

? The location and construction of the discharge pipe is still under review and new designs were provided without any public input.

? Solar panels are on, then they are off, then back on again.

? Diesel generators are introduced as a "few for backup", then they are going to be used for daily operation but with no fixed schedule that NAF will commit to.

? Stack heights are changing and that effects the facility operational impact. The current permit height of 65' for 8 stacks, but Nordic has not been clear about this.

? Input water was going to be wells, then wells and city water, **now wells and city water and surface water**, with no operational explanation of how they are going to manage that. Their designers/operators have no experience in this and it is very tricky to do especially in "real-time" at a rate of 7.7 million gallons a day.

**Belfast and State Site Location Ordinances**  
**state that the applicant must show :**

**Financial Capacity**  
**Technical Ability**

**Nordic has not met these guidelines.**

# Financial Capacity:

**Chapter 373 06-096 clearly states “Evidence to demonstrate financial capacity must include, but is not limited to, the following information:**

Accurate and complete cost estimates of the development, including all proposed phases.  
“In cases where funding is required but there can be no commitment of money until approvals are received, an applicant may submit a letter of "intent to fund" from an appropriate funding institution indicating the amount of funds intended to be provided to the applicant and the specified uses for which the funds are intended.”

- **Performance bond**
- **Phased development**
- **Dedication of funds**

**Nordic has not provided  
any evidence.**



# Technical Ability

## Chapter 373 06-096 clearly states:

### (1) Capability

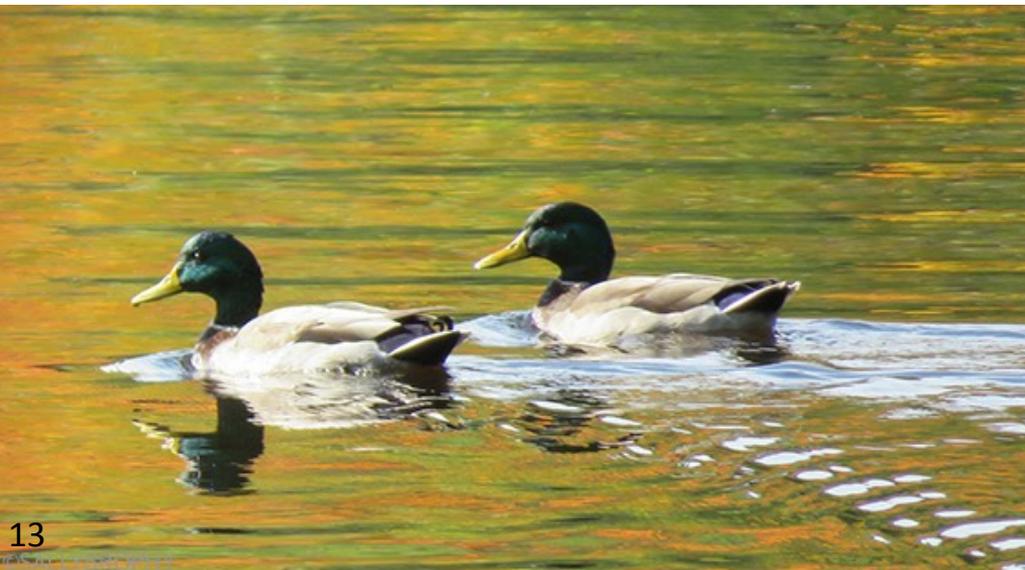
Project personnel must be capable of properly designing, installing, operating and maintaining the proposed project in accordance with state environmental standards.

### (2) Adaptation

If the applicant's technical personnel have never before designed, constructed, and operated a development like the one proposed, competent engineering and field operational personnel must be available who can adapt their training and experience to accomplish the required tasks.

### (3) Prior conduct

The Department may consider evidence regarding the developer's prior conduct as a measure of willingness and ability to meet all terms and conditions of approval established by the Department.



# Technical Ability: Prior Conduct

In addition to previously documented patent issues and development partner bankruptcy Nordic's conduct at their Fredrickstadt development includes:

- Failure of the Fredrickstadt freshwater filtration system - now to be re-designed in Spring of 2020.
- Failure of the Fredrickstadt foundation ground prep resulting in a lawsuit and counter suit.
- We should request a full operational "check point" review of the Fredrickstadt facility so that it can be evaluated and compared to what they are currently proposing here in Belfast.



**Nordic's Prior Conduct record is fraught with failures.**

**Where are Nordic's contingency plans?**

# Nordic is not using the Best Available Technology.

Better technologies exist and are being designed in the US and Canada (these are ZERO DISCHARGE). Aquamaof Aquaculture, Superior Fresh and Sustainable Blue use these.

The state of the art is no longer partially open RAS, due to the very serious environmental issues that arise from discharging warm, nitrogen and pathogen laden effluent into the public's waterways. Closed RAS systems are where the industry, and investors, are headed.

**Doesn't Belfast want the best available technology?**



**A promise to do something someday is not good enough.  
Nordic has not demonstrated credibility that deserves trust.  
Once they start to build, no one will stop them if they go back  
on their promises – including the Planning Board.  
Too many issues still need to be resolved,  
that should have been resolved months ago.**

