

## Nordic Aquafarms Inc testimony in opposition to LD 1287 An Act to Protect the Penobscot River and Penobscot Bay from Mercury Contamination

Senator Carson, Representative Tucker, and members of the Joint Standing Committee on Environment and Natural Resources. My Name is Edward Cotter, I am the Project Director for Nordic Aquafarms. I have a degree in Ocean Engineering and nearly two decades of engineering and construction management experience both in the marine and upland environment. I am here today representing Nordic Aquafarms in opposition to LD 1287.

The proposed bill is an attempt to prohibit excavation not required for navigation and the effect will be to prohibit projects like Nordic's proposed facility and other coastal dependent projects. The bill is unnecessary as Maine already implements the Clean Water Act and its Natural Resource Protection Act more strictly than other New England states.

Under current statutes, any marine excavation or dredging requires significant regulatory review through the NRPA statutes. As with all water bodies, the conditions within Penobscot Bay vary greatly, and site specific reviews are required in order to fully analyze the conditions of projects under consideration. Preliminary testing and reporting is currently utilized to inform project owners, contractors, and regulatory authorities of the hazards present so that proper determination can be made as to potential impacts. In the case of the Nordic project in Belfast, preliminary testing indicates no mercury levels of significant concern in the soils, in line with expectations based on the Amec Foster Wheeler Penobscot River Estuary Study. Yet under this proposal the work would be prohibited.

Marine construction is a vital aspect of the Maine economy as it provides key infrastructure to support the commercial and industrial sectors as well as the individual needs of residents and visitors. Some of the types of projects that would be prohibited include:

- Installation or repair of marine fuel and electrical distribution lines.
- Installation or repair of effluent discharge pipes from municipal and commercial waste water treatment plants.
- Marine excavation and cofferdam installations required to upgrade or replace aging bridge, pier and drydock installations.

As a company whose financial success is tied directly to the health of the bay and the quality of the water in it, we are supportive of commonsense and careful approaches to protecting the bay. This bill does not properly deal with the environmental risks that it is aimed to address and limits the ability of regulatory authorities to responsibly execute the duties with which they are charged.

Thank you for your time and consideration.

Edward Cotter

A handwritten signature in black ink, appearing to read 'E. Cotter', with a stylized flourish at the end.

Project Director

Nordic Aquafarms Inc.