

**April 19, 2023**

**Dear Environmental and Natural Resources Committee,**

I am the wife of a fourth-generation fisherman whose livelihood is threatened by a recent decision to permit Kingfish Maine, a large open-RAS industrial-scale aquaculture company, to operate in Chandler Bay. The aquaculture industry poses an adverse risk to the future of lobstering in our community and to our pristine waters. I am concerned with the encroachment of aquaculture in our waters and how the industry will affect the future of coastal Maine communities and our environment.

The Town of Jonesport is known for its stringent Shoreland Zone and Land-Use/Development ordinances however during the review of the Kingfish permit, the Jonesport Planning Board altered existing standards approved by the citizens of Jonesport. Agriculture was redefined to include aquaculture (a procedural flaw), less stringent water quality standards were adopted in lieu of more stringent standards, and zoning requirements were upended. The stringent standards approved by the townspeople were bypassed to push the permit through, regardless.

As part of the Planning Board determination, the Kingfish operation must test water quality once/month from May-Oct. No testing will occur in the winter months and test samples will not be inventoried. The Planning Board interviewed water test experts that were chosen by Kingfish, which should be seen as a conflict of interest. Shouldn't testing procedures require collection and analysis by experts at the Department of Environmental Protection (Dep) level only? Standards for permit review must be tightened to require enforcement of water quality testing year-round, water samples should be inventoried, and aquaculture companies should have no involvement in choosing the testing entity.

I have attached a Department of Economic and Community Development (DECD) letter from Heather Johnson, Commissioner of the State of Maine DECD to Melanie Loyzim, Commissioner for Maine's DEP. The letter, aka "but for" letter, provides a "Determination of Economic or Social Necessity of the Kingfish project in Jonesport which is required per Maine DEP's Water Discharge Program Guidance re: Antidegradation." Johnson determined that the aquaculture industry is good for "*economic development and jobs.*" The Determination was applied in lieu of strict water quality and zoning ordinance standards during the Kingfish Maine aquaculture permit review process by our local Planning Board. The letter content was cited within the Kingfish permit in areas that were found to be problematic for Kingfish, i.e. water quality and zoning. This trade-off also allowed for damage to wetlands on the proposed site where the Kingfish operation will construct its 500,000 sq ft facility. A facility located within the 75 ft. setback, in close proximity to residential neighborhoods, with industrial piping to extend over 2000 ft into Chandler Bay.

The application of the DECD's economic/job criteria allows for lesser stringent shoreland zoning and water quality standards to be applied, thus permitting discharge to be flushed into Chandler Bay. This reasoning is detrimental to communities in ways we cannot predict.

More must be done to protect our Maine communities from aquaculture companies that are functionally water dependent. The DEP is responsible to enforce regulation of our waterways to ensure that the methods used by aquaculture companies use best practice technology. There are aquaculture companies that operate on land without dependency upon coastal waters. The State of Maine must ensure that these large-scale aquaculture facilities do not cause long-term damage to our existing marine environment.

The State of Maine's DEP, DECD, and other agencies involved in permit review processes should not apply economic development reasoning for any reason, nor should municipalities. Economic development is not measurement criteria for water quality, zoning, or any ordinance standard.

We must put controls in place to ensure that we are not selling our out resources to aquaculture companies just because it's lucrative. Coastal communities are being undermined by the DEP, DECD and Maine & Co. Pristine environments and protected wetlands are being sold out to aquaculture – and for what? Local municipalities are grappling with how to deal with this encroachment. My understanding was that my local town ordinances would serve as protection against this type of encroachment. But in Jonesport's case, our ordinance protection failed as a result of the 'but for' letter generated by the DECD to allow for leniency in standards in support of economic development.

To learn more in depth about what has been going on with Aquaculture and it's encroachment into Maine, refer to the attached articles published by Lincoln Millstein, a 2022 Yankee Quill award recipient and a former Hearst executive at Acadia National Park. His articles/documentation below highlight questionable activity between State agencies and the aquaculture industry. Just what have the State, the DECD, DEP, [Maine & Co](#), and others been up to? The benefits and special treatment being offered to aquaculture companies at the expense of taxpayers must be exposed and stopped.

1. State Peddling Coastal Towns to Fish Farms Without Local Officials Knowledge

<https://theqsjournal.substack.com/p/state-peddling-coastal-towns-to-fish>

This article by Millstein contains email correspondence between Charlotte Mace, the state's director of business development and Divya Kapuria of Heartland LLC, Seattle broker.

*"I have read that there is some pushback and moratoriums on land-based aquaculture use. Which towns from the list above are in support of land-based aquaculture use? ...**The current hurdle for some sites is zoning. Aquaculture is a planning board approved use in most towns. Is there any flexibility to rezone Shoreland Zoning?**" Kapuria wrote.*

Mace responded and “referred the matter to Maine & Co., the state’s unofficial marketing arm which receives state funding and whose board members include the state’s economic development commissioner: **“Maine & Co. specializes in high-end economic development work, including site selection for the marine economy and land-based aquaculture sectors. So I have cc-ed Peter DelGreco and Ashley Pringle of Maine & Co. on this email.”**

2. How a Norwegian felon managed to get a white-glove welcome from the State of Maine  
<https://theqsjournal.substack.com/p/how-a-norwegian-felon-managed-to>

This article highlights conversations between the deputy commissioner of the DMR, Meredith Mendelson and Denise Garland, the deputy commissioner of the DMR, Meredith Mendelson, among others. Read about “how American Aquafarms struck up a relationship with Maine & Co. Norwegian Mikael Roenes, founder of American Aquafarms and a convicted felon who spent more than two years in prison in Norway, made his first contact with the state on April 6, 2020, weeks after he began to be coached by Maine & Co.”

What processes are in place to ensure Maine is dealing with companies that are legitimate? Are we putting coastal communities at risk by luring companies to Maine that might take advantage of us rather than benefit us economically?

3. Maine & Co. Land-Based Aquaculture incentives:

[www.maine.gov/decd/businessdevelopment/landbasedaquaculture](http://www.maine.gov/decd/businessdevelopment/landbasedaquaculture);  
[https://drive.google.com/file/d/10YdIXIZHmBa-NJUM\\_AAzZylfPDDXwVgt/view](https://drive.google.com/file/d/10YdIXIZHmBa-NJUM_AAzZylfPDDXwVgt/view) and  
[www.maineco.org/aquaculture](http://www.maineco.org/aquaculture).

Per Millstein, “Garland’s boss, Maine Economic Development Commissioner Heather Johnson is a board member of Maine & Co. Maine & Co., a taxpayer-supported chamber of commerce-like non-profit which is the state’s unofficial marketing agency, is Maine’s bright neon beacon for attracting outside investment. It’s the centerpiece of Maine’s efforts to lure industrial-scale aquaculture companies.” Peter Del Greco, CEO of Maine & Co was interviewed about Maine & Co’s role with aquaculture companies interested in doing business in Maine. Del Greco claims they “introduce people to resources that they’ll be needing. When someone comes here, they’re going to need a law firm. They’re going to need an accounting firm. They’re going to need a bank,” Maine & Co. also introduces them to government officials and insiders.”

I expect the State of Maine to protect its waters and marine resources. LD508 is a step in the right direction and should be approved as it underscores the need for protection of our waters and our environment from large-scale commercial industrial open-RAS aquaculture operations. Maine's DEP must apply more stringent regulations to the operation of aquaculture facilities. If not, irreparable damage could occur, thus eliminating sustainability for all marine industries, including aquaculture. We cannot allow large-scale commercial/industrial open-RAS aquaculture industries to make their own rules with our resources. The DEP must be held accountable to uphold the laws governing the site location of development and the Natural Resources Protection Act to protect our coastal marine environment.

Please support LD508.

Sincerely

Carrie Peabody  
Jonesport, Maine

#### References:

1. Quietside Journal – [The Quietside Journal | Lincoln Millstein | Substack](#)
2. State Peddling Coastal Towns to Fish Farms Without Local Officials Knowledge  
<https://theqsjournal.substack.com/p/state-peddling-coastal-towns-to-fish>
3. How a Norwegian felon managed to get a white-glove welcome from the State of Maine  
<https://theqsjournal.substack.com/p/how-a-norwegian-felon-managed-to>
4. Maine & Co. Land-Based Aquaculture incentives: -  
[Home Page - Maine & Co.](#)  
[http://\(maineco.org\)www.maine.gov/decd/businessdevelopment/landbasedaquaculture](http://(maineco.org)www.maine.gov/decd/businessdevelopment/landbasedaquaculture); -  
[https://drive.google.com/file/d/10YdIXIZHmBa-NJUM\\_AAzYlfPDDXwVgt/view](https://drive.google.com/file/d/10YdIXIZHmBa-NJUM_AAzYlfPDDXwVgt/view)  
[www.maineco.org/aquaculture](http://www.maineco.org/aquaculture)

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Jonesport ME  
LD 508

Resubmitting testimony for hearing, files did not go through. had to submit each document separately. There are 5 docs total with my submission.