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PO Box 150 Hancock ME, 04640

Governor Janet T. Mills  
1 State House Station  
Augusta, ME 04333

In re: American Aquafarms aquaculture lease proposal in Gouldsboro

November 18, 2021

Dear Governor Mills:

Frenchman Bay Conservancy (FBC) and the 21 undersigned organizations and businesses oppose the industrial scale salmon farm proposed by American Aquafarms (AA) and request the applications for this project be denied.

On May 17, 2021, FBC requested that the U.S. Army Corps of Engineers (USACE) conduct an Environmental Impact Statement (EIS) under the National Environmental Policy Act on the AA project before any final decision is rendered on that application. Regulatory review of the AA application has not progressed yet to the federal level and the USACE EIS decision is pending. Subsequently, based on careful review of available information we conclude the project poses an unacceptable risk of deterioration to unimpaired ecosystems, water resources, wildlife habitat and landscapes in and around Frenchman Bay. For these reasons, the AA application should be denied. We hope you will join us in protecting Frenchman Bay by opposing the application.

Principal concerns underpinning our opposition to the AA application include:

**Unprecedented Scale** — The proposed scale of this development is without precedent in the world's commercial fisheries and clearly unprecedented in Maine. The project is incongruous with the existing nature and setting of Frenchman Bay and its surrounding lands. Currently, eleven aquaculture leases approved by DMR are operating in Frenchman Bay producing mussels, oysters, or seaweed. These leases average 20 acres per site. AA's application for 120 acres is six times larger than the average size of these existing small businesses.

**Unproven Technology** — AA's proposed use of deep-water semi-closed pen technology has never been deployed at a scale approaching that proposed for Frenchman Bay. Their 30 semi-

closed pens would allow the daily discharge of an estimated four billion gallons of rinse water containing nitrogen, phosphates and other dissolved chemicals. The novel scaling-up of semi-closed pens in the AA application raises numerous unanswered questions about fish escape rates (including potential impact on endangered Atlantic Salmon), disease and virus incidence, dissolved contaminants, veterinary pharmaceuticals, residual uncaptured solid waste, leakage, algal blooms, vulnerability to predator attacks, and longer-term uncharacterized impacts on the Bay's floor. The risk that these questions cannot be answered until it is too late is unacceptable to us.

**Poor Flushing in Frenchman Bay Poses Increased Risks from Pollutants** — Water-quality characteristics of Frenchman Bay are influenced by a variety of factors, including inflow of fresh water, sedimentation from land sources, pollution, and tidal exchanges of water. Changes in any of these controls could have significant effects on the overall health and quality of the Bay. Preliminary hydrodynamic models indicate poor flushing in Frenchman Bay resulting in nutrients, pesticides, anti-biotics, and effluent released at the proposed American Aquaculture Farm operation will remain in the Bay for extended periods of time. This puts Frenchman Bay's natural resources at significant risk. Before any permit is issued, additional research on the circulation patterns of Frenchman Bay should be conducted to evaluate the risks posed by discharges at the facility.

**Economic Impact on Local Wild Fisheries** — Place-based, ecologically sustainable wild fisheries such as lobster, scallop, oysters, elvers, and both wild harvest and farmed seaweed, are robust economic drivers for the greater Frenchman Bay region. Since before the arrival of the first European settlers in coastal Maine, local fisheries have been integral to the social fabric of the region. Any development proposed for the Bay must be compatible with Frenchman Bay's wild fisheries and local harvesters. The AA proposal should not be allowed to develop at the expense of wild fisheries and ecosystems, especially those that support local economies. The current AA proposal has been condemned widely by these groups.

**Ecological and Visual Impact on Acadia National Park, FBC Preserves, and Other Conserved Land** — Serious concerns about potential adverse impacts to Acadia National Park have caused Maine Coast Heritage Trust, the National Parks Conservation Association, Friends of Acadia, and other prominent environmental organizations to oppose the AA project. Similarly, four FBC preserves with frontage on Frenchman Bay – Bean Island, Salt Pond, Taft Point and Tidal Falls, and numerous conservation easements – are potentially exposed to negative aesthetic impacts (e.g., visual and noise), and deposited pollutants (e.g., oil or chemical spills, air emissions, dead fish, derelict fishing gear) that could significantly degrade the visitor experience and their conservation value. Three of these FBC preserves have direct lines of sight to the proposed AA pen locations.

**Inconsistency With the Maine Climate Action Plan** — You have established specific goals for greenhouse gas reductions, achieving carbon neutrality, switching to renewable energy, and reducing dependence upon fossil fuels. The massive amount of power required to operate AA's 30 pens would be a big step in the opposite direction. The Long Porcupine and Bald Rock sites each would have a barge with five 500kW diesel generators operating 90% of the time, and each of the pens would have a 50kW emergency diesel generator on its deck. The planned operation of the ten 500kW generators would burn approximately 2,800,000 gallons of diesel oil and release

62,000,000 pounds of carbon dioxide annually. Clearly this will make meeting your greenhouse gas reduction goals significantly more challenging.

**Long-term Climate Change Risk** — The proposed activity has significant vulnerabilities related to the causes and effects of climate change in the region. The Climate Action Plan noted the hottest ocean temperatures in a single day for the Gulf of Maine was observed in 2020. The temperature of the Gulf is believed to be increasing faster than any other large body of water in the world. As Frenchman Bay continues to warm the longer-term economic and environmental viability of the project is likely to be challenged as well as AA's financial capacity to maintain environmentally safe operations.

**Existing Regulations are Inadequate for Evaluating an Offshore Project of this Scale** – Taken together the DMR and DEP regulations leave certain key issues beyond their reach and discourage meaningful public participation. For example:

- **Financial capability is not a criterion** — Under DMR regulations AA's financial capability to build and operate the Frenchman Bay project to the highest quality and safety standards will not be vetted. While DMR required AA to provide documentation to prove it has the necessary financial resources for the proposed project, the agency does not conduct an independent review of that information. AA has asserted total construction cost is expected to be \$300 million and necessary capital will be raised by financial advisors after the license has been approved. There will be no scrutiny of potential for cost overruns or inability to raise sufficient funds to finish the job. Given the project's unprecedented scale and unproven technology and the senior management team's checkered financial legacy, rigorous regulatory review of the applicant's financial capability is imperative.
- **Piecemeal permitting** — Under DEP regulations the various water and air discharge and emissions permits required are being considered individually without adequate consideration of the cumulative impact. The regulations do not allow for a comprehensive review of the cumulative environmental and community impacts of the Long Porcupine and Bald Rock sites, the hatchery and processing plant in Prospect Harbor and the transport of fish, feed, fuel, and waste between these locations.
- **Lack of meaningful public participation** — Over the past year the AA project has triggered widespread opposition from a broad cross-section of community and business interests in Hancock County, as well as statewide and national environmental organizations. These stakeholders have tried to raise many complex environmental, economic and community issues and questions that remain unaddressed and unanswered. Although public hearings have been requested, they have not been granted yet under DMR and DEP regulations. Instead, the public has been offered an occasional 3-hour on-line scoping session or "public meeting" where each participant is limited to a 3-minute statement. The growing public frustration with this unsatisfactory process is palpable.

The American Aquafarms application should be denied.

Respectfully,

Frenchman Bay Conservancy  
[frenchmanbay.org](http://frenchmanbay.org)

#### **Land Trusts & Conservation Organizations**

Crabtree Neck Land Trust  
[www.crabtreenecklandtrust.org](http://www.crabtreenecklandtrust.org)

Downeast Salmon Federation  
[www.mainesalmonrivers.org](http://www.mainesalmonrivers.org)

Friends of Acadia  
[www.friendsofacadia.org](http://www.friendsofacadia.org)

Maine Center for Coastal Fisheries  
[www.coastalfisheries.org](http://www.coastalfisheries.org)

Maine Island Trail Association  
Doug Welch, Executive Director  
[www.mita.org](http://www.mita.org)

National Parks Conservation Association  
[www.npca.org](http://www.npca.org)

Natural Resources Council of Maine  
[www.nrcm.org](http://www.nrcm.org)

OCEANA  
[www.oceana.org](http://www.oceana.org)

Sierra Club (Maine Chapter)  
Maine.chapter@sierraclub.org

#### **Representatives of Other Regional Institutions**

College of the Atlantic  
Darron Collins, Ph.D., President  
[www.coa.edu](http://www.coa.edu)

MDI Biological Laboratory  
Jane Disney, Ph.D.  
Senior Staff Scientist & Director, Community Environmental  
Health Laboratory

#### **Place-based Frenchman Bay Businesses**

Zach Piper, Owner & Operator  
F/V Overtime

Tyler Piper, Owner & Operator  
F/V Overkill

Frenchman Bay Oyster Company  
Graham Platner, Owner & Operator

Springtide Seaweed, LLC  
Sarah Redmond, Founder  
[www.springtideseaweed.com](http://www.springtideseaweed.com)

Maine Coast Sea Vegetables  
Shep & Seraphina Erhart  
[www.seaveg.com](http://www.seaveg.com)

#### **Frenchman Bay Region Citizens Groups**

Frenchman Bay United  
Henry Sharpe, President  
[www.frenchmanbayunited.org](http://www.frenchmanbayunited.org)

Friends of Eastern Bay  
Jeri Bowers  
[www.friendsofeasternbay.org](http://www.friendsofeasternbay.org)

Friends of Frenchman Bay  
[www.friendsoffrenchmanbay.org](http://www.friendsoffrenchmanbay.org)

Friends of Schoodic Peninsula  
Jackie Weaver

Hancock Pt. Village Improvement Society  
William O'Meara, President  
[www.HPVIS.org](http://www.HPVIS.org)

cc:

U.S. Senator Susan Collins

U.S. Senator Angus King

U.S. Representative Jared Golden

Commissioner Patrick Keliher, Maine Department of Marine Resources

Commissioner Melanie Loyzim, Maine Department of Environmental  
Protection Maine State Senator Louis Luchini

Maine State Representative Nicole Grohoski

Maine State Representative Lynne Williams

Maine State Representative Billy Bob Faulkingham