

# **Rebuttal Testimony**

Statement of David Black  
JANUARY 16, 2020

My name is David Black, a resident of Belfast Maine, and a lobster fisherman working from Belfast Harbor for 56 years.

Please include the information in this statement as part of the discussion on applications before you regarding the Nordic Aquafarms proposal to construct multiple pipelines into Upper Penobscot Bay in Belfast and Northport for the purpose of providing the intake of seawater and the discharge of effluents from the RAS facility proposed by Nordic Aquafarms to be located in Belfast, Maine.

As a local lobster fisherman, I derive a significant portion of my annual income from the area beneath and adjacent to the proposed location of the Nordic Aquafarms pipeline. Therefore, I feel I have considerable local knowledge of the area and I feel obligated to use this opportunity to share some of that knowledge with you. I am sure that upon your total review of local information regarding this project many concerns will arise concerning the environmental dangers and consequences of this proposed pipeline.

## **HISTORY**

Belfast Bay has a long productive history of fishing which has been diminished over time due to many municipal and industrial pollution sources. These pollution sources include decades of raw municipal sewage disposal from many points around the bay, untreated chicken waste from area poultry plants, fish waste from a long operating fish canning factory as well as mercury contamination in the bay from a facility on the Penobscot River. Add to these several dredging projects in Belfast, Searsport and other ports and you begin to see the degree of pollution this bay has suffered in the past.

I will discuss these pollution concerns separately:

### **Municipal Sewage**

When I was young, raw sewage was a common sight in the bay. In recent decades, the municipal sewage outfalls around the Bay have mostly been identified and corrected. The result has been lower fecal coliform levels and increased availability of clean shellfish resources.

### **Industrial Waste**

During the 20th century there were 2 poultry processing plants and 1 fish canning factory in Belfast that dumped untreated chicken waste and some fish waste through large pipelines directly into Belfast Harbor. The Harbor was so fouled with this effluent that Belfast Harbor was listed in the U.S.Coast Pilot publication as a harbor to avoid when cruising the Coast of Maine. After the closures of these factories, and the elimination of these discharge pipes, the bay is cleaner and more appealing to the public and is becoming a destination for many visitors to "Vacationland". However, I can tell you that today the remnants of those discharges remain in the sediment on the bottom of the bay. I believe it will take many a lifetime for this area to completely clean itself.

## **Dredging**

In my experience, whenever there was a dredging project at Mack Point in Searsport Harbor, the lobster catch in the area slowed for several years until the environment recovered. Additionally, when Belfast Harbor was dredged in 2003, it took a decade for the environment to recover according to a letter from a prominent Lobster fishermen's Association to the U.S. Army Corps of Engineers dated May 4, 2013. Please note that the most recent attempt to dredge Searsport Harbor was cancelled due to environmental concerns.

## **Mercury Contamination**

Mercury contamination in the bay from decades of unconfined industrial mercury pools in the Penobscot River being moved downriver by the current has resulted in 13 square miles at the mouth of the Penobscot River being closed to all lobster and crab fishing due to methyl mercury contamination in these shellfish. Further studies by the federal court that is reviewing the source of that pollution have identified buried mercury in other areas of the bay and specifically in the area of the proposed Nordic Aquafarms pipeline.

## **IMPACTS OF THIS PROJECT**

Can we now feel comfortable with a new pipeline proposal by Nordic Aquafarms to be constructed in Belfast Bay based upon this history? Each of the aforementioned sources of pollution were the result of projects permitted by the State of Maine and the Federal government over long periods of time.

I can think of several reasons to be very cautious with this project and they are as follows:

- This proposed pipeline is to be located just over a mile from a recent and very controversial failed attempt to dredge Searsport Harbor.
- Dredging and blasting resulting from this project will produce the same impact as other dredging projects in the area.
- The construction and operation of this pipeline is directly in an area identified as containing buried mercury that would be continuously impacted releasing mercury to be ingested by sea life resulting in further closures of lobster and crab fishing areas where I make my living.

## **CONCERNS**

This project proposes discharging 7.7 million gallons of brackish and warm water into the bay every day! I was told by the project engineer for this RAS facility that this volume of water equals nearly 50 percent of the total water volume of this RAS facility being discharged daily. There is presently a RAS system located in Franklin, Maine which is run by the University of Maine. The operator of that facility has stated that they discharge only 10 percent of the total water volume daily, a significant difference from what Nordic is proposing. This is water that would be heated to between 5 degrees Fahrenheit and 30 degrees Fahrenheit above the ambient temperature of seawater from the bay ( depending on the time of year ) combined with ground water from wells. It is very unreasonable to assume that this water which has been described by the applicant as cleaner than the water being pumped into the facility from the bay, should be discarded so soon after mixing and heating. This does not sound like a RAS

facility at all but rather a flow thru system. It is my opinion that the discharge of this warm and brackish water will cause lobsters to leave the area for more saline and temperate conditions. This concern alone will cause great economic hardship for myself and other local fishermen.

- The chief technical officer for Nordic Aquafarms explained to me one day in his office that all discharge water from this facility will be run through a 0.4 micron filter before reentering the bay. Again, at the RAS system run by the University of Maine the minimum water filter is 30 microns, almost 80 times larger than the filters being proposed by Nordic! The manager of that facility stated that filters finer than 30 microns would clog quickly and be of no value.

- Nordic Aquafarms has submitted technical data with their applications stating that lobsters are absent from this area of the bay. According to DMR statistics, the total annual landings of lobsters for Waldo County have nearly doubled in the past decade. The proposed location of this pipeline is where this reported resource exists and thrives.

- The present design of the pipeline indicates an elevated structure secured by chains and anchors. These anchors are proposed to be attached in the silty bottom sediment directly in an area of methane pockets which have been determined by state geologists to be unstable.

-Traditionally this very area of the Bay has been an occasional anchorage area for ocean going ships that for various reasons choose not to anchor closer to the port of Searsport.

As a fisherman working on this bay for 56 years, I have become a mentor for some of the younger fishermen that are hoping to have opportunities to live and prosper on this bay , similar to those which I have enjoyed for much of my life. The old timers always told me that it was my responsibility to leave this bay in better condition than when I found it, for the benefit of the next generations, and that is exactly why I am speaking to you today. The construction of this pipeline will do nothing to improve the health and viability of Upper Penobscot Bay and will only serve to diminish the quality of life presently essential for the survival of its' many inhabitants.

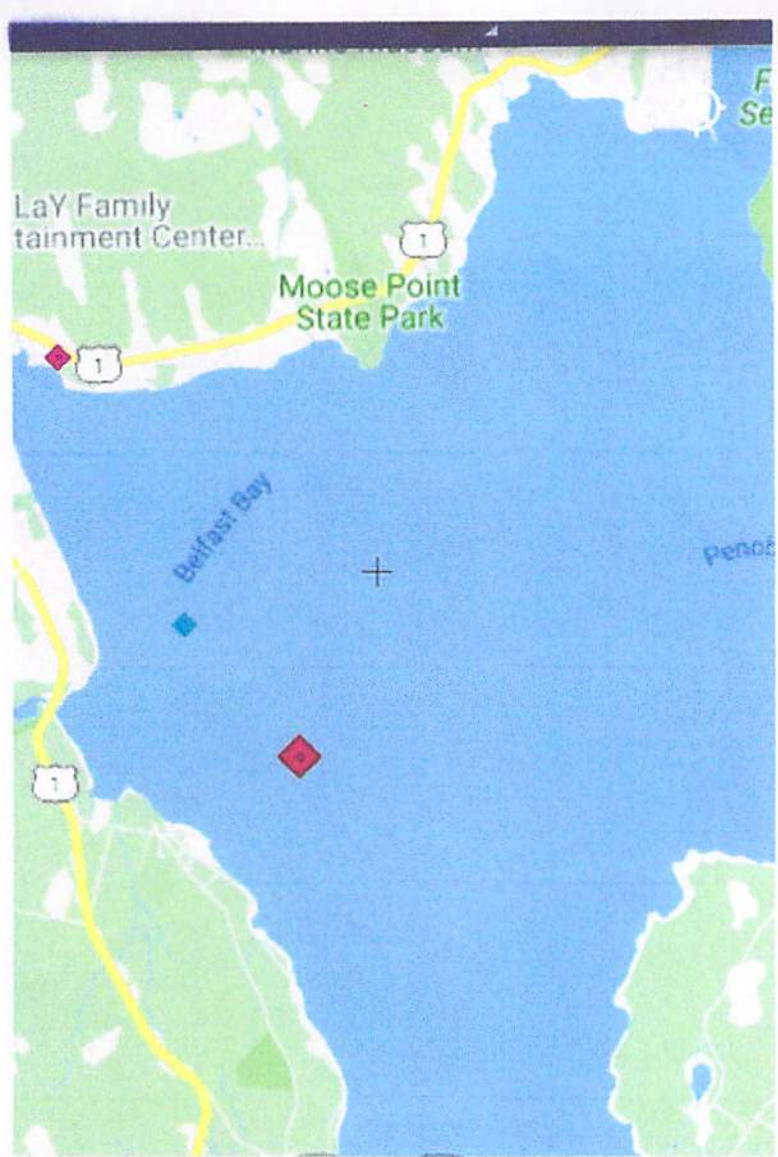
Please exercise your responsibilities as representatives of the people of Maine and understand that a better solution for the treatment of waste water from RAS aquaculture must be found other than this out of sight and out of mind pipeline. Your vote in opposition to this project is in order.

**I CERTIFY THAT UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

Respectfully submitted



David Black



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