

October 5, 2020

Project 171.05027.008

**Electronic Mail to Board Service List Only**

Presiding Officer Duchesne and Board Members  
Maine Board of Environmental Protection  
17 State House Station  
28 Tyson Drive  
Augusta, Maine 04333-0017

RE: Comments on the Department's Draft Site Location of Development Act and Natural Resources Protection Act, Freshwater Wetland Alteration, Coastal Wetland Alternation, Stream Alteration, Significant Wildlife Habitat, and Water Quality Certification Findings of Fact and Order L-28319-26-A-N, L-28319-TG-B-N, L-28319-4E-C-N, L-28319-L6-D-N, L-28319-TW-E-N dated September 4, 2020

Dear Presiding Officer Duchesne and Board of Environmental Protection:

On September 4, 2020, the Board of Environmental Protection (BEP) released a Maine Department of Environmental Protection (MEDEP) Staff Recommendation/Draft Board Order regarding the above-referenced Nordic Aquafarms applications. The recommendation is in the form of a Draft License. Provided in this letter are comments on the Draft License ("Department Draft License").

**1. Page 46**

To clarify Section 10.B Dredge Spoils Disposal & Transportation of the Department Draft License, the estimated 36,000 cy of excavated material will come from all seawater piping excavation, not just the intertidal work. Additional detail on the generation and disposal of excavated material can be found in Attachment A of the NRPA application.

**2. Page 59**

This portion of the Department Draft License notes that Nordic's seawater intake structure will be "...elevated twelve inches off the seafloor, with a one-inch mesh screens over the ends of each pipe." To clarify Nordic's submissions, the intake structures will be elevated approximately 10 feet off the seafloor, as indicated in Section 16 of the application and shown on Plan CS501.

**3. Pages 66 and 92**

The Department Draft License states that Nordic will prepared a revised WRMP *prior to the start of construction* (emphasis added) that includes warning levels for the Little River. Nordic concurs that a revised WRMP will be submitted prior to the start of construction to document updates to surface water and groundwater monitoring in accordance with the Department Draft

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License. However, as stated in Nordic's February 18, 2020 memorandum responding to Mr. Hopeck's January 27, 2020 comments on the application and during Thomas Neilson's BEP hearing testimony, Nordic's proposed addendum to the WRMP that includes warning levels for both the Little River and private wells will be submitted *prior to operation*. Nordic understands that the Department is requesting additional information to provide confidence in the data obtained and additional protection for the water resources. Nordic believes that the additional monitoring information collected between the start of construction and the start of operation is important information on the minimum flow of the Little River and on the water resources which must be obtained over a period of time in order to provide a solid basis for warning levels that are suitably protective.

#### **4. Pages 68 and 92**

Nordic understands that the Belfast Water District (BWD) and the dam operator already established minimum flow rates for the Goose River. Nordic also understands that the BWD has two monitoring stations in the Goose River, one above and one below their water supply wells. The BWD and the dam operator operate these wells and monitoring program in accordance with the Maine drinking water program which is overseen by the CDC. Nordic is without authority to mandate that the BWD alter its operations or to monitor the Goose River as proposed by the MEDEP.

We appreciate the hard work that the BEP and the many MEDEP staff members have put into preparing these findings.

Thank you,

RANSOM CONSULTING, LLC

Elizabeth M. Ransom, P.G.  
Principal/Senior Geologist

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