

## CONCERNED CITIZENS OF MARSH COVE, 8 (DISPLAY)

### Exhibit purpose:

DMR has received numerous letters from Marsh Cove residents in opposition to the Maine Island Aquaculture, LLC (“Applicant”) Lease Application (“Application”). There are approximately 200 people from families with cottages on the cove who would be most negatively affected by such a lease. Concerned Citizens of Marsh Cove (“CCMC”) opposes the Application; however, in the event that DMR is inclined to grant the Application, CCMC respectfully requests that DMR balance the equities involved and provide some protections to Marsh Cove residents by including certain conditions on the use of the leased area as discussed below. These proposed conditions are based on representations *made by the Applicant* in both the Application and at the scoping session. The Application is signed by the managing members of the Applicant who have certified that the information provided in the Application is true and correct.

**Proposed Condition 1.** The Applicant represents at page 27 of the Application: “Marine Algae: After we harvest, we will remove our gear for the summer and fall. Thus, June-November we will not have any gear in the water in the marine algae section of the site. Buoys, long lines, and anchors will be removed from the water and stored either on a float off-site or on land.”

Proposed condition: From June to November there shall not be any gear in the water in the marine algae section of the site. Buoys, long lines, and anchors will be removed from the water and stored either on a float off-site or on land.

**Proposed Condition 2.** The Applicant represents at page 21 of the Application: “We are flexible about the color and size of the buoys we use, as we want to have the least possible visual impact while also being visible enough for easy navigation.”

Proposed condition: All buoys not fully submerged shall be a medium blue color.

**Proposed Condition 3.** The Applicant represents at pages 27-28 of the Application: “The solar panels with a back-up generator will power: a co-op owned electric sorting machine, an electric hauler, a wash down/pressure pump, a mast and boom (we currently use a small jib crane), and potentially a net washer down the road...The generator (rated at 50-57db) is located inside the shed on our barge. We plan to install solar panels on the shed in Spring of 2021 so that the generator becomes a last resort source of power. The wash down pump is also located in the shed to help reduce noise levels.” Page 25: “We will be using noise generating equipment while working, and we will be mitigating that noise via the use of a shed, sound mitigating boxes, and solar panels.”

Proposed condition: Solar panels shall be used to power equipment. A generator will be used as a last resort of power and shall not be rated at more than 57db. The generator and wash down pump shall be used in a shed on the barge lined with sound mitigating insulation<sup>1</sup>.

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<sup>1</sup> Note: This insulation can be purchased at Home Depot for less than \$100.

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**Proposed Condition 4.** The Applicant represents at page 28 of the Application: “we plan to keep music, if any, to a low volume. Thus far while operating on our LPA’s, we have not listened to music while working.” Please note that Marsh Cove is small and that sound reverberates and echoes throughout the cove. Besides being annoying to humans, the eagles, osprey and loons are particularly disturbed by excessive noise. There is no need to broadcast music and a worker who wants to listen to music can easily use ear buds.

Proposed condition: Workers at the site shall not broadcast music, radio or other audio in Marsh Cove.

**Proposed Condition 5.** The Application specifies the number of buoys and that they will be submerged.

Proposed condition: The number of buoys at the site shall not exceed the number specified in the 2021 lease application and they shall be submerged as specified in the 2021 lease application.

**Proposed Condition 6.** Both the Applicant and CCMC are in agreement as to this matter. Specifically, in response to the Application question “Will you be able to mark your site in accordance with DMR regulations, Chapter 2.80,” the Applicant responded at page 24: “Yes, we are happy to comply with the regulations requiring all corners to be marked, in addition to providing markings every 300’. However, we do want to be good neighbors and would like to provide the least impact to navigation. An extra 19 buoys to mark the boundary doesn’t feel entirely necessary.” CCMC agrees with this position and requests that the Commissioner exercise the Commissioner’s discretion as provided in DMR regulations, Chapter 2.80, paragraph A 3 and set forth alternative marking requirements in the lease.

A proposed alternative marking requirement: The boundary of the site rectangles shall be marked at the four corners with medium blue color mooring balls with the words “SEA FARM” painted on them and such boundary markers shall be as small as legally permitted. No other marked floating devices including Hi Fliers shall be used.