



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

March 17, 2022

**To:** Registered Participants, Acadia Aquafarms Lease Hearing

**From:** DMR Aquaculture Division

**Re:** Participation Instructions -Registered Participants & Members of the Public

Dear Registered Participant:

You are receiving this communication because you registered to participate in the hearing noted above. The hearing is being conducted remotely via Microsoft Teams. Information about how to access the remote proceeding was provided to you with this document. Instructions about how to participate in the proceeding are organized by registration status (i.e. offering testimony or *not* offering testimony) and provided below. If you are unsure of how you registered there is a table at the end of this document that specifies registration status. The information in sections 3 and 4 apply to all participants regardless of registration status.

It is likely that the hearing will need to be continued on March 29, 2022 (an announcement will be made before the end of the hearing on March 28, 2022 and an update will be posted to DMR's website). Therefore, participants should plan on being available both nights, especially if you have registered to provide testimony. The proceeding will start at 5:00 p.m. each evening and will likely conclude by 9:30 p.m. However, the 9:30 p.m. end time may be extended by the Hearings Officer as necessary.

### **1. Persons Not Offering Testimony**

You may watch the proceeding on your computer/smartphone or listen to the proceeding by dialing-in using a telephone. If you dial-in to the proceeding with a telephone, you will not be able to see any materials that may be screen shared. If you are participating in the proceeding using a computer/smartphone, please keep your camera off and device on mute (persons who call-in should also stay on mute). This helps improve connectivity and avoids the potential for disruption. If you keep your camera on, please note that everyone will be able to see you and anything that might be happening the background.

### **2. Persons Offering Testimony**

You need to participate in the proceeding with a computer or smartphone that has a working camera and audio. This is so we can see you take your oath and hear your testimony. Except when providing testimony, please keep your camera off and device on mute. This helps improve connectivity and avoids the potential for disruption. If you elect to keep your camera on, please note that everyone will be able to see you and anything that might be happening the background.

**Testimony Time Limits:** You will have three minutes to provide your testimony. DMR staff will keep time and let you know when your time has ended. The time allotted for testimony cannot be ceded to others. After you provide testimony, you must remain available for questioning. For full consideration, your testimony needs to relate to the criteria DMR must legally consider in evaluating standard lease proposals. If you decide not to provide testimony, you do not need to contact DMR. Testimony should not be pre-filed.

**Proposed Pre-filings:** Individuals who registered to provide testimony must pre-file materials or documents for consideration as an exhibit no later than 4:00 p.m. on March 23, 2022. Proposed pre-filings must comply with what is specified below:

- No more than two pre-filings can be filed. Each pre-filing cannot exceed more than five pages (single sided) in length.
- The pre-filing must be the document or material (i.e. hyperlinks are not acceptable)
- Pre-filings must be labeled with the name of the individual who submitted the documents/materials.
- Pre-filings must be submitted electronically to: [DMRaquaculture@maine.gov](mailto:DMRaquaculture@maine.gov). Please also copy the following email addresses: [info@acadia-aquafarms.com](mailto:info@acadia-aquafarms.com); [Dkallin@dwmlaw.com](mailto:Dkallin@dwmlaw.com); [scaulk@dwmlaw.com](mailto:scaulk@dwmlaw.com); and [plyons@eatonpeabody.com](mailto:plyons@eatonpeabody.com)
- Individuals are responsible for screen sharing their own pre-filings during the hearing.

### **3. Cross-Examination (i.e. asking questions of the parties/DMR)**

The parties to the proceeding are the applicant (Acadia Aquafarms) and the consolidated intervenor group (Concerned Citizens of Eastern Bay). DMR is not a party to the proceeding, but staff scientists will offer testimony about the site visit and report.

Questions are an opportunity to ask clarifying questions about the testimony provided. Anyone who registered may ask questions. However, as a collective group, members of the public will have 15 minutes to cross-examine the applicant, intervenor, DMR, and any other official that may present testimony (15 minutes per each party/entity). Individuals should ask no more than one question at a time, so others have an opportunity to ask questions during the specified timeframe. Members of the public cannot cross-examine one another.

Please avoid prefacing questions with comments or other information. Question should be direct and relevant to the testimony provided. The Hearings Officer will limit questions that are unduly repetitious or irrelevant.

### **4. Additional Information**

If you have questions about this communication or aquaculture lease hearings, please email the Aquaculture Division at [DMRaquaculture@maine.gov](mailto:DMRaquaculture@maine.gov).

Links to the documents and materials listed below may be helpful to review prior to the hearing.

Completed application (details the applicant's proposed lease operations):

[https://www.maine.gov/dmr/aquaculture/leases/pending/documents/COMPLETE02.13.20-AcadiaAquaFarms\\_000.pdf](https://www.maine.gov/dmr/aquaculture/leases/pending/documents/COMPLETE02.13.20-AcadiaAquaFarms_000.pdf)

DMR site report (contains information related to DMR's site visit):

[https://www.maine.gov/dmr/aquaculture/leases/pending/documents/SITEREPORT12.18.2020\\_AcadiaAquaFarms\\_FrenchmanBay\\_BarHarbor.pdf](https://www.maine.gov/dmr/aquaculture/leases/pending/documents/SITEREPORT12.18.2020_AcadiaAquaFarms_FrenchmanBay_BarHarbor.pdf)

Public participation in aquaculture leasing (includes applicable lease decision criteria, information on how hearings are conducted, etc.): <https://www.maine.gov/dmr/aquaculture/public-participation.html>

Hearing website notice (an agenda will be posted here when available): <https://www.maine.gov/dmr/about/meeting-details.html?id=6688523>

**Note:** This hearing was postponed from February 9, 2022 to March 28, 2022. Registration was required for anyone who wanted to ask questions of the parties or offer testimony. If you registered to provide testimony for the February 9, 2022 hearing, but do not see your name listed under “offering testimony” and would like to offer testimony on March 28<sup>th</sup>, please contact DMR at [DMRaquaculture@maine.gov](mailto:DMRaquaculture@maine.gov) by 4:00 p.m. on March 23, 2022. This only applies to anyone who previously registered to provide testimony on February 9<sup>th</sup>. DMR is not reopening registration.

The day of the hearing, DMR will post information about how to access the remote proceeding. Access information will be posted in the notice of the hearing under “Meetings” (the same link to where the agenda will be posted. *You do not need to be registered to listen to or watch the hearing.*

Offering Testimony	Not Offering Testimony
1. Susan Turner	1. David Miller
2. Trey Angera	2. Karl Karnaky, Jr.
3. Patricio Silva	3. Ann M Hirschhorn
4. Vjera Bakovic Silva	4. Fred Bever
5. Kathleen Rybarz	5. Jana Jacobson
6. Crystal Canney	6. Jay McCreight
7. Duncan Haass*	7. Susan Fellner
8. William Haass*	8. Michele Marks
9. Blake Haas*	9. Afton Vigue
10. James West	10. Julie Azar
11. Kevin Murphy	11. Christopher Azar
12. Shawn Murphy	12. Daniel Burke
13. David Herrick Jr.	13. Jon Lewis
14. David Herrick Sr.	14. Thomas Sorby
15. Anne Herrick	15. Craig Waldron
16. Josh Trundy	16. Alan Power
17. Karessa Anderson	17. Amalia Harrington
18. Jason McMillan	18. Cheryl Claiborne
19. James McMillan	19. Judith Burger-Gossart
20. Phoebe B Boyer	20. Natalie Lord
21. Leslie Harlow	21. Julian Bourne
22. Ben Emory	22. Daniel Mancilla Cortez
23. Judith Sproule	23. Amy Richards
24. Amanda Moeser	24. Hook Wheeler
25. Patricia Ward-Bailey	25. Pip Hansen
26. Riley Okeson	26. Claudine Lurvey
27. James Boyer	27. Emily Shubert Burke
	28. Michael Fehr
	29. Christine Smith

*\*The spelling of the names listed in the table above reflect how they were entered into the registration form.*

Thank you for your interest in participating in the lease hearing noted above.

Sincerely,

DMR Aquaculture Division  
21 State House Station  
Augusta, ME 04333-0021  
[DMRaquaculture@maine.gov](mailto:DMRaquaculture@maine.gov)