

From: "Wayback Farm" (via localsmartgrowth Mailing List) <localsmartgrowth@lists.riseup.net>

Date: November 8, 2018 at 6:35:08 AM EST

To: Tom Desjardin <tom.desjardin@maine.gov>, Walt Whitcomb <walt.whitcomb@maine.gov>, Gregg Wood <gregg.wood@maine.gov>, Paul Mercer <paul.mercer@maine.gov>, Kevin Martin <kevin.martin@maine.gov>

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Subject: [localsmartgrowth] comment on lease application and lease application process for nordic pipeline and completeness of DEP Wastewater application from Nordic

Reply-To: Wayback Farm <waybackhomestead@yahoo.com>

Tom Desjardins ,Parks and Lands , Commissioner Whitcomb

Greg wood , DEP Water, Commissioner Paul Mercer

November 8, 18

The following issues have troubled Nordic's interaction with the proposed Confined aquaculture feeding operation based on land{RAS} ; situated in Belfast and the submerged lands abutting the Town of Northport and the corporate entity , quasi Municipal Village of Bayside .

A continual disinformation and lack of pertinent information and public notice commensurate with the scale , environmental effects and experimental nature of proposed factory and related facilities and activities { dredging and exposed spoil piles and structures } within the confines of our shallow Less than 45 feet , and beloved bay and an apparent deliberate attempt By this corporation to exclude the citizens of Northport and the Northport Village Corporation

To the point ;adequate public notice to Bayside village Corporation , in existence for well over one hundred years , a legal quasi municipal agency representing some 400 owners and common owners of waterfront , waterfront facilities on submerged lands and the following uses ;small boat racing, swimming ,mooring field ,municiple waste water outflow,public docks and swimming and landing floats , in the vicinity, and within a easily measurable distance of the proposed project and also legally abutters within one mile of the delineated project of said project and The town of Northport with similar and overlapping legal uses also in the vicinity did not happen and still hasn't happened for a revised and complete lease application . Notice was not sent to these municipal entities or citizens until after I discovered that the applicant pasted a plan over these uses in the **accurate map** required and that "red Webster" a project manager at Cianbro , was the authority by which the director's only information as to the application meeting the qualifications of the below sections .

It appears that the director has found that the application is incomplete and that more information ,i.e. a map that doesn't purposely blank out the above municipal and citizens uses and even their existence in relation to this mile long dredged pipeline project should be provided . It appears that the location of the entire project and the proposed lease , for the purpose of a dredged installed multiple pipeline this project was apparently located within the confines of the Belfast city and Harbormasters authority, and subsequent notices {or lack thereof } and filings with DEP and The Bureau of Parks and lands likewise were drafted in an apparent attempt on the part of Nordic to inhibit the exercise of rights by the effected citizens of the vicinities municipal entities and their citizens ,and therefore until the "rumored " resubmitted and revised edition of the Submerged land lease has appeared this lease application has all the appearances and legal implications of an incomplete application needing more information as requested by the Director .

To couch this in any other terms and to not take timely action by the 9th of November deadlines is a dis-service to the effected citizens and an affront to due process and I hereby maintain that there is no application pending for a lease until Nordic actually files the "rumored " revision and until that revised plan is ; Noticed properly ,unlike the original, received by the effected municipalities and full copies available digitally to the public , and on paper in the municipal offices including Belfast , Northport and the Northport Village Corporation and a reasonable chance to review said plans and legal filings for a lease for completeness and accuracy by the effected citizens has been accomplished , and that the 30 day comment period effecting the details of said application's completeness or accuracy has transpired ; the agencies involved should find that Nordic Aquafactory does not have an application pending for a lease of submerged lands , and that The DEP does not have a complete waste water application for all of the above issues including proper notice to abutters .

I appreciate the sincere and diligent efforts of the departments and the staff and administrations of these departments in helping me to reach the conclusions and arguments resulting in this comment , based upon our emails and conversations to date on these subjects ,and look forward to the hearings and reviews to follow . Paul Bernacki

{Foaa request pending with Department of parks and lands }

(6) The director may grant the proposed lease if the director finds that, in addition to any other findings that the director may require, the proposed lease:

(a) Will not unreasonably interfere with navigation;

(b) Will not unreasonably interfere with fishing or other existing marine uses of the area;

(c) Will not unreasonably diminish the availability of services and facilities necessary for commercial marine activities; and

(d) Will not unreasonably interfere with ingress and egress of riparian owners.

Chapter 53 ,section 1.7 subsection 3

If the Bureau determines that a lease or easement is required, the applicant will be requested to forward the appropriate fees, and when necessary, proof of sufficient right, title or interest in the adjacent upland, a description of the proposed project, a detailed site plan and any additional information the Bureau may require for review of the lease or easement application. If publication of a public notice is not otherwise required of the applicant, the Bureau may require 01-670 Chapter 53 page 17

the applicant to publish such notice in a format to be provided by the Bureau. Application for a conveyance will be deemed complete when the Bureau has received the appropriate administrative fee and any additional information requested.

subsection 4

4. If the application is determined to be incomplete or if at any time the Bureau finds that additional information is needed to supplement the application, the applicant will be notified of what additional information needs to be submitted in order for the Bureau to make a decision. If this information is not received within 90 days from the date it is requested, the Bureau may require the applicant to reapply for the proposed lease or easement.

village corporation and their citizens

Local Citizens for SMART Growth: Salmon Farm

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