



SIERRA CLUB

MAINE CHAPTER

PO Box 1374
Yarmouth, ME 04096
Phone: (207) 761-5616
www.sierraclub.org/maine

To: Committee on Criminal Justice and Public Safety
From: Jim Merkel, Sierra Club Maine
Date: May 11, 2021
Re: **Testimony in Opposition to LD 1473- An Act to Exempt Land-based Aquaculture Facilities from the Maine Uniform Building and Energy Code Requirements**

Senator Deschambault, Representative Warren, and Members of the Committee on Criminal Justice and Public Safety. My name is Jim Merkel, and I write on behalf of Sierra Club and the over 20,000 members and supporters in Maine. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members nation-wide as we move to explore, enjoy, and protect the planet.

I am writing today asking that you oppose LD 1473. It is unclear why an "Emergency Bill" would be needed that would exempt land-based aquaculture facilities from Maine's laws.

These facilities are highly complex industrial operations, not similar in any way to potato barns or cow sheds. They store [long-lists of chemicals and fuels on site](#), draw heavily on clean fresh water and sea water, return waste-water into rivers or bays, release daily air pollution from generators, and [have noisy](#) and potentially smelly ventilation systems. Some have [gone bankrupt](#); some like Nordic Aquafarm's Fredrikstad Seafoods have [been fined](#).

Just to provide an example, the proposed Nordic Aquafarm facility in Belfast would have complex buildings and technical infrastructure covering [14 football fields](#), with large storage tanks for fuels, chemicals and fish, pumps, filters, processing operations, sludge ponds, fish gutting [operations and offices](#). The scale is immense: 33,000 metric tons/year of fish, a 7.7 million gallon/day waste-water plume, 11-times more nitrogen dumped into a sensitive bay than the Belfast City Sewer, and eight 2-megawatt diesel generators burning 900,000 gallons of fuel annually. [Studies](#) suggest that effluent will pass by Bayside and Belfast community beaches, dependent on wind, season and tides.

As an engineer who worked in large manufacturing facilities, I can say, accidents do happen. I was on the first aid team on the third shift when I had to bring a recent college

graduate to the hospital after he disconnected a pressurized pump. He lost his eye sight that night, for good. These facilities will require careful safety protocols, designs, emergency procedures, maintenance schedules and careful adherence to laws to keep the workers safe and to prevent industrial accidents. There may be operator errors, construction flaws, routine breakdowns, power outages, and any of these could result in injuries or accidental releases of sewage, non-wild fish, diseased water, chemicals, medications, fuels and more. Safety rules should be more stringent for these types of facilities, especially near residential areas and sensitive marine ecosystems.

There has already been one safety issue. Fredrikstad Seafoods, a subsidiary of Nordic Aquafarms recently had to pay fines and lost a lawsuit for an [improperly constructed foundation](#).

These large-scale aquaculture projects have been very challenging to investigate, and as they are a new industry in Maine, they require strict adherence to safety rules and regulations. We do not think this exemption should apply.

We urge Ought Not to Pass for LD 1473.

Background

For background, here are why these large industrial aquaculture facilities are problematic. The facilities proposed in Maine fall short of meeting the [Sierra Club's national policy](#):

Farming of fish and other aquatic organisms

1. Cultivation of aquatic organisms in a manner that has a high potential to impact natural ecosystems, such as net-pen fish farming in coastal waters, should be discouraged.
2. Aquaculture systems should include components that recycle wastes internal to the system.
3. Multi-trophic aquaculture systems that integrate fish and plant ecosystems to process waste and optimize use of resources should be encouraged. ([Sustainable Marine Fisheries Policy](#))

As currently proposed, the large aquaculture facilities in Maine have large negative impacts, do not recycle wastes internal to their systems, and are not multi-trophic systems.

I was a co-author of a life-cycle assessment evaluating [Nordic's carbon footprint](#). Nordic alone represents 4.6 – 6.4 percent of Maine's 2030 GHG target and between

12.8 and 17.6 percent of Maine's 2050 carbon target. These facilities, as proposed, will make meeting Maine's greenhouse gas targets almost impossible.

Thank you for your time and service. I know you have a tough but important job, and I deeply respect your commitment. I am happy to provide you with more information if helpful.

Sincerely,

Jim Merkel

Legislative Team

Sierra Club Maine