

EXHIBIT

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JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BUREAU OF PARKS & LANDS
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

COMMISSIONER

Sent Via Email

January 18, 2019

Tim Steigelman
Drummond Woodsum
84 Marginal Way, Suite 600
Portland ME 04101-2480

RE: Nordic Aquafarms Application

Dear Mr. Steigelman:

This letter serves as the Bureau of Parks and Lands, Submerged Lands Program's formal request that Nordic Aquafarms provide evidence that Nordic Aquafarms has established right, title or interest in the intertidal land where the pipelines are proposed. As the Submerged Lands Program (the SLP) communicated during our conversation with David Kallin on January 16, 2019, the Easement Purchase and Sale Agreement submitted by Nordic Aquafarms defines the easement area by reference to an Exhibit A that depicts the easement area as stopping at the high-water mark.

The Submerged Lands Rules (the Rules) define "littoral zone" as being the "area of Submerged Lands adjacent to shoreland property." Per section 1.6(B)(1) of the Rules, an applicant "must demonstrate sufficient right, title or interest in the upland property adjacent to the littoral zone in which the lease or easement is sought..." Although the language refers to "upland" property, this includes the intertidal portion of the property that would be adjacent to the littoral zone as defined. As such, and because Nordic Aquafarms' proposed pipes would cross the intertidal zone, the Bureau requests that Nordic Aquafarms provide evidence that it has right, title, or interest to the intertidal zone that it proposes to cross. Section 1.7(A)(4) of the Rules affords Nordic Aquafarms 90 days to provide the requested information to the SLP. If the SLP does not receive the requested information within 90 days, the SLP may require Nordic Aquafarms to reapply for a submerged lands lease. Therefore, the information should be received by the Bureau on or before **April 18, 2019**.

If you have any questions, please contact me at (207) 287-4922 or via email at carol.dibello@maine.gov. Thank you.

Sincerely,

Carol DiBello
Carol DiBello

Submerged Lands Coordinator

cc: Lauren Parker, AAG

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