

**PRE-FILED DIRECT TESTIMONY OF DIANE HUNT BRAYBROOK  
ON BEHALF OF THE FISH ARE OKAY  
IN THE MATTER OF NORDIC AQUAFARMS, INC., APPLICATIONS  
TFAO 1 (Braybrook statement with attachments)**

**WITNESS BACKGROUND AND QUALIFICATIONS:**

My name is Diane Hunt Braybrook. I am a retired teacher and a resident of Belfast. Since my retirement I've been actively involved as a volunteer for the Belfast Chamber of Commerce, the Belfast Farmers' Market and quite a number of other civic organizations.

I am here today to testify in the matter of Nordic Aquafarms, Inc., as president of The Fish Are Okay. This is a citizen-based nonprofit organization that has put considerable effort over the past year into keeping concerned citizens in Belfast and surrounding communities up-to-date on issues and actions related to the Nordic project.

With your permission I have asked another corporate officer of TFAO, Anne Saggese, to join me at the witness table. If other Intervenor care to cross-examine my testimony with respect to the attached map and landowner signatures, it was primarily Ms. Saggese who worked with these property owners.

**SITE/NRPA APPLICATIONS WITH RESPECT TO IMPACTS TO EXISTING USES FROM  
CONSTRUCTION AND OPERATIONS:**

The Fish Are Okay has come to depend upon Belfast resident Gef Flimlin for insight into the Nordic proposal. He has dual insight into the pending applications as both the owner of property that directly connects with Nordic's project site and as a retired professor of aquaculture at Rutgers University with 40 years of experience as a leader in the aquaculture industry.

Unfortunately the date set for Intervenor to provide oral testimony at the Nordic hearing conflicts with Mr. Flimlin's earlier commitment to participate out of town at the Aquaculture America conference. Knowing that there is always the possibility of changes in dates for the Nordic hearing, or other last-minute complications in Mr. Flimlin's travel plans, we took steps to pre-file his testimony in the regular manner in order to qualify him as a witness offering oral testimony in the week of February 10.

With the permission of the Board and assuming Mr. Flimlin's absence, I would like to offer his intended testimony for inclusion in the hearing record.

I would also like to take this opportunity to thank Mr. Dirk Faegre for his willingness to appear as an Intervenor on our behalf at BEP's hearing to talk about his personal experience with the Water Usage issues.

The testimony offered by these two gentlemen is representative of many landowners who directly adjoin, or who are within the neighborhood of, Nordic's project site. In the "big picture" these landowners share the entire community's desires and demand for environmentally responsible forward-thinking design and operations. More narrowly, they've stewed and fretted for over two years now about the direct and significant impacts the Nordic project might have on their own lives and property. Step-by-step, they've learned the outlines and consequences of actions to be taken by Nordic. Step-by-step, these property owners have each in turn formed an impression of their trust in Nordic (or not), to be confirmed (or not) by regulatory fact-finding of this Board and its staff, as well as the Belfast Planning Board and the City staff that assists it.

Witnesses appearing today on behalf of The Fish Are Okay will only be speaking to a few issues among those designated for oral testimony. Nonetheless, I think it's important that the Board have a sense of the entire neighborhood's impression of the Nordic proposal as things stood in early December 2019. With your permission, I would like to submit for the record a map of the Nordic project site that includes surrounding properties in Northport and Belfast. Appended to this map are copies of a statement devised by The Fish Are Okay and signed by property owners who have "no objection" to the licensing of the Nordic project in their neighborhood.

It was difficult for us to conclude that "no objection" was adequate terminology. A few of these property owners are outspoken advocates for the Nordic project. Some are pushing hard for the regulatory reviews to be allowed to proceed and to reach definitive binding conclusions. Many specifically have "no objection", provided the findings of this Board and the Belfast Planning Board are positive. And on that basis, The Fish Are Okay decided that "no objection" would be a broadly sufficient statement for the time being, and we have provided green background coloring for this range of opinions.

A number of properties on this map (designated with red background) are owned by people who have publicly expressed a variety of objections to the development of the fish farm on this site. Several of these owners and/or nonprofit organizations they founded are formal

Intervenors in the Board's review of the Nordic applications and will speak for themselves about their objections.

A third category of properties simply can't or won't be reached for purposes of determining their opinion about the Nordic project. Several are out-of-state owners who manage their property in some combination of rental and/or summer-only owner occupancy. Others are commercial or residential properties whose owners don't care to become involved in the Nordic debate, and we need to respect their desire to stay out of the fray.

What I hope this map conveys to the Board, its staff and to the public that follows the hearing record is that the debate over Nordic's proposal is not ... for most people ... a house-on-fire threat to the entire community.

Thank you for this opportunity to testify. I affirm that my testimony and the attachments thereto are true to the best of my knowledge and belief.

By:

Date: December 13, 2019

#1 Delemos Street  
Belfast, ME 04915  
207-930-5979  
dbraybrook@yahoo.com

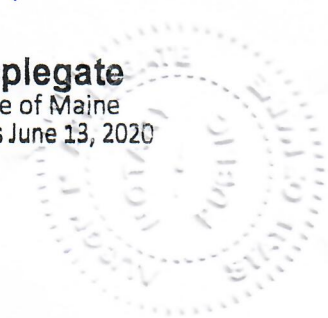
*Diane Hunt Braybrook*

Diane Hunt Braybrook, on behalf of  
The Fish Are Okay

*Diane Hunt Braybrook*

*Alison M. Applegate* 12-16-19

**Alison M. Applegate**  
Notary Public, State of Maine  
My Commission Expires June 13, 2020



**TESTIMONY OF GEF FLIMLIN  
ON BEHALF OF THE FISH ARE OKAY  
IN THE MATTER OF NORDIC AQUAFARMS, INC., APPLICATIONS  
(ATTACHMENT TO: TFAO 1)**

**WITNESS BACKGROUND AND QUALIFICATIONS:**

I am George R. (Gef) Flimlin. My wife and I have recently built a home at 52 Perkins Road in Belfast, the back property line of which adjoins along its full length the proposed Nordic Aquafarms' project site.

I am testifying on behalf of The Fish Are Okay. This is a citizen-based nonprofit organization that has put considerable effort over the past year into keeping our neighborhood (as well as other concerned citizens in Belfast and surrounding communities) up-to-date on issues and actions related to the Nordic project.

I have recently retired as Professor Emeritus from Rutgers University, the State University of New Jersey. I have been involved with commercial fisheries and aquaculture for about 40 years. I served as a Marine Extension Agent for the Rutgers Cooperative Extension. That position is very much like the County Agricultural Agent who works with farmers, but I worked with commercial fishermen and aquaculturists.

I served on the Technical Advisory Committee for the U.S. Department of Agriculture's Northeast Regional Aquaculture Center on and off for about 18 years, ending as the Chair of that committee. I was on the Executive Committee as well as Vice President of the National Shellfisheries Association. I was on the Board and served as the President of the U.S Aquaculture Society. That position also put me on the Executive Board of the World Aquaculture Society. I was on the International Conference for the Exploration of the Seas (ICES) Aquaculture Work Group, working with scientists and regulators from Canada and the European Union on aquaculture research priorities. I was the founder of the New Jersey Aquaculture Association and co-founder of the East Coast Shellfish Growers' Association. So I know a little bit about aquaculture.

Over the past two years my wife and I have become fulltime residents of Belfast. It was during this time that we learned the home we were building on property we purchased many years ago was to have a new neighbor -- Nordic's proposed salmon farm, firmly abutting the entire length of our new homesite. The irony and humor in this situation was not lost upon friends, family and my professional peers from around the world.

We've laughed along with them, although to be honest, this wasn't the best news I've had since my retirement from Rutgers. And in the meantime, it became apparent that the political dynamics within our new neighborhood in Belfast were destined to complicate this news even further. We learned that two neighbors are the founders respectively of Local Citizens for SMART Growth: Salmon Farm, a nonprofit organization for the purpose of opposing the Nordic project, as well as Upstream Watch, another nonprofit that shares this goal. Nonetheless, it is my wife and I who will likely be the most extensively impacted by Nordic's construction and operations. A 40-foot wooded buffer strip is all that separates our property from the building that will house Nordic's core production activities.

So we are right there. And after 40 years of promoting aquaculture, I really can't be the "Not In My Backyard" guy.

#### **SITE/NRPA APPLICATIONS WITH RESPECT TO IMPACTS TO EXISTING USES FROM CONSTRUCTION AND OPERATIONS, INCLUDING BLASTING AND ODOR:**

I contacted Erik Heim at Nordic about 10 days after the announcement was made about the possibility of the fish farm being built at this site. I told him who I was, what I did, and that if he failed it would not only be bad for his company, but for aquaculture in general, so he better get it right. He certainly concurred. Since then I have met with him and his engineer many times. I've asked questions about the facility and how things would work. They have been straightforward with their answers. Aside from these newly developing relationships with Nordic's folks, I count 4 aquaculture engineers as friends of long standing. Two literally "wrote the book" on Recirculating Aquaculture Systems, and I've not hesitated over the past two years to contact them and others for insight into Nordic's design plans.

Professional curiosity alone would have driven me to investigate Nordic's plans for design and operations, but this wasn't all that I had in mind. My wife and I were also in the process of getting to know our new neighbors, some of whom think the Nordic facility will be a great asset to Belfast, and others who appear to be prepared to go to any extreme to prevent the fish farm from being built. In my mind, all opinions are fair until facts and/or actual experience proves them wrong. I felt I had the training and experience to sort out at least some of these issues in advance of the deadline for making decisions. If nothing else, my wife and I needed to be satisfied that we'd examined all the angles.

So what better place to start than asking Nordic about our own property, our needs, our expectations?

**Odor:** A bad odor at an aquaculture facility is a dead give-away that poor management is resulting in bad husbandry, resulting in compromised equipment, disease, fish mortality and financial ruin. From my perspective this is an instance in which NIMBYism is fully justified. From conversations with Nordic about their practices, I'm satisfied there will be no whiffs of fish or fish waste reaching my backyard.

**Noise:** It simply goes with the territory that construction-related noise such as **blasting** will be an annoyance during the construction phase. Nor do local ordinances offer much protection given that blasting is permitted seven days a week between the hours of 6 a.m. and 10:00 p.m. The Flimlin household is prepared and willing to endure this disturbance as a necessary trade-off for achieving a locally produced food source grown in an environmentally sound way. I've talked with Nordic's folks about disturbances from construction. It's their intent to be thoughtful about residential neighbors. I don't expect to be thrown from my chair at dinnertime nor blasted from my bed past a reasonable hour.

In fact, both odor and noise were part of my discussion with Erik Heim when we initially met. I told him that I knew the system wasn't going to be loud and that it wasn't going to smell, but that I'd be really ticked off if he ruined my night sky. He responded that he was also a star gazer and that lights at night would not be an issue.

**Visual Impact:** If I were to be granted my preference in the setback requirements governing required distances between an industrial facility and a residential property, that distance would easily be twice or more the setback required under our municipal Code. Unfortunately, I became involved in the regulatory process too late to influence a change in our existing Code. It is also the case at this specific site that other setback requirements for existing streams create a difficult jigsaw puzzle that allows little flexibility in Nordic's footprint. In the face of this reality, Nordic has gone out of its way to offer help in buffering my property from their operations. I've been given my choice of native plantings for the buffer strip, and we will take them up on their offer when construction begins. Nordic has also agreed to top or remove exceptionally tall trees that would block sunlight if I add solar panels to my roof. All in all, we've had enough on-site, eyes-on discussions about my needs in establishing and managing this buffer strip that I'm more than satisfied with their cooperative attitude. I pass a window factory down the street daily, and it simply blends into our neighborhood. I think this will be the case with Nordic, and I don't expect that in the long run, it will ruin our property value.

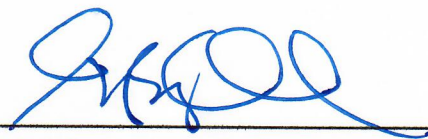
I'm satisfied that Nordic intends to be a good neighbor. I'm satisfied overall that Nordic's design concepts and its operational plans are leading toward an environmentally sound operation that achieves sustainability in producing a high quality product. At the core of my satisfaction,

however, is the confidence I have in Maine's Board of Environmental Protection and its staff to thoroughly evaluate Nordic's applications and to monitor ongoing performance toward achieving these goals.

As this process proceeded, I found the thoughts of Local Citizens for SMART Growth: Salmon Farm and of Upstream Watch concerning the ability for the state and federal agencies to get everything right quite naive. I have worked with County, State and Federal Agencies for 40 years and there are some things that I have learned. First, these agencies will accept zero risk. They never want to have lawyers beating down their doors because they overlooked something. This brings them to a second place. Agencies will always fall on the conservative side of any issue rather than on the other. I have worked with applicants over the years who were fuming about all of the information that was required to get a permit to do something. But people who have not gone through these processes have no idea of the intense labor that state agencies must go through to grant a permit. I have constantly heard from those in opposition to this project that Nordic Aquafarms will kill or pollute the bay. What they don't understand is that Nordic cannot get a discharge permit if the effluent exceeds 20% of the assimilative capacity of the receiving waters. That kind of diligence is essential for the maintenance of the bay for decades to come, and it will be the State and Federal government that will demand Nordic's adherence to these parameters. The bottom line is that I find it disturbing and somewhat demeaning to the people in the agencies that those in opposition to this land-based fish farm have so little trust in the people whose mandate it is to keep the bay viable.

Thank you for this opportunity to testify. I affirm that my testimony is true to the best of my knowledge and belief.

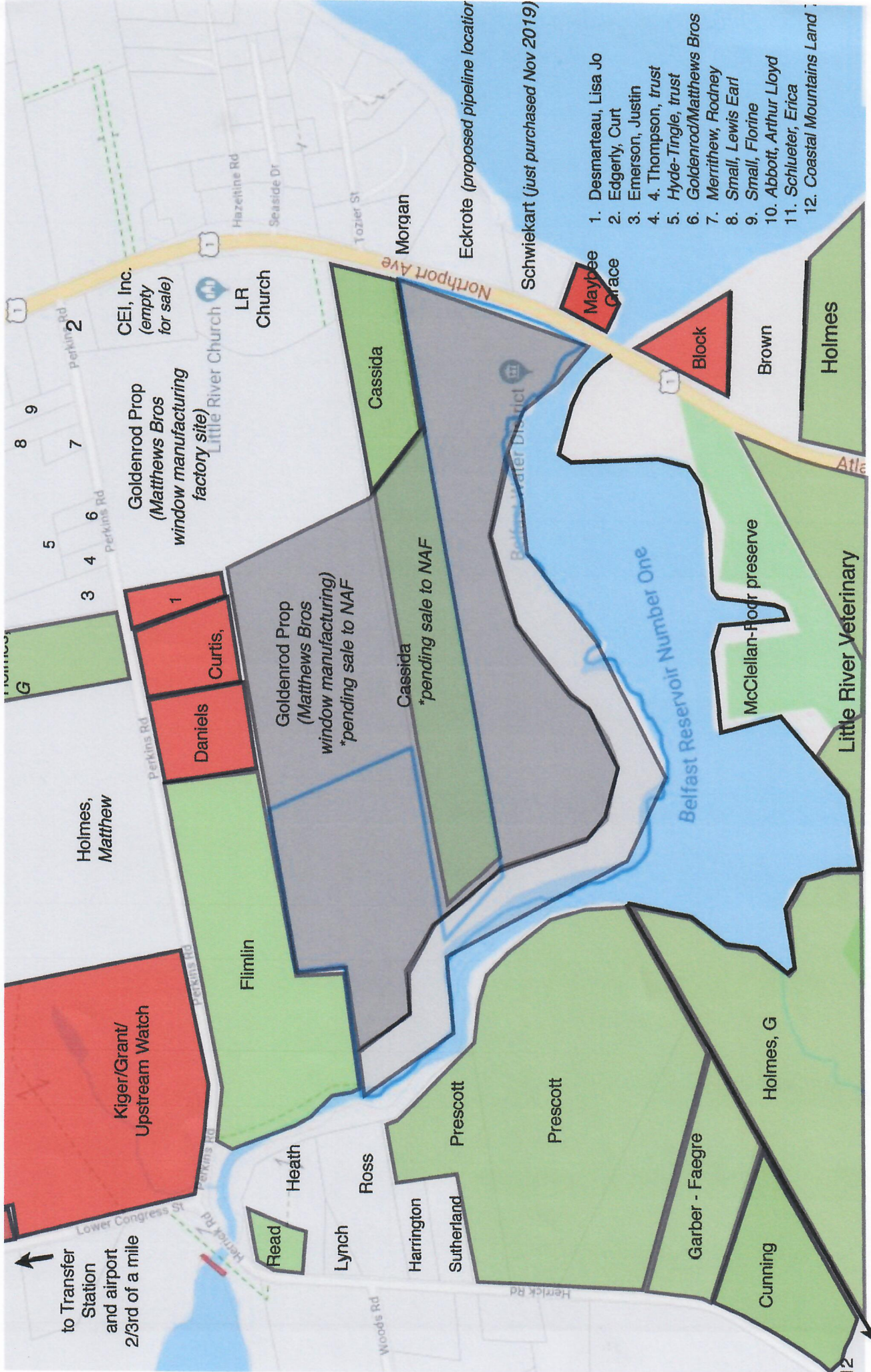
By:



Date: December 13, 2019

Gef Flimlin, on behalf of  
The Fish Are Okay

52 Perkins Road  
Belfast, ME 04915  
609-892-4585  
flimlin@scarletmail.rutgers.edu



1. Desmarteau, Lisa Jo
2. Edgerly, Curt
3. Emerson, Justin
4. 4. Thompson, trust
5. Hyde-Tingle, trust
6. Goldenrod/Matthews Bros
7. Merrithew, Rodney
8. Small, Lewis Earl
9. Small, Florine
10. Abbott, Arthur Lloyd
11. Schlueter, Erica
12. Coastal Mountains Land

Green Properties owned by someone who is comfortable with the proposed project and signed an affidavit that is included here.

Properties for whom no response was achieved: summer-only residents, rentals, some simply did not wish to "be involved" or no answer at all.

Properties owned by someone who has publicly expressed significant concern or objection to the project.



December 13, 2019

Robert Duchesne, Presiding Officer  
Maine Department of Environmental Protection  
Board of Environmental Protection  
28 Tyson Drive, Ray Building - 17 State House Station  
Augusta, ME 04333-0017

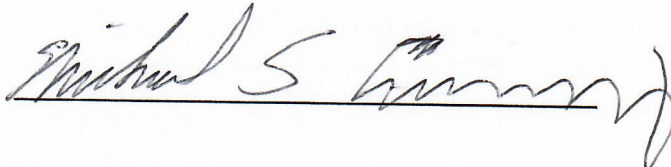
Declan O'Connor, Acting Chair  
City of Belfast Planning Board  
131 Church Street  
Belfast, ME 04915

Dear Messrs. Duchesne and O'Connor,

As the owner of property near the site in Belfast on which Nordic Aquafarms proposes to build and operate a salmon farm, I want to go on record in your regulatory proceedings as not opposed to this project.

I have confidence in the expertise and thoroughness with which both the BEP and our local Planning Board are examining Nordic's applications for licensing; and further, that the decisions reached by these Boards will responsibly reflect the findings in these exhaustive proceedings. Your time and attention to the Nordic project are very much appreciated.


Sincerely,

Signature: 

Please Print: MICHAEL S. CUNNINGHAM

Address: PROPERTY LOCATED AT 51 HERRICK RD.  
Belfast ME 04915

I, Anne Saggese in my capacity as Treasurer of The Fish Are Okay (TFAO), affirm that TFAO obtained this document on December 11, 2019, from the signator, who to the best of my knowledge and belief is the property owner at this address.

BY:   
Anne K. Saggese, Treasurer, The Fish Are Okay

December 13, 2019

Robert Duchesne, Presiding Officer  
Maine Department of Environmental Protection  
Board of Environmental Protection  
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Sincerely,

Signature: Nancy L. Read

Please Print: NANCY L. READ

Address: 10 HERRICK Road  
Belfast ME 04915

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BY: Anne K. Saggese  
Anne K. Saggese, Treasurer, The Fish Are Okay

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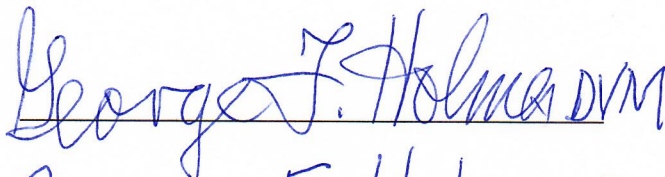
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Sincerely,

Signature:



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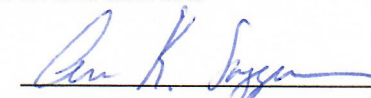
George F. Holmes D.V.M.

Address:

1442 Atlantic Hwy  
Belfast ME 04915

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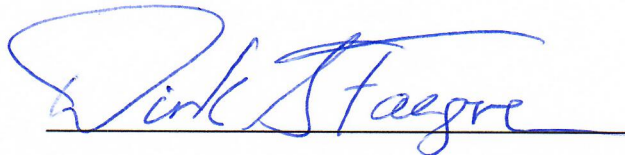
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Sincerely,

Signature:



Please Print:

DIRK S. FAEGRE

Address:

46 HERRICK RD

Belfast ME 04915

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BY:



Anne K. Saggese, Treasurer, The Fish Are Okay

December 13, 2019

Robert Duchesne, Presiding Officer  
Maine Department of Environmental Protection  
Board of Environmental Protection  
28 Tyson Drive, Ray Building - 17 State House Station  
Augusta, ME 04333-0017

Declan O'Connor, Acting Chair  
City of Belfast Planning Board  
131 Church Street  
Belfast, ME 04915

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Sincerely,

Signature: Jacqueline Cassida

Please Print: Jacqueline Cassida

Address: 271 Northport Ave  
Belfast ME 04915

I, Anne Saggese in my capacity as Treasurer of The Fish Are Okay (TFAO), affirm that TFAO obtained this document on December 11, 2019, from the signator, who to the best of my knowledge and belief is the property owner at this address.

BY: Anne K. Saggese  
Anne K. Saggese, Treasurer, The Fish Are Okay

December 13, 2019

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28 Tyson Drive, Ray Building - 17 State House Station  
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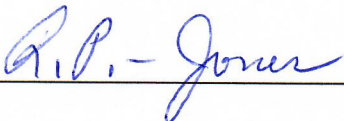
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131 Church Street  
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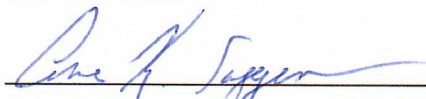
Sincerely,

Signature: 

Please Print: Rosemary Prescott-Jones

Address: 30 Herrick Rd, Belfast, 04915  
Belfast ME 04915

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Anne K. Saggese, Treasurer, The Fish Are Okay

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Sincerely,

Signature: Mef Flimlin  
Lavissa Flimlin

Please Print: Lavissa Flimlin

Address: 52 Perkins Rd  
Belfast ME 04915

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131 Church Street  
Belfast, ME 04915

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Sincerely,

Signature:



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Please Print:

Chris Toudally

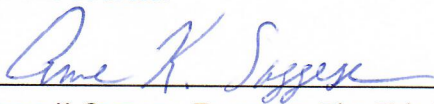
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Address:

1447 Atlantic Hwy, Northport, ME  
Belfast ME 04915

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BY:



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Anne K. Saggese, Treasurer, The Fish Are Okay