

Salmon sites get tentative approval

Blue Hill Bay group seeks new hearings

AUGUSTA - A state hearing officer has recommended the state approve a 30-acre salmon farm in Blue Hill Bay and renew a lease on a second farm in the bay, according to the draft decisions. "I am very happy with the decisions," said Erick Swanson of Mount Desert, owner of both Acadia Aquaculture and Trumpet Island Salmon Farm.

Under the "proposed decisions," which still need approval from the marine resources commissioner, Acadia Aquaculture can lease 30.4 acres of water east of Tinker Island in Blue Hill Bay to raise Atlantic salmon. The lease with the state, at \$50 per acre per year, would be good for 10 years.

Trumpet Island Salmon Farm, meanwhile, would get a 10-year renewal, to March 2013, on its 25-acre fish farm east of Hardwood Island, also in Blue Hill Bay.

Swanson applied for the new lease and the lease renewal in August 2002.

An attorney for Friends of Blue Hill Bay has requested the commissioner reverse the hearing officer's decision and "hold a new round of hearings" that would focus on Heritage Salmon Farms, a Canadian firm that provides supplies, feed, fish stock and some financing to Swanson's two enterprises.

As the true tenant of Swanson's new enterprise, Heritage should be required to undergo the scrutiny of public hearings, attorney Sean Mahoney said Wednesday.

"We think there should be another process," Mahoney said Wednesday on behalf of the Friends group.

The state's hearing officer, Mary Castigan, concluded that Heritage has such a strong partnership with Swanson that it also must be considered a tenant on the 10-year lease. However, Castigan said Swanson's relationship with Heritage should not delay approval of the project.

Swanson said Tuesday he plans to appeal that part of the ruling if the commissioner does not reverse it in the final decision, due out next week.

Swanson said the state has no authority to tell him whom he can do business with.

Moreover, Swanson said he's not unlike any other small farmer who needs business relationships with large companies to survive.

The implication of Castigan's conclusion about Heritage is that Swanson's acreage is counted both against Swanson and Heritage.

Heritage is currently leasing 224 acres of water from the state to raise Atlantic salmon and under present law cannot lease more than 250 acres in the aggregate.

The limit will increase to 300 acres on July 30, leaving Heritage barely under the limit and unable to develop new sites.

Swanson said the issue is vital for fish farmers in Maine who need financing and other assistance from larger companies.

"I've got to win this one," Swanson said.

He called any attempt by the state to control or influence whom he can contract with "nonsense."

"They have no right to interfere in my business," he said. "There is just no legal basis" for concluding Heritage is a tenant.

Mahoney could not say whether the Friends group would appeal the case to court if the commissioner rules that Heritage is not a tenant on the Swanson farms.