

September 8, 2021

Patrick Keliher, Commissioner
Maine Department of Marine Resources
21 State House Station
Augusta, ME 04333-0021

Dear Commissioner Keliher:

Our groups represent a considerable number of lobstermen, other fishermen, recreational boaters, and those who live and work along the water both year-round and seasonally. We understand that there was a large die-off of farm raised salmon at the Cooke Aquaculture project off Black Island recently and have many questions that we feel need to be addressed. We remain concerned about DMR's approval and monitoring process for leases within the state.

Our questions revolve around this specific die off and the environmental and economic threat that it represents for all who use the waters in this area, especially the lobster fishermen. To that end we are asking the following questions:

- How many pounds of fish died?
- How many net pens were they in?
- How many pounds of fish were off loaded that were still alive?
- Where were the fish taken and what will happen to them?
- Did any fish escape in the process? If not, how was that verified?
- What is the process for reporting fish escapes to DMR?
- DMR said the dead fish will be tested at Kennebec River Biosciences. When will it be completed? Will the results be made public and when?

- Are the tests being conducted for Cooke or independently for DMR? If for Cooke, does DMR do any other verification on its own?
- Are the fish being tested for ISA and PRV Virus? What other tests are being done?
- Will these tests be verified by an independent lab? If so, what lab, and what are the lab's certifications?
- Both DMR and Cooke were quoted publicly saying the die-off was due to low oxygen. How could that determination be made prior to the fish being tested?
- How did the spokesperson for DMR, Jeff Nichols, on Friday already know there was no violation of the lease prior to the tests being completed?
- Did DMR visit the site at any point?
- If the die-off was caused by uncommonly low oxygen, what caused that and will the analysis of that assessment be made public?
- How much feed was in the water at this and the adjacent site?
- How much biomass was in the water at this and the adjacent site?
- How do we know the fish being tested are fish that died at the Black Island Pen sites?
- Will Cooke be filing an insurance claim?
- Is Cooke Aquaculture enrolled in the ISAV Surveillance Program and do they submit to biosecurity audits?
- Will Maine taxpayers ultimately pay due to indemnity provided by insurance or the USDA APHIS- Animal and plant health inspection service?
- As a result of this fish die off, are all other pens operated by Cooke being checked?
- What is the operating agreement for disposal of dead fish approved by the state?
- Is there a protocol in place for one department to talk to another, in this case DMR to notify DEP, when salmon or other aquaculture die offs occur? (DMR apparently didn't alert Maine Department of Environmental Protection (DEP) as soon it learned that there had been a fish die-off according to statements made by the DMR)

communications director. To summarize from media reports the communications director indicated it was not the responsibility of DMR to notify DEP.)

- Is Commissioner Keliher on the record as saying there were no violations, as indicated by his spokesperson, before fish were tested and before DMR visited the site?
- What is the standard operating procedure as indicated by DEP's David Madore?

We realize that these are a lot of questions, but we feel it is important that they be addressed in light of DMR's responsibility for aquaculture leases and growing concerns about other large-scale fin-fish leases being proposed for Maine waters that raise the serious threat of additional die-offs, disease and degradation of coastal waters. Thank you for your attention to this matter.

Respectfully,

Crystal Canney, Protect Maine's Fishing Heritage Foundation

Ted O'Meara, Save the Bay

Jeri Bowers, Friends of Eastern Bay

Kathleen Rybarz, Friends of Eastern Bay

Henry Sharpe, Frenchman Bay United

Jackie Weaver, Friends of Schoodic Peninsula

CC: Governor Janet Mills

Commissioner Melanie Loyzim, Maine DEP

Tom Abello, Senior Advisor to Governor Mills

Jeremy Kennedy, Chief of Staff to Governor Mills

Media References:

Quietside Journal:

Cooke Aquaculture Spokesperson, John Richardson said:

“Cooke Aquaculture USA is completing the safe removal of mortalities that have occurred at their salmon farm sites off Black Island, near Frenchboro in Maine. The mortalities were a result of uncommonly low oxygen levels in the cages. The fish are being disposed of per the company’s standard operating procedures and farm management plan. Cooke expects to be operating as normal over the weekend following the regular harvest schedule.

“All livestock farmers encounter and manage mortalities and the company is taking all the responsible steps and has provided notification to the Department of Marine Resources, Department of Environmental Protection, U.S. Fish and Wildlife, USDA, and NOAA.”

DMR:

DMR spokesman Jeff Nichols referred all QSJ questions to the company.

“All I know is that there was a die off but nothing that would be a violation of the lease.”

<https://www.mainepublic.org/business-and-economy/2021-08-27/authorities-investigating-mass-salmon-die-off-at-down-east-aquaculture-operation>

In a statement, Cooke Aquaculture spokesperson Joel Richardson writes that "uncommonly low oxygen levels in the cages" are being blamed for the fish die-off, and that the company is "completing the safe removal of mortalities that have occurred" at salmon farm sites off Black Island, near Frenchboro.

New Brunswick-based Cooke Aquaculture was cited in 2019 by the Maine Department of Environmental Protection after multiple violations were

found at net pen sites in Hancock and Washington counties. The company agreed to pay more than \$150,000 as part of the case resolution.

The violations included overcrowding of fish pens. The company was also cited for failing to conduct environmental sampling or submit reports on schedule.

DEP:

Maine Department of Environmental Protection deputy commissioner David Madore told Maine Public on Friday that his department has opened an enforcement case and is currently investigating the incident.

<https://www.mdislander.com/maine-news/waterfront/fish-die-off-reported-at-black-island-fish-farm>

"The fish are being disposed of per the company's standard operating procedures and farm management plan," said Joel Richardson.