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# Maine RAS company holds up to another legal challenge, retains permit

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By Responsible Seafood Advocate

## Maine Superior Court upholds Kingfish Maine's site permit

A challenge to Kingfish Maine's permit has failed in Maine Superior Court, allowing the recirculating aquaculture system (RAS) producer to proceed with its construction plans in rural Jonesport, Maine, the company announced.

In 2021, Kingfish Maine – part of the Kingfish Company, which currently produces 1,500 tons of Dutch yellowtail, or kingfish, at its Kingfish Zeeland facility in the Netherlands – was granted a Site Location of Development Act (SLODA) and Natural Resources Protection Act (NRPA) joint permit by the Maine Board of Environmental Protection to build an indoor aquaculture facility in Jonesport.

The project faced opposition from the Roque Island Gardner Homestead Corporation and Eastern Maine Conservation Initiative, but the petitioners' legal challenges fell short in 2022 and again this year.

In its appeal, the Petitioners claimed the BEP failed to independently assess the project's impact on wildlife under the NRPA. The court concluded: "While Petitioners ask the court to vacate the Board's decision upholding both the NRPA and Site Law permit, Petitioners' challenge is based on the alleged violations of NRPA, and they mount no meaningful challenge to the lawfulness of the Site Law Permit (SLODA)."



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The court concluded: "...the Board did not violate NRPA or otherwise act unreasonably by failing to independently assess the project's effluent discharges..."

"The opposition from Roque Island continues to be unsuccessful in its appeals of the Kingfish Maine project. This latest appeal denial is a clear victory for Kingfish Maine and more importantly the residents of Jonesport," said Megan Sorby, Kingfish Maine operations manager. "Kingfish Maine will bring economic development to the Downeast region and that cannot be controlled by Roque Island. We are excited to celebrate this Superior Court victory with the community of Jonesport."

"We remain focused on the advancement of Kingfish Maine facility," said Kingfish Company CEO Vincent Erenst. "This ruling by the Superior Court underscores the continued work of our Maine-based team to the success of this project and Kingfish's commitment to the Jonesport community, which has

supported our project from its introduction.”

At the Kingfish Zeeland facility in the Netherlands, expansion is underway to increase capacity to 3,500 tons of yellowtail in 2023. The Jonesport facility is projected to produce 8,500 metric tons of yellowtail.

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