MacNeil, Jami

From: MacNeil, Jami
Sent: Monday, November 01, 2021 10:18 AM
To: 'Becca Shaw Glaser'
Subject: RE: Public Comment on SHM Rockland, LLC's Natural Resources Protection Act permit application (#L-20386-4P-P-N)

Dear Ms. Glaser,

Thank you for your comments regarding the expansion of an existing marina in Rockland Harbor as proposed by SHM Rockland, LLC in NRPA application #L-20386-4P-P-N. The deadline for public comments on the application is November 4, 2021.

To answer your question in comment #4, the Department is aware of the environmental covenants related to the voluntary response action plan (VRAP) at the project site, which was implemented to deal with lime kiln residue. If/when the applicant proposes to disturb soil within those areas, they will need to submit a plan for handling any lime kiln residues encountered during construction to the Department for review and approval. At this time, the applicant does not propose disturbance within those areas.

Your comments will be added to the file and will be considered during the review of the project. You may contact me with additional concerns, questions, or comments at (207) 446-4894 or via email at jami.macneil@maine.gov.

Sincerely,
Jami

-Jami MacNeil (she/her)
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From: Becca Shaw Glaser <beccaglaser@gmail.com>
Sent: Wednesday, October 27, 2021 6:15 PM
To: MacNeil, Jami <Jami.MacNeil@maine.gov>
Subject: Public Comment on SHM Rockland, LLC's Natural Resources Protection Act permit application (#L-20386-4P-P-N)

Dear Jami,
Thank you so much for carefully considering public comments on Safe Harbor Marinas' Rockland Natural Resources Protection Act permit application to expand their marina. I grew up in Rockland and nearby Camden; my dad made his living on a boat out of Rockland's North End Shipyard. Some of my concerns with Safe Harbor's proposal are as follows:

1. *The application is incomplete.* Without accurate, independent 2D/3D renditions of how the views from all sides of the harbor-- Sandy Beach, the boardwalk, Harbor Park, the Breakwater, and

even the State Park at Owls Head--will be affected by the maximum amount of boats which are longer than 200'+ and several stories-high on their marina, we can't accurately assess how the viewsheds and our enjoyment of the harbor will be affected.

2. ***As far as megayachts, the original Yachting Solutions' application for the 2017 federal Boating Infrastructure Grant, the grant which Safe Harbor Marinas Rockland has taken over, references megayachts at least 25 times*** and states that the "Yachting Solutions Boat Basin is positioned to become the most attractive destination for megayachts between Portland and Bangor." Though SHM seems to have taken pains to avoid using the term "megayacht" in their application to the state, and in their recent public statements, their current proposal includes several 150' docks, able to hold 200' boats, and perhaps even longer, and the Yachting Solutions associates who oversaw YS's BIG grant are still in charge of Safe Harbor-Rockland; those 25 megayacht references are still very much relevant and should be seen as reflective of Safe Harbor's plans. Megayachts are among the most environmentally destructive ways to travel; their small global fleet is responsible for spewing pollution and guzzling fuel--even more than entire nations. How does allowing for the building of more megayacht infrastructure, therefore inviting them into Maine waters, fit with Maine's aims at being better stewards of the environment, and our future as a species?

3. ***One of the things the people of Rockland and the surrounding communities enjoy most about Rockland is the harbor boardwalk.*** This boardwalk was originally included in a plan by the former owner of the land, MBNA/Bracebridge Corporation; the plan was approved by the Maine DEP in 2000. In this plan the harbor boardwalk was billed as "An approximately 1,350 foot boardwalk will provide public access during daylight hours along the applicant's waterfront between two municipal parks (Harbor Park and Sandy Beach Park) bordering the site on the north and east boundaries." document 000150; bk2550; page 245; attached).

The expanded marina is very likely to interfere with these open views which have been enjoyed along the boardwalk by the public for over twenty years, particularly the fact that these boats can be several stories high. Furthermore, continued public access is also not guaranteed in the recent deed transfer between Rockland Harbor Park LLC and Safe Harbor, meaning that our community could easily lose this space we have enjoyed for decades (attached).

4. ***There are environmental covenants enacted on the property which Safe Harbor bought.*** Is the DEP looking to check on whether any of those are relevant to the plan Safe Harbor has put forward (doc 3450; book 3774; page 101; also in the deed between Bracebridge and Rockland Harbor Park LLC doc 3451; book 3774; page 125 (attached))?

5. ***An unknown number of moorings would have to be moved.*** At an October 13, 20210 Rockland City Council meeting, Safe Harbor Marinas, who want to start dredging on November 1, were unable to give even a ballpark figure of how many moorings their plan would require moving. Moving moorings often causes stress, financial cost and other burdens to the people whose moorings are being moved. It can lead to a loss of established uses such as fishing, if any of them are related to fishing uses, as well as recreational users. Most of the docking space Safe Harbor is creating will be for "transient users;" this means that locals are being pushed out of the way to make room for more transient boat users.

5. ***Fuel bunkering is in their plans.*** Although Safe Harbor declined to include their bunkering plans in their application, at the October 13, 2021 Rockland City Council meeting to discuss their plans, Bill Morong, who was there as a consultant representing Safe Harbor Marinas Rockland said that Safe Harbor is planning to be the only marina "north of Portland" very specifically doing fuel bunkering. This will involve, in Morong's words: "10,000 gallons or something like that, so it's not

just pulling up to a pump and putting in and holding the nozzle. It's a larger exercise than that…So to answer your question, not another fuel pump in town. But we would allow for a truck to come in and have some plumbing to do that for for a larger service." So, he said they are planning to plumb the marina for these large quantities of boat fuel.

10,000+ gallons of bunker fuel in Rockland's inner harbor, abbuted by two of Rockland's most-used city parks, seems like a pretty big deal, with potential for incidental leakage and spills. Although bunkering spills and leakage now appear to be rare as long as adequate equipment is used, it is still a worry. The fact that their plan to be a major Maine bunkering location is not referenced in Safe Harbor's application, yet has been discussed in their publicly-vocalized plans, makes one wonder again whether their application is incomplete.

6. Some of their proposed dredging runs right through the city channel. Page 45 of their application includes a dredging proposal--it includes a swath 300' long and for the entire width of that length of the city channel. How long will the dredging go on for? How disruptive will it be? Certainly the dredging would cause undue burden on the boats that currently navigate that channel.

7. Their marina is likely to obstruct the city channel, particularly when boats are on their longest dock, which could likely accommodate a 240' (or even longer) megayacht. At the October 13 Rockland City Council meeting, Safe Harbor was asked if boats at SHM would ever obstruct the city channel. Mike Sabatini, the engineer consulting with SHM-Rockland, whose firm drew up the plans for the expansion, said, "A boat could be sitting there, if it became a problem, it could be moved, but *there's no reason why a boat couldn't be there for a week or a couple days*. And it wouldn't obscure the *whole* channel." Morong seemed to try to tamp down Sabatini's comment by saying, "The intention is not to obscure the channel." That may be a stated intention, but the likelihood that the boats would end up obscuring part of the city channel for days on end, is high. The buffer that SHM has put between its dock and the city channel is only 20', while the large boats they hope to attract are often 40'+ wide boats, meaning that when those larger boats are on that dock, they will undoubtedly be poking into the city channel, which is used by all sorts of boats and watercraft. This would mean the Rockland Harbormaster would be tasked with having to decide whether to talk to Safe Harbor about these boats in the channel, potentially causing frequent tension and stress on city employees. Why couldn't they put a more appropriate 60' buffer on that dock?

8. They are also proposing a look-out near Sandy Beach, another of Rockland's prized public parks. Again, without a 2D/3D model, how are we to know the extent to which this will affect our views and the wide-open space we enjoy at Sandy Beach? I have been the volunteer gardener for Sandy Beach for over a decade. I see how many members of the public enjoy this space, for swimming and relaxing. There are almost always families with small children enjoying Sandy Beach, particularly families without much money. To have another privately-owned lookout that might encroach on that public feeling would be a shame. While SHM claims this new lookout would be publicly-accessible, their actual deed says that they can make the boardwalk closed to the public if they and the owners of the other section of the boardwalk agree to it. Therefore, were that to happen, this lookout could be simply more private corporate encroachment on what is now an area of public enjoyment.

9. They want to put four 150' docks on the Eastern side, a side they do not even have a submerged land lease for. Why can't they be satisfied with the submerged land lease they already had, rather than taking more of the public water and viewshed, an area where seabirds and other animals use, for their own profit?

Thank you so much. I would love to be informed of any future opportunities to engage on this topic.

Rebecca Glaser
Rockport