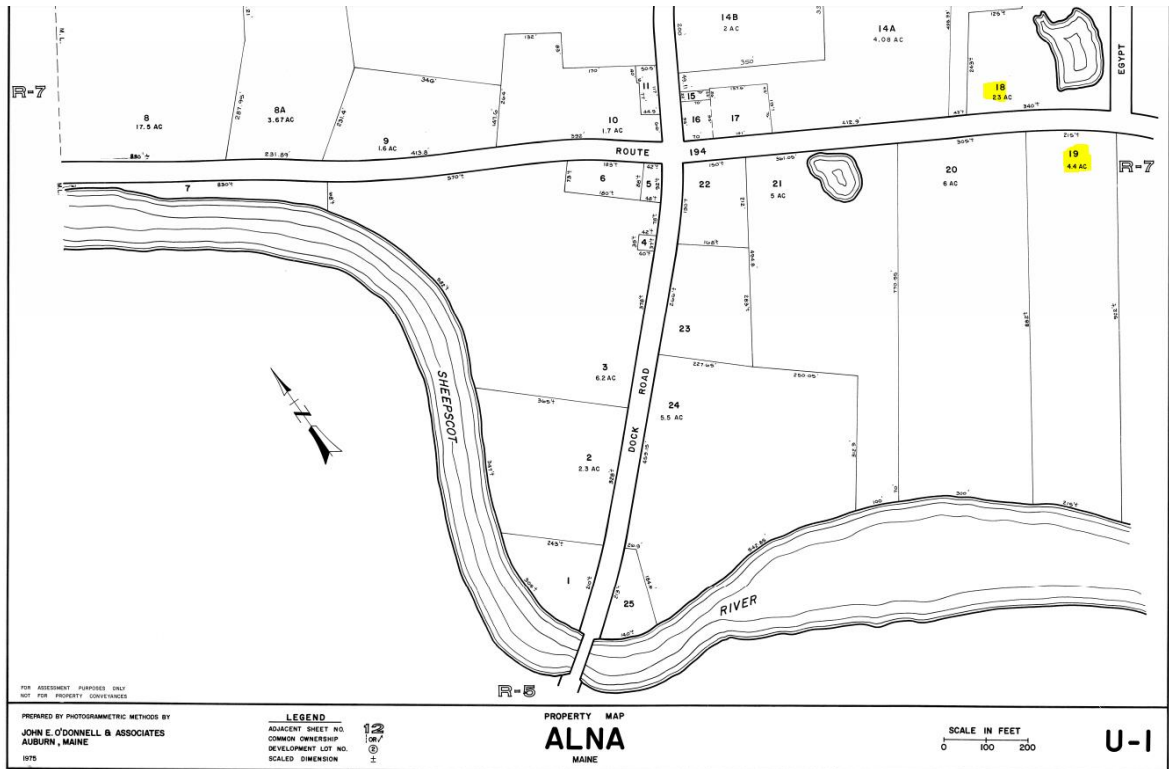


6/9/20

Dear Chairman Draper,

I am writing to address Mark DesMeueles' letter dated April 27, 2020, which was not brought to my or my attorney's attention until we specifically inquired about it.

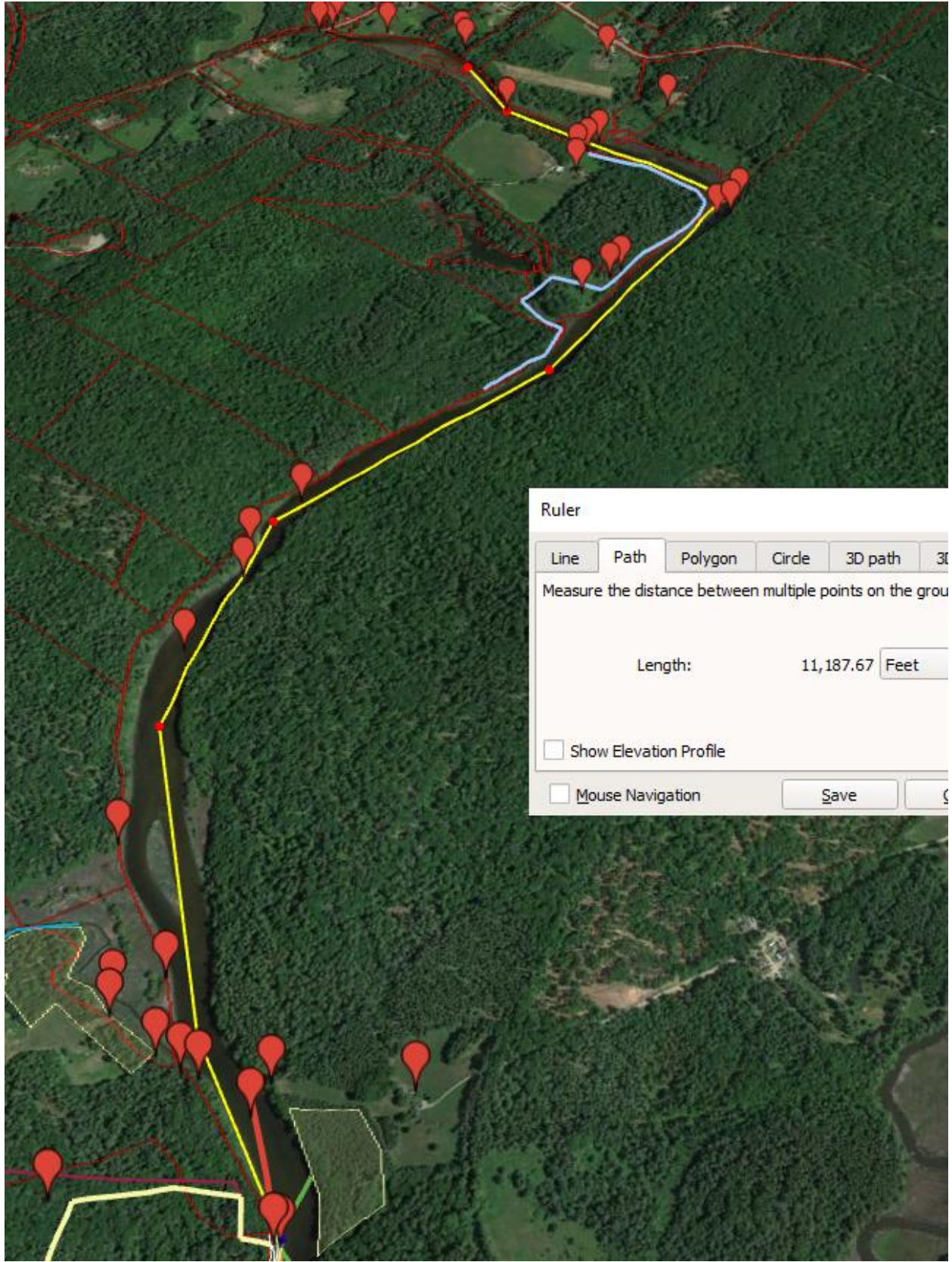
First, I would like to establish a few facts: Mr. DesMeules in his letter states that he is a landowner on Sheepscot "near proposed project". To be factually accurate, Mark Desmeules owns Alna lots U1-18 & u1-19 (yellow highlighted below in tax map)



As viewed on my interactive google map (in the record), the DesMeules properties are the two circled in red.:



Mr. DesMeules states that he is a land owner 'not far from the proposed project', the DesMeules property is approximately 2 miles upriver (North) from my project site and very limited in its access to and frontage on the river (approx. 215') with no visible access road or paths for such. (see graphic below showing distance measurement). The DesMeules property also does not have any type of actual visible waterfront use (boats, etc.) as of this past weekend (6/6/20) when I personally went by in a boat fishing.



As you can see from the graphic above, while the DesMeules property is approximately two miles upriver, it is highly unlikely to ever see any ‘direct impact’ by any project at my site. Even the home is approximately 900’ through the woods and across a state road 194 from the Sheepscot river. Therefore, it is highly unlikely that a passing fisherman will disrupt Mr DesMeules’ peace and tranquility at his home. Far more likely, it would be one of the many dump trucks hauling gravel or other aggregate past the house from Crooker’s large pit up the road. Note: The centerline of Rt 194 to centerline of Mr. Desmeules house is approx. 60’.

The conservation efforts that DesMeules speaks of here are private efforts, done by a private group or association of people. They have no more priority or authority than does any other private land use along the river. This is a fundamental fact that some of the opposition (including DesMeules) cannot seem to comprehend.

The ‘Forever Wild Corridor’ designation, is nothing more than a private group labeling of an area of which they do not have fee simple ownership. While there may be some voluntary agreement with some landowners, the decision is non-binding on others and does not burden or force the remaining ones, such as myself, to participate or comply.

As an organized society, we have a well-established system of rules of governance that we all agree to abide by. If we don’t like something, we have a democratic system capable of changing it through due process. We do not allow a select few people to subjectively apply additional rules over private property for which they do not own, basing the policy decisions on what they deem ‘good’ or ‘bad’.

I am sorry to be so blunt, but it is indeed that simple.

The “forever wild corridor’ concept as applied here is a creation of the Sheepscot Valley Conservation Association (now Midcoast Conservancy), another private, non-profit group started by mostly people from away. It should be noted that they are non-regulatory and carry no official status beyond being a private conservation group that claims to be in favor of ‘conservation’ along the Sheepscot river. Even this aspect is up for debate as not everybody agrees that their efforts are either appropriate or desired.

This group certainly does not speak for and is not a regulatory authority in the town of Alna. There cannot and should not be any reliance upon efforts by this private group to regulate other tax paying citizens who are not party to this private group.

The only statutory concept within the State of Maine even dealing with something similar in nature to ‘forever wild’ is title 36: Taxation, part 2, chapter 105, subchapter 10 which relates to the taxable status of a certain category of property defined as ‘Forever wild open space land’ under a means of alternate valuation.

As noted in the definition section 3B of this tax law:

“Forever wild open space is an area of open space land that is eligible for an additional cumulative percentage reduction in valuation because it is permanently protected and subject to restrictions or committed to uses by a nonprofit entity in accordance with section 1109, subsection 3, paragraph H that ensure that in the future the natural resources on that protected property will remain substantially unaltered, except for:

- (1) Fishing or hunting;
- (2) Harvesting shellfish in the intertidal zone;
- (3) Prevention of the spread of fires or disease; or
- (4) Providing opportunities for low-impact outdoor recreation, nature observation and study. [PL 1993, c. 452, §9 (NEW).]”

You will further note that ‘(1) Fishing or hunting’ is one of the suitable uses under this law and its provisions, so even *if* this was something that I *OPTIONALLY* chose to apply to some or all of my property, my non-profit would be just as legitimate and or enabled in its use under the same law as a group that Mr. DesMeules approves of such as SVCA or Midcoast Conservancy. There is no legal or legitimate subjectivity in this law and to some extent, the entire argument Mr. Desmules makes in his letter makes little to no sense.

As permitted, the DEP, Army Corps, DMR, IF&W, MNAP and the other associated authorities and regulatory bodies have determined that there will be no adverse impacts to either the river or the wildlife that inhabit it or the public use of the same.

Even the limited work window for construction has been removed in a subsequent minor revision by DMR as it was deemed not necessary given the scope of work and calculated impacts it might have.

Again, Mr. DesMeules and a small group of individuals are trying to establish and maintain regulatory authority either directly or indirectly through undue influence over something over which they have no rights: privately held land for which the owner has gone through the proper regulatory channels.

Thank you,

-Jeff Spinney

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Alna, ME 04535