

MacNeil, Jami

From: Nicholas Barth <barthnicholas242@gmail.com>
Sent: Wednesday, June 24, 2020 4:14 PM
To: Bertocci, Cynthia S
Subject: Fwd: Jeffry Spinney, Department Order L-28397-4E-A-N, Pier System and Boat Ramp, Alna
Attachments: DEP NRPA permit # L-2897-4E-A.N .pdf

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message: Cynthia, Attached below electronic file copy, with attachment, of my comments for BEP Chairman Draper on the ORIGINAL Spinney application. Please note the date I electronically sent these comments to the BEP Clerk,

Ruth Ann Burke. This was 3 days BEFORE THE CLOSING DATE FOR COMMENTS. I don't understand why Jami Macneil is claiming my comments to the BEP Chairman relate to the AMENDED Spinney application.

THIS IS NOT
CORRECT.

Nicholas Barth

From: Nicholas Barth <barthnicholas242@gmail.com>
Subject: RE: Jeffry Spinney, Department Order L-28397-4E-A-N, Pier System and Boat Ramp, Alna
Date: May 10, 2020 at 6:24:32 PM EDT
To: ruth.a.burke@maine.gov

Mark C. Draper, Chair, Board of Environmental Protection
c/o Ruth Ann Burke

May 10, 2020

Mr. Draper,

I filed an e-mail with the DEP opposing the Jeffry Spinney, Department Order L-28397-4E-A-N, Pier System and Boat Ramp, Alna. My e-mail provides background on numerous years of

volunteer professional work

spent in the Sheepscot River Watershed. It also challenges the DEP NRPA application process in many respects specific to the approved pier system and boat ramp in the upper estuary of the Sheepscot River. I hope you will read my filed e-mail with is attached below as a pdf file.

I have read the Ervin/Philbrick/Weary appeal and urge the BEP to overturn the license/permit granted by the DEP. To the best of my knowledge, all the findings and conclusions in error and basis of objections

are factually correct. I also believe this matter should have never come before the BEP. And DEP approval would have never happened if the DEP NRPA application process was operating correctly. I am, therefore,

also respectfully asking the BEP to instruct the DEP to conduct a thorough review and evaluation of the whole NRPA Project Review process in close consultation with the Departments of Agriculture, Conservation,

and Forestry, Inland Fisheries and Wildlife, and Marine Resources. This request is based primarily upon my examination at the DEP of the subject application file and professional work in 1968-1969 for the State of New York

in the Conservation Department. At that time I was the Assistant Director for Conservation Program Planning where all Department programs were being reviewed and evaluated as a first step in the creation of the

New York State Department of Environmental Conservation; dedicated on Earth Day in 1970.

There are definitely administrative shortcoming in the NRPA Project Review process. While DEP has been given the leadership role to administer the NRPA, the natural resource agencies indicated above are

also involved in providing comments on specific projects. Unfortunately, there appear to be no guidelines for an integrated natural resources conservation and environmental impact analysis of NRPA related projects.

The result, which was very apparent when I was looking at the subject application file, has been a "stove piping" or "silo" administrative system where each reviewer is on their own. The Executive Branch of Maine State

Government can and should do better that this to carry out the full legislative intent of the NRPA.

Thank you for your thoughtful consideration of my comments.

Nicholas Barth, Newcastle