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Jami MacNeil
Environmental Specialist III
Bureau of Land Resources
Maine Department of Environmental Protection
28 Tyson Drive
Augusta, ME 04330
By email: Jami.Macneil@Maine.gov

Feb. 16, 2020

Re: DRAFT - NRPA permit, # L-28397-4E-A-N, located in Alna - Jeffry Spinney

Dear Ms. McNeil,

We, the undersigned residents and landowners in Alna and Newcastle, disagree that the application for a pier and dock on the Sheepscot River filed by Jeffry Spinney meets the legal requirements of the NRPA, and we urge you to deny the application.

The Department's draft decision fails to acknowledge the special and unusual character of the Sheepscot River north of the powerline. This is not a developed area with "structures, lawns and docks" as suggested by the draft decision, but rather a remote and undeveloped area with no road access and no visible riverside structures between the powerline and The Bend by Dock Road. Extensive conservation efforts and much money have been invested in recent years to retain in this area the river's natural, unspoiled character and to protect its conservation values and non-motorized recreation uses. All of the evidence in the record that mentions docks and motorized use on the river is referring to the portion of the river south of the powerline and in the vicinity of and south of Sheepscot Village, *not* the area north of the powerline in which the proposed development is located. For these reasons, we believe that the draft decision is inaccurate and that the application fails to meet the requirement of 38 M.R.S. § 480-D(1), which requires the applicant to demonstrate that the proposed project will not unreasonably interfere with existing scenic, aesthetic, recreational and navigational uses. It most emphatically will adversely and permanently affect, and diminish, the quiet non-motorized recreation taking place in this river section now.

The draft decision also fails to adequately address the long standing violations of the NRPA which exist at the site of the proposed permit. The draft decision acknowledges that "the area... has been altered through past, unpermitted vehicle traffic." Yet, despite this acknowledgment of previous violations, the Department imposes no fine nor requires any remediation of the site, and, instead, rewards the applicant by granting his application for further development at the site based upon the previous unpermitted development. The precedent that this decision would set

will invite future violations of the NRPA and future degradation of the Sheepscot River as well as other rivers in the state. This creates a gigantic loophole in the NRPA. [We note that the Department requires a \$3440.80 payment as compensation for the damage the proposed development would cause, but compensation would be required even if there had been no earlier violations. This compensation payment does not substitute for a fine and required remediation.]

For both of these reasons, we urge the Department to reverse its draft decision and deny the permit application.

However, if the Department chooses to grant this application, we urge the Department to amend the draft decision to require the following additional conditions:

1. Require the applicant to submit evidence that the Golden Ridge Sportman's Club has elected officers other than the applicant and require all documents required to be submitted, including the proposed Land Use License Agreement, be signed by both the applicant and by a duly elected officer of the Golden Ridge Sportman's Club, other than the applicant or any family member in residence on the property. These actions by the Sportsman's Club should be in accord with Article II (B) of the draft bylaws, when bylaws become adopted by the Club, and the Board's action should be documented by a resolution as recorded by the Club's secretary/treasurer.
2. Require the applicant to certify annually that the Golden Ridge Sportsman's Club continues to use and have legal access to the boat ramp/pier with such certification signed as well by an official, other than the applicant or any family member in residence on the property, in the Golden Ridge Sportsman's Club.
3. Limit membership in the Golden Ridge Sportman's Club to 25 individuals; limit access to the facilities to 25 including members and guests; limit vehicles using the site to three at any one time; require all parking to be outside the shoreland zone; and limit the number of boats launching from the pier and ramp and present on the river to three at any one time.

Thank you for your consideration of these comments.

Sincerely,

Carolyn B. Aldrich, Alna
Kate Aldrich, Alna
Tom Aldrich, Alna
Christine L. Anderson, Alna
Margaret Rigg Atwood, Newcastle
William M. Balch, Newcastle
William Bailey Bolen, Alna
Steve Cheff, Newcastle

Jesse Cheney, Alna
Stephanie Cheney, Alna
Xavier Comas, Alna
Doreen Conboy, Alna
Charles Culbertson, Alna
Collin Culbertson, Alna
Elizabeth Davis, Alna
Gordon Davis, Alna
Carol Ervin, Alna
Gerry Flanagan, Alna
Donna Flynn, Alna
Les Fossel, Alna
Meredith Fossel, Alna
Carol Gardner, Alna
Jon Gold, Newcastle
Betsey Hall, Alna
Erik Huber, Alna
Earl Ireland, Alna
Maria Jenness, Alna
Cathy Johnson, Alna
Christy Joyce, Newcastle
Chris Kenoyer, Alna
Linda Kirk, Alna
Jon Luoma, Alna
Patricia A Matrai, Newcastle
Del Merritt, Newcastle
Bridget Mullen, Alna
Albert Monaco, Alna
Ed Pentaleri, Alna
Debra Pentaleri, Alna
Jeff Philbrick, Alna
Karen Philbrick, Alna
Richard Picard, Alna
Stacey Rees, Alna
Dorothy Renda, Newcastle
Honor Sage, Alna
Leah W. Sprague, Newcastle
Susan Stires, Alna
A.McKinne Stires, Alna
Julie Niedhamer Tenan, Newcastle

Paul Tenan, Newcastle
Bill Weary, Newcastle

Cc: Commissioner Jerry Reid