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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

Jan. 5, 2020

Re: NRPA application for a common shared boat ramp and pier, 126 Golden Ridge Road, Alna, ME 04535

Dear Ms. MacNeil,

Thank you for forwarding Jeff Spinney's revised application for a Natural Resources Protection Act permit for a boat ramp and pier on the Sheepscot River on tax map R-4, parcel 21A.

Mr. Spinney's revised application in no way resolves the concerns I expressed in my earlier letter and I urge you to deny this application.

Mr. Spinney's revised application still proposes a "common or shared pier, dock, or wharf" and boat ramp with permanent elements including a buried fabric base, two types of rip-rap, and vertical pilings within the shoreland zone for the use of an ill-defined "club." While details about this club, including bylaws, number of users, and type of uses remain unexplained, it is clear that the impacts on the shoreland zone and the character of this section of the Sheepscot River would be significantly more intense and adverse than would be the case for a temporary facility for a single individual family, and violate the NRPA and Chap. 315.

Apparently, Mr. Spinney cleared an area of marsh and created a temporary boat ramp in 2012. No permit from DEP or the ACE for this earlier alteration of the marsh and shoreland area has been provided. I urge you to investigate whether the existing opening and destruction of the marsh and shoreland violated the NRPA and should be the subject of an enforcement action. If this earlier activity was in violation of the NRPA, which I believe that it was, Mr. Spinney should be required to remediate the site – and should not be allowed to use his earlier, unapproved construction activity to justify this further significant expansion of construction and use in this area.

Based on photographs of the river over multiple years, it is clear that there has been no pier at the site since at least 2016. The proposed use is clearly new and much more intensive than any permitted activity that has existed in this stretch of the river in decades.

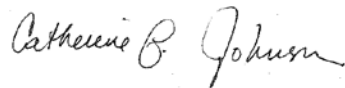
Under the Natural Resources Protection Act, 38MRS §480-D(1), the applicant is required to show that "the activity will not unreasonably interfere with existing scenic, aesthetic, recreational or navigational

uses.” (Emphasis provided.) Chapter 315 of the Department’s rules sets forth the state policies for protecting the scenic, aesthetic, recreational and navigational uses of our state.

It is clear under Chap. 315, §10 and under the NRPA application form, Appendix A, § 1(F)(3) that the Sheepscot River is a scenic resource protected under the NRPA. It appears that no visual impact assessment as described in Chap. 315, §7 has been completed. If one had been completed, it certainly would have found that the proposed development would have a significant adverse effect on the scenic and aesthetic uses of that stretch of the Sheepscot and would unreasonably interfere with those uses.

Given all the adverse impacts such a development would cause, I urge the Department to deny this permit application.

Sincerely,

A handwritten signature in cursive script that reads "Catherine B. Johnson". The signature is written in black ink and is positioned above the printed name.

Catherine B. Johnson

Cc:

Jay Clement, Army Corps of Engineers; Jay.L.Clement@usace.army.mil