

Paul Tenan

January 19, 2020

Jami MacNeil
Environmental Specialist III
Bureau of Land Resources
Maine Department of Environmental Protection
28 Tyson Drive
Augusta, Maine 04330

Jami.macneil@maine.gov

Jay.L.Clement@usace.army.mil

Re: DEP application #L- 28397-4E-A-N for a permanent boat launch, separate dock, ramp, float with permanent support piling in the Sheepscot River Shoreland Zone.
Applicant: Jeff Spinney, 126 Golden Ridge Road, Alna ME 04535

Dear Ms. MacNeil,

I am writing at this time with comment on material submitted by the applicant and also interested members of the public. This letter is being sent by email to you and also to Jay Clement at the US Army Corps of Engineers.

As I summarize, the essence of the pending NRPA application requests three new permanent boating structures within the Shoreland consisting of a vehicle access boat launch, permanently installed piers to support new floating dock sections substantially greater in size than used at this site in the past, notwithstanding at the time their compliance or noncompliance with required local and state approvals. To carry out and justify use for the facility, there is a fourth proposed organization structure that would become, if approved, effectively the controlling party able for use of the permanently developed access to the Shoreland by way of a license from the property owner.

I want to first endorse the research, analysis and positions provided recently by Messrs. Weary and Penataleri, and Gordon Smith on behalf of his client, Carol Ervin. Combined, their work is the most complete available body of information, placed in context, since the onset of the application's review.

My remarks focus on the fourth new structure brought to bear upon the Sheepscot Shoreland that of the Golden Ridge Sportsman's Club filed with the State of Maine effective as a nonprofit corporation effective December 18, 2019.

Beginning in October 2019, application material and oral presentations at the Alna Planning Board presented the application as being on behalf of the property owner, Jeff Spinney as a private property matter. The explanation at the time, included that there may be an "informal" group up to 25 in number that may also use the river access for boating, fishing, and other recreation. At the December Planning Board meeting, the applicant suggested that an incorporated membership entity might be developed for involvement with use of the Shoreland developed facility. Without any reasoning for

non-disclosure, research showed that effective May 24, 2019 the Golden Ridge Sportsman's Club, LLC was established with Jeff Spinney as its registered agent, four months prior to when public review of this application began. Since then, the club's name was modified to the Golden Ridge Sportsman's Club and it also changed to a nonprofit corporation with Mr. Spinney retained as registered agent.

Applicant submissions during November to DEP regarding the legal relationships between the applicant and the Club raise a number of questions or pose unclear information regarding the proposal. The following are among the most significant, but no means a comprehensive list:

- Exhibit A: The Licensed Premises (from 11/7/19 client working draft of License document). The exhibit describes the following as licensed to the Club: street entry address, existing access road leading to site for boat ramp and dock at river... to provide "Access by members to the Sheepscot river with boat trailer for launching for hunting, fishing and other recreational purposes". The draft land use license agreement and draft club bylaws are vague about other property portions that might also provide the club with outdoor activity. If available, planning for parking seasonally and other services are not addressed. If not available to a club member under the agreements, then the limited use – access to the river in its upper reaches - reinforces that the proposal would be the sole facility in the upper Sheepscot with a narrow purpose of river access by vehicle and motor boats and selectively available to a private, small group of eligible users.

The applicant's response to Army Corps questions on November 6, 2019 (by email) emphasizes that the entire proposed facility is to be used for a few – defined by: active club membership, overall club membership size, eligibility based upon endorsement by existing members, residence eligibility limited to being a resident of the Town of Alna, and finally interested with activities where motorized, trailer carried boat craft are necessary. Further, the applicant's responses, the carefully worded draft land use license agreement, and Club bylaws suggest that parking and other services will not always be adequate to serve members and other visitors safely. The email referenced above from the applicant states that there is only available parking for 2-3 users at one time. This inadequacy should be alarming as to adequate planning for users, adequate resource for traffic safety, contingency planning for member demand, and finally just why is this proposal so physically oversized at the riverbank for access to the upper part of the Sheepscot, if so few users are expected based on experience as recent as this year.

- As a public participant, it does not appear to me that for a project of this size in a narrowing part of the river, that greater justification is not sought in areas such as project's financial soundness, funding sources to completion, project schedules to completion, drawings to include detail on key areas such as the land area surrounding the dock and launch, surface areas including shoreline where vegetation and trees will be removed, parking area location, and distance from dock, toilet and refuse locations, sign - in kiosk, invasive wash stands away from the launch area and much more. Statements of adequacy seem to necessitate verification, particularly when residential property is converting in part to a commercial endeavor. Without this level of attention and with this

project's experience to date, the prospect of another abandoned scar at this location is high, and detrimental to the river as a resource.

- Approval of this application does not provide public benefit for recreation for the general public, nor help protect a more encompassing natural resource for the public if the proposed permanent facility is permitted. Instead, it converts part of private residential property to a commercial entity that will serve a select few. Based on the application's target membership, less than four percent of Alna households could be involved with this commercial, private facility and no one from elsewhere in Lincoln County or in the State of Maine would be.

Thank you for your consideration of these remarks and information.

Sincerely,

Paul Tenan

Paul M. Tenan

Cc. Jay L. Clement, US Army
Corps of Engineers