

Jami E. MacNeil
Department of Environmental Protection

Dear Ms. MacNeil,

In the past 200 years, the Sheepscot River has supported many forms of commerce, from brickyards supplying materials for some of Portland and Boston's finest buildings, to lumber and grain for export and local consumption. Each has had its impact on the river's environment. In the past 50 years, private and governmental organizations, such as the NRCM and DEP, have worked to clean up the effluent of the many years of environmental degradation. As of now, with dam removal, pollution abatement, and such, the great rivers of Maine are much improved. That improvement has caused many parts of those rivers to become aesthetically gorgeous and nearly pristine. They have become sanctuaries away from the effluent of an increasing population. Henry David Thoreau said, "In wildness is the preservation of the world."

Encroachment upon that wildness is a major problem. When all the opposing letters have been sent to the BEP and DEP and the Army Corps of Engineers, etc., and have been deemed irrelevant, and when heads have been turned away from human duty to protect the environment, the first dock, the first insult to the wild section of the Sheepscot River will set a precedence. The sanctuary will have been destroyed for all, and forever... many more years than 200.

I will be 76 years old this summer. As I have said before in my letters of opposition, as a teenager, my canoe was one of the only boats on this section of the Sheepscot. There were no motorboats, except the one that Ken Chaney won in a raffle, and that he occasionally used to go down the river, toward the town of Sheepscot and Wiscasset, not north into the shallow parts (where Mr. Spinney's proposed installation would be).

Finally, please recognize the following message to you as valid: Throughout my life, the Sheepscot River has been a guide, a teacher, and a friend. Much of my time, growing up in Alna, was spent in the northern, pristine section, with the lone pair of eagles, the kingfishers, and the forested banks. I have crossed the river on skis over to Dyer Neck, canoed among ice flows in early spring, and wandered on deer trails along the riverbanks for miles upstream. The point is this: The wildness of the river has accompanied me through my Navy and college years and through 35 years of teaching high school science. It helped form my early philosophy for healthy living. I cannot imagine what my life would have been, were it not for the quiet reflections in the company of so agreeable a partner as the Sheepscot River.

With this letter comes my hope that you may realize the truth of what I am saying and take a long and sober look at the lasting damage ANY human encroachment would have on this unspoiled, faultless section of the river, encroachment that would reduce the chance for any wanderer the undisturbed reflection that I had. Please take the time to examine your sensibilities and realize the threat this project represents.

Thank you so very much for your deeper consideration of this matter.

Very sincerely,

A. McKinne Stires (Kinne)

MacNeil, Jami

From: Kinne Stires <stires@nnei.net>
Sent: Friday, April 24, 2020 9:49 AM
To: MacNeil, Jami
Cc: Burke, Ruth A
Subject: Re: Minor Revision NRPA application #L-28397-4E-B-M, deadline for comments

Follow Up Flag: Follow up
Flag Status: Completed

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.

Dear Ms. McNeil,

Thank you for your reply. Since you asked about my wishes, may I say, that the ultimate goal of my letter is to appeal to the senses of the people who will judge this application. I did not really intend it to fit into a bureaucratic slot, into a procedural form. My hope is this section of the river will be preserved for all future generations to see in its wild state, and not be intruded by the selfish wishes of a few careless individuals. If Mr. Spinney's project is given the green light, there will be others who will point to his success and use it to justify their wishes. The decision whether to allow or deny Mr. Spinney's project rests upon people, not machines. In other words, people with feelings. I continue to believe that within those decision-makers there rests an element of care for the environment—that they are not purely policy-followers, but also have notes of sensitivities that would consider my letter with understanding. The future wanderers on that section of the Sheepscot won't necessarily know that the environment of that section was almost ruined, but more assuredly will know if it is.

Please include this note in your files, together with my letter. Thank you, and thank you again, for responding.

Best regards,
Kinne Stires

cc: Mark Draper (% Ruth Burke)

On Apr 24, 2020, at 9:02 AM, MacNeil, Jami <Jami.MacNeil@maine.gov> wrote:

Good Morning Mr. Stires,

I can file the letter as a comment on the minor revision application (#L-28397-4E-B-M). Did you also wish the file the letter as a response to the appeal that has been filed with the Board of Environmental Protection? Since you sent it to the chair of the Board, the Board was assuming it was a response to the appeal.

Thank you,

-Jami MacNeil
Environmental Specialist III
Bureau of Land Resources
Maine Department of Environmental Protection

MAINE DEPT. OF ENVIRONMENTAL PROTECTION
2020 APR 27 PM 1:49

Mark P. DesMeules
312 Head Tide Road
P.O. Box 85
Alna, ME 04535

April 24, 2020

RE: Spinney appeal/proposed project Dept. Order L-28397-4E-A-N

**Mark C. Draper, Chair
Board of Environmental Protection
17 State House Station
28 Tyson Drive
Augusta, Maine 04333-0017**

Dear Chairman:

You are familiar with me from my earlier letter requesting that consideration be given to the wild river corridor and the precedent that would be set were this proposal to go ahead in its current configuration.

As a land owner on the Sheepscot River and not far from the proposed project, it has taken me a while to actually get up to speed regarding the width and breath of this project and to understand both the implications to the river and existing protected lands and the players involved. I will explain some of my concerns regarding this project in the following paragraphs.

As a land owner on the Sheepscot River, upstream of the proposed project, I ask that this project be denied in its current configuration. As those who formerly appealed this project pointed out, a tremendous amount of time, money and effort has preceded this proposal with the goal of contributing to the permanent conservation values all of us benefit from within the corridor that stretches from the Wiscasset railroad bridge to the Head Tide dam. Conservation easements are in place, permanently protected lands have been purchased and made available for low impact recreational use, the Forever Wild Corridor has been identified as a land conservation corridor for over 25 years, a large number of land owners have donated land and easements or intend to within this corridor, and of course the Town of Alna recently improved the fish passage at the Head Tide Dam which significantly contributes to the overall ecology of the river, supported by each and every effort mentioned previously. No one individual has the right to compromise what has taken so many to assemble. There is a common good that outweighs the individual benefit. A compromise needs to be struck. This is what I am asking you to consider.

The Spinney proposed project and its impacts will significantly threaten all of this work and all of the values that are the intended target of these efforts to date. All reviewers of this proposal both at the State level and the Town level must take into consideration this existing conservation context and the impact the proposed project will have both on existing values as well as the impact it will have as a precedent leading the way to further degradation of these values. I remind you as well that this river, the Sheepscot River, supports regionally and nationally significant fish runs that have been and continue to be the focus of millions of dollars of federal, state and private investment to not only maintain what exists but to restore these runs to their historic levels. This proposal would directly impact these efforts today and into the future.

I ask that you take a step back on this project and reconsider its impacts. I also ask you to look into what appears to be a conflict of interest where, in Alna, the applicant has a family member on the Alna Select board and the applicant himself is Chair of the Alna Planning Board. I sincerely hope that in all matters relating to this process that both have completely recused themselves from any and all matters pertaining to this project. This should be clear in all past discussions and considerations of this project and all future ones.

In conclusion, I ask that the Alna Planning Board and the DEP to step back and reconsider this project in its current configuration. It will permanently damage the very significant work and investments that have long preceded this application and by this virtue alone, this project should be rejected/scaled back to eliminate these conflicts. Taking this action would uphold the true meaning of "planning" as it relates to doing the best for Maine and the best for Alna.

Sincerely,



Mark P. DesMeules
Alna resident

Doreen Conboy

P.O. Box 538

Alna, Maine 04535

thebend@tidewater.net

May 4, 2020

To Mark Draper

Chair, Board of Environmental Protection

c/o Ruth Ann Burke ruth.a.burke@maine.gov.

Dear Mark,

I am writing with regard to the proposed Spinney wharf/dock/ramp in Alna along the Sheepscot River.

I had written earlier comments and agree with the abutters in their support to appeal the DEP's decision . I also filed a comment on the minor revision application and urged that the original work window should remain and not be revised.

I feel the scale of this proposed project is still too large for the location and that the quiet stretch of river would be forever changed.

I have lived on the Sheepscot River north of the proposed site since the early 70s, presently in a farm purchased by my father-in-law in 1937. My father- in- law and brother- in- law co- founded the Sheepscot Valley Conservation Association (now Midcoast Conservancy) over 50 years ago after seeing the need to protect the watershed and preserve shoreland areas from encroaching development. They wanted to insure that people today could have the same experience of an unspoiled, undeveloped river that they so appreciated and were privileged to know. For years I have canoed the river and from my back yard I have watched as every Spring through Fall people take their turn and paddle from Head Tide to Sheepscot. This is the most distinctly undisturbed, wild and scenic section of the river, unlike the river from Sheepscot to Wiscasset . Because of the foresight and efforts of so many people, the river in that portion has remained largely unchanged and today we all can enjoy that unique experience . That experience of the natural character of the river from Head Tide to Sheepscot is allowed to anyone who travels on the river by traditional access (kayak, canoe and small boats) and is not confined to a select group, or a club. The unchanged river is open to everyone. What would change with the proposed wharf/dock/ramp for motorized access for one group- is that the experience for everyone else would never again be the same.

There are no permanent structures on the Sheepscot in Alna except two bridges and a dam. To say that a large permanent structure jutting out across the river will not adversely impact the experience or the view or the shoreline when there are no other permanent structures on that stretch of the river like the one proposed, is simply not true.

Access for motorized craft also already exists and has existed for years in neighboring Wiscasset.

The proposed wharf/dock/ramp would present a permanent obstacle in a sensitive portion of the river when the town of Alna just spent five years in collaboration with the Atlantic Salmon Federation(and many other organizations) to alter a portion of the Head Tide Dam so it would become less of an obstacle to the passage of migrating fish. The public site was also made more safely accessible to people and boaters as well. As Town Archivist I served on that committee and feel the proposed wharf/dock/ramp would negate much of what we worked so hard to achieve. The proposed project it is too large for it's location and would represent more losses than gains for the river and all those who use it, and I urge you to support the appeal and reverse the permit.

Sincerely,

Doreen Conboy

From: Nicholas Barth <barthnicholas242@gmail.com>
Subject: RE: Jeffrey 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 Jeffrey 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

340 Lynch Road
Newcastle, ME 04553-3944
barthnicholas242@gmail.com

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

February 24, 2020

RE: DRAFT- NRPA permit, # L-28397-4E-A-N, located in Upper Sheepscot River Estuary, Town of Alna – Jeffrey Spinney

Dear Ms. McNeil,

I have deep concerns about this draft NRPA license. My concerns are based upon 65 or so years of historical knowledge of natural resources conservation and use in the Sheepscot River Watershed, including the Upper Sheepscot River Estuary where the proposed project is located. I also have an extensive and broad education (BA, conservation of renewable natural resources and MS, natural resources policy, planning and administration, University of Michigan) and professional working experience in the conservation of natural resources, including pioneering work in environmental impact analysis and integrated natural resources policy, planning, and administration. I developed initial guidelines for the New York State Wild, Scenic and Recreational Rivers program that included acceptable river and related shoreland uses for each of these three river classifications. This program was one of the early state programs following soon after a comparable federal program began.

I conceived the idea for the Sheepscot Valley Conservation Association (SVCA) and have been professionally involved with the SVCA (now incorporated into the Midcoast Conservancy) from its beginning. Many years ago the SVCA recognized the special significance of the Sheepscot River Upper Estuary. Subsequently, a permanent forever-wild corridor for the upper estuary was begun to protect and preserve this very rare and unique river and shoreland ecosystem. Financial contributions to protect this ecosystem have been received from many individuals and conservation organizations, including the Nature Conservancy. I have been honored to make a professional contribution to help begin this forever wild river corridor protection and preservation effort. The proposed project poses a significant threat to the wild, scenic, aesthetic, and quiet non-motorized historical recreation uses appropriate for this section of the Sheepscot River.

The project description is incomplete and inaccurate. It fails to recognize the real scope and scale of environmental impacts to be reasonably expected over time. It would lead one to believe this river section is developed with "structures, lawns and docks".

There is no ecological characterization of the Upper Sheepscot River Estuary ecosystem where the project is located. In the past this section of the Sheepscot has been recognized as internationally rare and unique (marine scientist, Dr. Peter Larsen, retired, Bigelow Laboratory for Ocean Sciences).

The full intent of recreational uses and the likely environmental consequences on the Sheepscot River and related land resources from the operation of the Golden Ridge Sportsman's Club has not been fully described or considered. The applicant/ Sportsman's Club also have not shown the financial capacity to meet license conditions.

The Golden Ridge Sportsman's Club would be the first significant recreational development in the Upper Sheepscot River Estuary ecosystem. There has been no consideration of the precedent this would set or the likely cumulative impacts from other similar development here.

I have an experimental/demonstration woodlot with some river frontage within the Sheepscot River Upper Estuary, a relatively short distance upstream from the project location.

Based upon the existing and special natural environmental character of the Sheepscot River Upper Estuary ecosystem, which includes the project area, I am convinced this project would not survive full legal discovery and a thoughtful legal presentation.

I appreciate the opportunity to comment on this NRPA draft license and strongly urge it be rejected by the DEP Bureau of Land Resources.

Most sincerely,

Nicholas Barth

Cc: Commissioner Gerald D. Reid

May 12, 2020

Mark C. Draper,
Chair, Board of Environmental Protection
c/o Ruth Ann Burke
ruth.a.burke@maine.gov
17 State House Station
Augusta, ME 04333-0017

Dear Chair and Board Members:

I am writing in support of the administrative appeal of the DEP Permit issued March 13, 2020 to Jeffrey Spinney for a permanent dock/pier/boat ramp installation in Alna (NRPA permit, #L-28397-4E-A-N located in Alna – Jeffrey Spinney). I submitted written comments previously during the permitting process in opposition to the permit application.

In support of the appeal, I wish to highlight the following documents that are contained in the DEP file amassed during the application review and licensing process.

- Exhibit A. Memorandum from MNAP
- Exhibit B. Email requesting qualified field survey of the project vicinity
- Exhibit C. NRPA application Attachment 1: narrative summary (page 8/72)
- Exhibit D. By-laws for GRSC (attached as separate file)

In summary, I request that the Chairman/Board table consideration of this appeal for a reasonable length of time so that a comprehensive field survey of the project site vicinity can be completed.

As Exhibit A shows, MNAP was consulted for unusual features in the project vicinity and they provided what was noted in their database. MNAP noted that they have documentation of a “rare plant (Horned Pondweed) and wetland type (Mixed saltmarsh) near the project area.” MNAP also noted that the specific project vicinity has not been surveyed and that a field survey could ensure that no undocumented rare features are inadvertently harmed.

Exhibit B notes that an abutter to the applicant asked for a field survey to be conducted during the licensing timeframe, and the request was denied due to the direct impact of the project being less than 500 sq. ft. This discussion occurred during the winter months, when no meaningful field survey or inventory could be conducted due to the weather.

While the direct impact of the applicant’s permanent pier/dock/boat ramp project is less than 500 sq. ft., Exhibits C and D elaborate upon the many amenities and additional uses and structures that a newly formed corporation, Golden Ridge Sportsman’s Club, utilizes within the shoreland zone. These amenities and the direct and indirect impacts are collectively far in excess of 500 sq. ft.

Due to the timing of the licensing period (September through March) and impact of the COVID-19 pandemic response, a field survey could not have been completed until the Spring/Summer 2020 timeframe. Now that we are entering the appropriate season, and Governor Mills has outlined a multi-phased plan to reopen the State economy, several neighbors and abutters have secured the services of a qualified ecologist to conduct a field survey and inventory. We anticipate that the results of the survey will be available by late summer. Therefore, I request that the Board table all consideration of this

appeal until after the field survey requested during the winter permit processing timeframe is completed and the results of said survey can be evaluated as part of the decision making process on the appeal.

Thank you for your consideration in this matter,

Sincerely,

A handwritten signature in cursive script that reads "Cathy Johnson". The ink is black and the signature is fluid and legible.

Cathy Johnson
P.O. Box 551
34 Golden Ridge Road
Alna, Maine 04535
cjohnson@tidewater.net
207-576-5706
207-462-2164(c)

Exhibit A

MNAP Comments

MEMORANDUM**Maine Natural Areas Program**

Department of Agriculture, Conservation and Forestry
State House Station #177, Augusta, Maine 04333

Date: October 4, 2019
To: Jami MacNeil, DEP
From: Kristen Puryear, Ecologist
Re: Rare and exemplary botanical features, L-28397-4E-A-N, Spinney Boat Ramp and Pier System, Alna, Maine.

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files for rare or unique botanical features in the vicinity of the proposed site in response to your request received October 3, 2014 for our agency's comments on the project.

According to our current information, there is a rare plant (Horned Pondweed) and wetland type (Mixed Saltmarsh) near the project area. The project itself does not immediately impact either of these features. However, all measures to prevent downstream siltation during construction and installation of the permanent pilings should be employed to avoid impacts to the Mixed Saltmarsh and the species that depend on it. Please refer to the table below and attached map and factsheets for more information about these features.

Feature	State Status	State Rank	Global Rank	Occurrence Rank	Notes
Mixed Saltmarsh <i>Mixed graminoid-forb saltmarsh</i>	N/A	S3	G5	BC Good-Fair	Dyer & Sheepscot River Marshes
Horned Pondweed <i>Zanichellia palustris</i>	SC	S2	G5	H Historical	Alna Center Tidal Marsh

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys.

Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

The Maine Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We welcome the contribution of any information collected if a site survey is performed.

Thank you for using the Maine Natural Areas Program in the environmental review process. Please do not hesitate to contact our office if you have further questions about the Maine Natural Areas Program or about rare or unique botanical features at this site.

Exhibit B

-----Original Message-----

From: MacNeil, Jami <Jami.MacNeil@maine.gov>
Sent: Monday, January 06, 2020 3:12 PM
To: Philbrick, Jeff <Jeffrey.Philbrick@lchcare.org>
Subject: RE: Revised Spinney application comments

This message originated outside of MaineHealth. Use caution when opening attachments, clicking links or responding to requests for information.

Mr. Philbrick,

Your additional comments will be added to the Department's record. Regarding impact numbers, the shading impact resulting from the proposed floats and the ramp leading to the floats is considered indirect impact and is not included in the calculation of direct impacts, which result from filling, regrading, or dredging within the resource. The proposed project will result in approximately 432 square feet of direct impacts (due to the proposed boat ramp) and therefore does not require an assessment by a professional wetland scientist or other qualified professional.

The other concerns you raise have been and are being carefully considered, although any violations of the local shoreland zoning ordinance are not within the purview of the Department's review of the project under the NRPA.

Best,

-Jami MacNeil
Environmental Specialist III
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 446-4894 | jami.macneil@maine.gov

-----Original Message-----

From: Philbrick, Jeff <Jeffrey.Philbrick@lchcare.org>
Sent: Monday, January 06, 2020 12:15 PM
To: MacNeil, Jami <Jami.MacNeil@maine.gov>
Subject: RE: Revised Spinney application comments

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Hello Jami,

Happy New Year and I hope you had some restful time off.

In response to your comments about the impact calculations and square footage calculations and wetlands evaluation, I can't begin to be an expert in this area, but my back of the envelope numbers based on the revised plans suggest that the proposed man-made ramp, plus the dock/pier/floats all together exceed 500 sq. ft., thus my initial comment when compared to his previous installation (see attached picture).

The other reason for my suggestion that an independent wetlands scientist evaluate the site is because the attached photo from 7/13/2007 clearly shows Mr. Spinney's primitive dock installed in the midst of a Spartina salt marsh area. Despite this precise spot not being highlighted in the MNAP map, it seems that it should be.

There are several things to note in this photo:

1. The pier structure is permanent in nature, and it appears there was no DEP/NRPA permit in place at the time, or at any previous time. The permanent nature of portions of the installation were also in violation of the town shoreland ordinance regulations, despite a 2003 local permit for a seasonal dock.
2. There are very few vertical components visible with this installation, with very minimal vertical and horizontal sightline impacts.
3. More important for my suggestion for an independent wetlands scientist evaluation, the pictures show significant tidal wetlands surrounding the installation. There was no cut in the river. Since this time, there has been significant expansion of the site and damage done to the wetlands.

Thank you for your consideration of this request.

Best,

Jeff Philbrick

-----Original Message-----

From: MacNeil, Jami <Jami.MacNeil@maine.gov>
Sent: Monday, December 30, 2019 1:14 PM
To: Philbrick, Jeff <Jeffrey.Philbrick@lchcare.org>
Subject: RE: Revised Spinney application comments

This message originated outside of MaineHealth. Use caution when opening attachments, clicking links or responding to requests for information.

Mr. Philbrick,

Thank you for the additional comments. These will also be added to the record.

I will note that the current NRPA application is an individual NRPA permit application. The club's access to the project is still under consideration. Regarding impact calculations, the 500-sf threshold is for direct impacts to the coastal wetland and does not include shading impacts. Your remaining concerns will be considered to the extent that they relate to the Department's review of the project.

Best,

-Jami MacNeil
Environmental Specialist III
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 446-4894 | <mailto:jami.macneil@maine.gov>

-----Original Message-----

From: Philbrick, Jeff <<mailto:Jeffrey.Philbrick@lchcare.org>>

Sent: Tuesday, December 24, 2019 11:52 AM

To: MacNeil, Jami <<mailto:Jami.MacNeil@maine.gov>>

Subject: Revised Spinney application comments

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.

Good morning Jami,

I wanted to submit the following comments relative to Mr. Spinney/Golden Ridge Sportsman's Club revised permanent pier/ramp/dock permit application:

1. Mr. Spinney has still not addressed the many questions related to the lack of legal access for the Golden Ridge Sportsman's Club LLC to the proposed project site. As such, the project must be considered an individual permit application, and a formal change of this permit application type should be made on the application form.
2. The boat ramp structure changes continue to be permanent, partially man-made and constructed, extend into the Sheepscot River, and are prohibited in Alna's Shoreland Zoning Ordinance.
3. The pier structure changes continue to be permanent, and are prohibited in Alna's per the Shoreland Zoning Ordinance.
4. Mr. Spinney has not demonstrated that his existing methods of access to the river – namely pushing or trailering watercraft into the river without a boat ramp/launch are not feasible. Mr. Spinney has also failed to demonstrate that using a seasonal dock of the size allowed under the town's shoreland zoning ordinance, and anchored without a pier above the HAT, is not feasible. The only reasons for permanent structures and a larger footprint than what existed in the past are to support increased commercial/business operations for the Golden Ridge Sportsman's Club LLC, which has not been properly permitted, has no legal access to the site, and is currently in violation of Alna's SZO (it was formed in May 2019 and has no local permits).
5. Mr. Spinney has not demonstrated that the proposed permanent pier/ramp/dock project and club activity will not unreasonably interfere with existing scenic and aesthetic uses of this pristine, undeveloped section of the Sheepscot River. I request that an independent expert design professional trained in visual assessment procedures conduct a visual impact analysis of the proposed project and site.
6. The suggestion that Mr. Spinney self-monitor any use of his structures or project components, to possibly justify further non-conformity, more permanent components or circumvent local zoning or DEP permit requirements, is completely unacceptable.
7. I question the calculations of the square footage impacted by the project as the combination of proposed ramp, dock and floats in combination far exceeds the 500 square-foot threshold by which independent wetlands assessments and other potential reviews are needed.

Thank you for your continuing efforts and diligence on this project. Wishing you happy holidays and some time off.

Jeff Philbrick

Alna, ME

Exhibit C

NRPA Application – boat ramp/dock repair project

Attachment 1: Activity Description

The proposed activity in this application is to modify an existing boat launch area on the Sheepscot river to include pre-cast concrete ramp planks & appropriate supporting stone bedding with fabric and surrounded by appropriately sized rip-rap to prevent further erosion through continued use.

This improvement to the ramp from its current mixed mud/gravel will make both safer and easier the repeated launching & removal of boats & floats as well as to stabilize the embankment around the pier/launch ramp area used by a recreational club for day use. This club is a group of approximately 25 local area folks who use the river for a variety of activities in the spring/summer/fall. Swimming, boating, duck hunting, fishing are the most common things that our members do in this section of river Sheepscot and its tributary the Dyer river. This location provides for access in a unique area where it would otherwise not be possible due to the old mill dam falls in Sheepscot village.

The existing pier, ramp, and float (located approx 10' South of the existing ramp) has been at this location for approximately 20 years and used seasonally. The current pier/ramp/float design extends from shore and places the float just below the low tide line so that there is always water (3-4') at low tide. Recently, ice has damaged the existing pier which has been removed and is seeking to be replaced by a freespan aluminum ramp anchored to the shoreline to maintain same float relative placement beside the boat ramp at low water.

The location of this project is in the town of Alna on the particular ~6.5 mile tidal segment of the Sheepscot river between the reversing falls in Sheepscot village and the Head Tide dam. The specific location is approximately 2.5 miles north from the falls in Sheepscot village.

Access to the site is gained via an existing private road from the Golden Ridge Road and it is located on a 120 acre, parcel, tax map R-4, 21.

This property along with several others is used by a recreational club for swimming, fishing, hunting and members pool their resources through annual club membership dues to maintain the common infrastructure such as the gun range located upland on the property, the camping area, the dock and the boat ramp.

The proposed precast reinforced planks proposed, available locally here in Maine, are the smaller size of the two available commercially and should accommodate the size range of vessels being used in this area on an in & out basis. Each plank is 10' long by approximately 1.5' wide, by 6" thick and weighs approx 945lbs. This size is necessary to safely accommodate both the trailered watercraft launched at this site as well as annual removal of docks for winter storage and fits within the existing launch space so as to minimize any additional disturbance. Once bolted together in a string approx 40' in length (below HAT) total and when installed flush to the surface of the shoreline with stone rip rap (1' surrounding the sides and bottom), are expected to be impervious to damage from ice flow conditions in winter and spring flood debris such as trees/branches.

The manufacturer recommended base of crushed stone (the minimum volume would used to do the job properly) would be put in place in/around/between planks to assist in holding planks/preventing erosion and ensuring bank stability. As well, per a joint discussion with Army Corps and DEP recently, a fabric material was suggested to help stabilize the stone & plank material from sinking and needing to be repaired. Any excess material or material that may need to be removed from the site, would be loaded into a dump trailer or small truck and hauled to an upland disposal area in one of the fields on the property at least 1000' feet upland from the river to prevent any erosion or other damage.

In support of the pier replacement with an aluminum free span ramp (3'x40' approx.) from shore to float, two large wooden piles (approx. 12-16") would be set, cross braced together in

Exhibit D (attached as separate file)

MacNeil, Jami

From: jeff spinney <jeff.spinney@gmail.com>
Sent: Monday, November 11, 2019 11:11 AM
To: MacNeil, Jami
Subject: bylaws final revision
Attachments: GRSC bylaws - final draft 11-11-2019.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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.

Hi Jami, we also took another pass through bylaws as well over weekend, corrected typos and simplified in a couple of places to adjust for our club size.

please see attached

thanks,
-j

MacNeil, Jami

From: jeff spinney <jeff.spinney@gmail.com>
Sent: Monday, November 11, 2019 10:35 AM
To: MacNeil, Jami
Subject: final land use license agreement
Attachments: GRSC license - final draft 11-11-19.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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.

please find attached, after a couple of drafts and review, i think i have it cleaned up sufficiently now. thanks,
-jeff

version 3

11/07/19

Land Use License Agreement

This is a Land Use License Agreement (“Agreement”) dated as of _____, 20____ (the “Effective Date”), between Jeffrey A. Spinney (“Licensor”) and Golden Ridge Sportsman’s Club, LLC. (“GRSC” or “Licensee”), a registered Maine corporation.

Background

Jeffrey A. Spinney possesses the real property described in Exhibit A (the “Property”). The GRSC desires access for its members to a portion of the property for the specific purposes as described in Exhibit A (the “Licensed Premises”). Jeffrey A. Spinney agrees to grant such access to the GRSC pursuant to the terms set forth in this Agreement.

1. License Grant

1.1 Grant, Purpose, and Scope of License. Licensor agrees to grant to Licensee a non-exclusive, nontransferable, non-assignable, revocable right of entry onto and license to use the Licensed Premises for the limited purposes described in, and during the time period (the “Term”) set out in, Exhibit A (the “Licensed Premises”). The License extends to GRSC, and its members in good standing, contractors, and invited guests while they are supervised by members. The specific parameters of the License are further described in Exhibit A.

1.2 Licensing Fee. \$1 per license term

2. Licensed Premises

2.1 Limited Rights. This License gives the Licensee a license only and, notwithstanding anything to the contrary in this Agreement, does not constitute a grant of any ownership, leasehold, easement, or other property interest or estate whatsoever in any portion of the Property.

version 3

11/07/19

2.2 As-Is; No Representation as to Suitability for purpose or safety of persons. Licensee acknowledges that, except as provided in Section 2.3, Licensor has not made any representations or warranties, express or implied, concerning any aspect of the Property or the Licensed Premises, including its fitness for our purposes, that Licensee disclaim any such representation or warranty, and that the Licensed Premises are being licensed "as is." Licensee acknowledges that they have made their own independent evaluation in deciding to enter into this Agreement and conduct activities on the Licensed Premises.

2.3 No Interference. Licensor will not materially interfere with Licensee use of the Licensed Premises.

2.4 No Improvements. Licensee will not make any alterations, additions, or improvements to the Licensed Premises, including erecting any structures, without Licensor's prior written approval.

3. Waiver and Release, Indemnification and Insurance

3.1 Waiver and Release. Licensee and its members waive and release any and all claims against Licensor for any liability, loss, damage, expenses and attorneys' fees, resulting from (i) death or injury to person or (ii) loss, theft or damage to property arising from use of the Licensed Premises, regardless of the cause and even if caused by negligence, active or passive. Licensee and members agree not to sue Licensor on the basis of these waived and released claims.

3.2 Indemnification. Licensee will defend, indemnify and hold the Licensor harmless from and against any and all claims, liabilities, losses, damages and attorney's fees that may be suffered by Licensee (i) as a result of a claim by a client, employee, contractor, collaborator, volunteer, guest, or any other third party, arising directly from Licensee's presence and activities on the Licensed Premises and the Property under this Agreement, or (ii) from any breach by Licensor of our obligations under this Agreement, except to the extent that the liability is caused by the relevant Licensor's gross negligence or willful misconduct.

version 3

11/07/19

4. Termination

4.1 Term. This Agreement will begin on the Effective Date and will automatically renew for another term unless terminated by Licensor or Licensee in writing.

4.3 Revocation by Licensor. Notwithstanding any other provision of this Agreement or any course of performance under this Agreement, the Licensor may after written notice of default of this license without remedy, revoke the License at any time by giving written notice to Licensee. Such a revocation will be effective after 30 days. Should such revocation occur, it will be without liability or further obligation.

5. General Provisions

5.1 Entire Agreement; Amendments. This Agreement, together with Exhibit A, is the entire agreement between Licensor and Licensee. This Agreement may be amended only as stated in a written document signed by both parties which states that it is an amendment to this Agreement. If there are any inconsistencies between this Agreement and other documents, including Exhibit A, this Agreement will control.

5.2 Severability. If any provision of this Agreement is held illegal, invalid, or unenforceable, all other provisions of this Agreement will remain enforceable, and the illegal, invalid, or unenforceable provision will be considered modified so that it is valid to the maximum extent permitted by law.

5.3 Waiver. Any waiver under this Agreement must be in writing and signed by the party granting the waiver. Waiver of any breach or provision of this Agreement will not be considered a waiver of any later breach or of the right to enforce any provision of this Agreement.

5.4 Third-Party Beneficiaries. Each Licensor Party other than Licensor is an express third party beneficiary of this Agreement. Except as specifically provided in this Section 5.4, this Agreement is for the exclusive benefit of Licensee and Licensor, and not for the benefit of any third party.

5.5 Governing Law. This Agreement is governed by Maine law. Parties consent to the exclusive jurisdiction of the state and federal courts for Lincoln County, Maine.

version 3

11/07/19

5.6 Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed an original and all of which will be taken together and deemed to be one instrument. Transmission by fax or PDF of executed counterparts constitutes effective delivery.

* * * * *

Name: Jeffry A. Spinney (licensor)
126 Golden Ridge Rd. Alna, Me 04535

Name: Jeffry A. Spinney on behalf of GRSC (Licensee)

Title: Registered Agent & Founder Golden Ridge Sports Club, LLC.

Address: 126 Golden Ridge Rd. Alna, ME 04535 *Sportsman's*

EXHIBIT A: The Licensed Premises

1. Property street address. 126 Golden Ridge Rd. Alna, Me 04535 – see also Alna tax map R4-21A
2. Licensed Premises. Existing private access road (20' in width) from Golden Ridge Rd. to boat ramp and dock area at river. Exact location of access road at Licensor's discretion.
3. Purpose. Access by members to the Sheepscot river with boat trailer for launching for hunting, fishing, and other recreational purposes.
4. Term. 5 year automatically renewable
5. Number of Entrants. Parking and access is physically limited to the existing parking and vehicle areas near launch site. New parking shall not be created without written agreement from Licensor. Parking shall not block access route to and from launch site. Limited parking & storage is available in small upland field in specific area as agreed upon by Licensee and Licensor.

REVISED: 11/11/19



Golden Ridge Sportsman's club, LLC.

126 Golden Ridge Rd.

Alna, Me 04535

BY-LAWS

ARTICLE I

MEETINGS

- A. There shall be a regular meeting of the club on the first Thursday of each month of which suitable notice shall be given.
- B. A special meeting may be called by any three (3) officers or members provided that all members are notified in advance.
- C. The President shall hold an annual Board of Directors Meeting in January and others as necessary.

ARTICLE II

OFFICERS AND DIRECTORS

A. The officers of the club shall be a president, vice-president, secretary/treasurer, elected annually; and three directors. These officers shall constitute a Board of Directors who shall have charge of the affairs of the club between meetings.

1. Three (3) directors, one of whom shall be the immediate past-president, shall be elected to a two (2) year term.
2. Three (3) members of the Board of Directors shall constitute a quorum.

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B. Duties of the officers shall be as follows:

1. The President shall preside at all regularly scheduled Board and Business meetings of the club and shall perform such other duties as usually pertains to that office.
 2. The Vice-president shall assist the President in the charge of his duties, and in the absence of the President of the vice- President shall perform the duties of that office.
 3. The secretary/treasurer shall, as Secretary, keep the official records of all regularly scheduled Board and Business meetings, attend to all correspondence of the club, send out notices of as required, and shall send out notices of dues and maintain records of membership standings. As treasurer, they will receive all moneys due the Club, make all disbursements, and shall maintain adequate records of receipts and expenditures.
 5. The Directors shall attend meeting of the Board of Directors and shall participate in the transactions of all business brought before the meeting.
- C. A vacancy in any office, excepting that of president, shall be filled by the Board of Directors, suitable notice having been given all members of the Board.
- D. The Board of Directors by a two-thirds (2/3) vote may recommend to the club the dismissal of any Officer for not performing his/her duties as described in Article II, Section B.

ARTICLE III

MEMBERSHIP

A membership application is available to any person and their immediate family in Alna who gains the respect and sponsorship of one of our existing members in good standing and exhibits & upholds the traditional Maine values for hunting, fishing, and wildlife management and protection for which our club stands.

A. The classifications of Membership are as follows:

1. An adult membership is anyone 18 years or older.
2. A family membership which will include a husband, wife and all dependent children less than 18 years of age.

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3. A member whose membership dues are greater than one month in arrears shall be considered a non-member; however, an ex-member may reapply for membership upon payment of dues, plus the initiation fee and shall be range orientated again.

- B. A life membership, without further payment of dues, may be awarded to a member who has reached age sixty-five (65), provided that he/she must have been a member of the club in good standing with dues paid for five (5) years immediately prior to reaching age sixty-five (65). If sixty-five (65) or older at time of joining the club the member must be a member in good standing for five (5) years before receiving their life time membership.

- C. Dues are payable on or before the 1st of the calendar year.

- D. A member who is current with the club who is in the armed forces and is deployed overseas will receive a complimentary one (1) year membership when they return from service as a token of our gratitude.

ARTICLE IV

FINANCES

- A. It is the responsibility of the Treasurer to prepare an Annual Budget for the club by the end of the calendar year prior to the Annual Meeting and to present the Budget to the General Membership for approval thirty (30) days prior to the Annual Meeting. The Annual Budget requires a majority vote of the attending membership at the annual meeting.

- B. The funds of the club shall be deposited by the Treasurer.

- C. The Treasurer shall be authorized to make payments for all Budgeted contingent or current expenses and unbudgeted emergency expenditures will require the recommendation of the Board of Directors and present it to the members at the monthly business meeting.

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ARTICLE V

NOMIMATIONS AND ELECTIONS

A. The election of officers and directors shall take place at the annual meeting of the club. Nominations shall be accepted from any member in good standing at the annual meeting of the club. Nominees must be present for consideration and vote.

B. At the annual meeting upon elections of new officers they will be sworn in. Following the swearing in of the new officers all members present will renew their membership when the new members are sworn in.

ARTICLE VI

COMMITTEES

A. The following committees shall be appointed by the president with the approval of the Board of Directors prior to the annual meeting. These committees shall remain active until new committees are appointed.

1. Education
2. Entertainment
5. Fish & Game
6. Property
7. Range

B. The President may appoint (or disband as necessary) any such other committees, with the approval of the Board of Directors or by vote of the club as he/she deems necessary to transact business of the club.

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1. The Education Committee shall educate the members in the existing projects for which the club is established and shall encourage the dissemination of game and conservation studies in educational institutions and any other venues as appropriate.
 4. The Entertainment Committee shall provide programs of interest to the members.
 5. The Fish and Game Committee shall be in charge of and responsible for any procurement, stocking, or handling of game or fish allotted to or desired by the club on all properties where applicable.
 6. The Property Committee shall be responsible for the care and preservation of all real and personal property of the Club, which shall be kept in good repair at all times. The Committee shall recommend to the Board of Directors or the Club such improvements and replacements as may be required.
 7. The Range Committee shall encourage interest in all range activities and shall arrange programs to that end. The committee shall be responsible for all properties necessary to these activities as well as safety.
- C. The authority of any committee named in the above Article (Article VI) shall not infringe upon any by any officer or member of the club.

ARTICLE VII

BOARD OF TRUSTEES

- A. The Board of Directors shall elect a Board of Trustees composed of three adult members. The Board of Trustees will hold for the club all properties owned by the club.
- B. The properties that the Trustees shall hold for the club shall be the following:
1. Deeds
 2. Property Maps
 3. By-Laws
 4. Insurance Papers
 5. Tax Records
 6. A list of the Club Bank Accounts
 7. Any other documents as deemed necessary.

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ARTICLE VIII

SUSPENSION AND/OR EXPULSION OF MEMBERS

A. By reason of misconduct not limited to violation of membership oath, violations of range rules, or fish and game law convictions, a member may be recommended for expulsion by the Board of Directors.

1. Upon being made aware of a violation, any Board of Director or officer may suspend a membership until:

- A.) He is notified in writing by certified mail, receipt requested, of pending action, and requests the member's presence within thirty (30) day for a hearing and/or clarification at a Board of Directors fact finding meeting.
- B.) After review of all available information, the Board of Directors will make its ruling.
- C.) If expulsion is recommended, all current club members will be notified in writing by the Board of Directors that their recommendation is expulsion.
- D.) Expulsion will occur by a two-thirds (2/3) vote of current members present at the next regular club meeting.

2. Any member having been expelled from this organization may petition the Board of Directors for reinstatement after a period of one (1) year, provided that his/her hunting and fishing privileges are not under suspension. The individual in question may then be considered for membership upon payment of the annual dues and any fees of a new membership, and submission of a new membership application for consideration. Acceptance of reinstatement must be by two-thirds (2/3) vote of the current membership present at the next regular meeting, and this vote shall be final.

ARTICLE IX

MEMBER USE OF ANY CLUB OWNED OR LICENSED FACILITIES:

- 1. All State of Maine hunting & fishing laws are to be followed on all properties at all times.
- 2. Use of the access road, boat ramp, and dock facility at the Golden Ridge Rd. property: All state laws regarding invasive species must be followed as posted on site. Always check for any plants when launching or removing a boat.
- 3. Use of the property at Hassan Rd. camping & outdoor facility. The Hassan Rd property is considered to be a carry in/carry out, primitive site. The gate on access road is to be securely locked both in coming and going and is to remain locked while on the property. Speed limit on access road is 5mph, please show respect for the abutting neighbors by adhering to this.
- 4. Use of the Highland Plantation property trail system is for snowmobile access ONLY, no ATVs or side-by-sides are to be used on trails/bridges on this property for any reason.

REVISED: 11/11/19

ARTICLE X

QUORUM

A. Five (5) adult members in good standing shall constitute a quorum for the transaction of business at any regular meeting one of which shall be either the President or Vice-President and one other officer.

ARTICLE XI

AMENDMENTS

A. These By-Laws may be amended by bringing it before the Board of Directors for their recommendation and then having two (2) consecutive readings at regular club meeting and by a two-thirds (2/3) majority vote of the adult members, where a quorum is present, provided that all adult members shall have been given suitable notice of the proposed Article and number to be amended seven (7) days in advance of the first meeting.

ARTICLE XII

PARLIAMENTARY AUTHORITY

A. The rules contained in "Robert's Rule of Order, Revised" shall govern the club in all cases in which they are not inconsistent with the By-Laws and Constitution of the club.



Golden Ridge Sportsman's Club, LLC.

*126 Golden Ridge Rd.
Alna, ME 04535*

MEMBERSHIP APPLICATION

LAST NAME:

FIRST NAME:

SPOUSE:

CHILDREN:

- 1.
- 3.

- 2.
- 4.

STREET ADDRESS:

CITY / STATE / ZIP:

HOME PHONE: ()

WORK PHONE: ()

OCCUPATION (self):

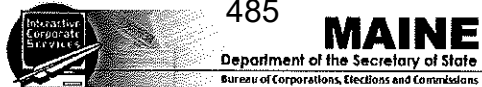
(spouse):

DATE OF BIRTH:

REFERRED BY:

EMAIL ADDRESS:

**NRA MEMBER: () YES
() NO**



Corporate Name Search

Information Summary

[Subscriber activity report](#)

This record contains information from the CEC database and is accurate as of: Thu Nov 07 2019 12:24:04. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
GOLDEN RIDGE SPORTSMAN'S CLUB, LLC	20197242DC	LIMITED LIABILITY COMPANY (DOMESTIC)	GOOD STANDING
Filing Date	Expiration Date	Jurisdiction	
05/24/2019	N/A	MAINE	
Other Names	(A=Assumed ; F=Former)		
NONE			

Clerk/Registered Agent

J. SPINNEY
126 GOLDEN RIDGE ROAD
ALNA, ME 04535

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Click on a link to obtain additional information.

List of Filings [View list of filings](#)
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 Certificate of Existence ([more info](#)) [Short Form without amendments \(\\$30.00\)](#) [Long Form with amendments \(\\$30.00\)](#)

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© Department of the Secretary of State

May 13, 2020

Mark C. Draper,
Chair, Board of Environmental Protection
c/o Ruth Ann Burke
ruth.a.burke@maine.gov
17 State House Station
Augusta, ME 04333-0017

Dear Chair and Board Members:

I am writing as a local citizen in support of the appeal of DEP's NRPA permit, #L-28397-4E-A-N granting Jeffry Spinney the right to build a permanent boat ramp, pier and dock in Alna on the Sheepscot River between Sheepscot Village and Head Tide Village.

I live near the Sheepscot River in the affected area, and, like many others, recreate on and around this section of the river in all seasons of the year. Attached is my letter dated 2/28/20 that I submitted to the DEP, describing my concerns about this proposal and my personal connection to the Sheepscot River.

Many other local citizens expressed similar concerns during the DEP permitting process, evidence of the value people place on the natural, wild, and undeveloped character of this section of the Sheepscot River.

Of particular concern, and a major reason why the DEP permit should be overturned, is that the permit was predicated on false and misleading information that in many cases was supplied by the applicant himself. Surely DEP (and, see below, the Army Corps of Engineers) should have done a more thorough investigation of the background and claims in this permit application.

Maine DEP allowed to stand the applicant's claim that the river section in question is "developed, with structures, lawns, and docks" which is patently untrue as pictures in the DEP record show. In Sheepscot Village, a mile and a half below the proposed project site, there are certainly homes, lawn and docks. Similarly, a mile and a half above the project area, at Head Tide Village, there are homes, and a few "lawns," no docks of the type proposed that I am aware of. But in the three-mile stretch between these two historic villages, there are no riverside structures, roads, docks, or lawns, and, in fact, only a very few buildings or homes visible at all from the river's banks. This entire three-mile stretch is either wooded or marshy, entirely natural.

This section of the Sheepscot River is a classic example of a tidal river area that, historically served industrial, forestry, farming, and transportation uses, but which in the course of a few human decades has reverted to a natural state, now harboring wildlife and plant communities, and serving as a wildlife corridor between coastal and inland areas. The Sheepscot is the southernmost Atlantic salmon river on the eastern U.S. seaboard. It is exactly such areas of special "natural character" that Maine's DEP is charged to protect.

Vessel traffic on the river

Maine DEP apparently relied on a recently granted Army Corps of Engineers permit for this project which, incredibly claimed that a permanent boat ramp, pier and dock serving a 25 member "sportsmen's club" would not increase traffic on the river. An email dated May 6, 2020 from Matt Buhyoff of NOAA

stated that “NOAA’s Endangered Species Act consultations “relied on the description of the proposed dock and ramp provided to us by the federal proponent or permitting authority. In this case, the project description provided to us by the Army Corps indicated that the project would not result in a net increase in vessel traffic.””

It is not possible to believe this statement from the Army Corps. How could they have come to such a conclusion about a project whose stated purpose is to increase motor boat use on the river, and how could Maine DEP have accepted it?

As local residents who have lived and are living beside the Sheepscot River in this area have stated repeatedly in the record, there has been only very infrequent motorized boat traffic on the river within living memory, and virtually none in recent years. “Vessel” traffic on the Sheepscot River above Sheepscot Village has been almost entirely muscle-powered, and it is just this quiet, protected character that has made the river so valuable and important for both wildlife and human recreation.

The “Golden Ridge Sportsman’s Club”

The record suggests that the project applicant, Jeffry Spinney, after determining that Maine DEP would not grant a permit for a permanent boat ramp, pier and dock for personal, private landowner use on this section of the Sheepscot River, decided to apply for his permit on behalf of the “Golden Ridge Sportsman’s Club” – a club which he incorporated initially in June 2019 as a for-profit corporation and then registered it again as a non-profit corporation in December 2019, clearly in order to apply for his permit.

The DEP’s permit is based on the existence of the club and assumed “shared use,” but there is no evidence in the record that the club actually exists or functions as a group entity, that there are any other members or officers other than Mr. Spinney himself, or that club dues are required or collected. (I have heard Mr. Spinney say, at an Alna Planning Board meeting, that he would bear all project expenses himself.) Mr. Spinney is both the grantor of the DEP required Land Use License Agreement and the grantee, as President of the Club. Surely this is a conflict of interest. To my knowledge, no other members or officers of the club have appeared in public on behalf of the supposed club.

It appears in the record that Maine DEP staff advised applicant Spinney on how best to “construct” his application in order to get approval of a permanent boat ramp, pier and dock based on a purported sportsman’s club. If Maine DEP allows, or even encourages, private landowners to install permanent boat ramps, docks, and piers on the basis of permit applications based on fictional or semi-fictional clubs or groups, it will be opening a gigantic loophole in its implementation of the NRPA, and, more importantly, will fail to protect Maine’s natural character and carry out DEP’s mandated duties.

No pre-existing boat ramp

Maine DEP’s permit was also based on inaccurate information in a letter from Alna’s Code Enforcement Officer who stated that a boat ramp existed at the project site prior to the adoption of any Alna ordinance. As is clearly documented by photographic evidence in the record from William Weary, a Newcastle resident who lives directly cross the Sheepscot River from the proposed project site, the marshy shoreline was unbroken until the property was acquired by Mr. Spinney in 2003 long after Alna adopted ordinances and the state adopted the NRPA; there was no pre-existing boat ramp. The CEO likely accepted this false information from the applicant himself (who incidentally is the Chair of the Alna Planning Board, raising other conflict of interest issues.)

Conclusion

In conclusion, there are a number of serious flaws and outstanding questions in Maine DEP's permit for the permanent boat ramp, pier, and dock, and BEP should overturn it. If such DEP permits can be granted under such questionable circumstances, based on false and misleading information, supplied by the permit applicant himself, Maine DEP will be actively encouraging degradation and damage to Maine's natural character, which it is charged to protect. The Sheepscot is only one of many valuable natural areas in Maine which have recovered, close to coastal, inhabited communities, from historically intensive, sometimes polluting and disturbing, uses. It is an extremely valuable aspect of community life in Maine that so many of us live on, near, or within reach of such recovering natural areas. MEDEP should be encouraging this trend, not turning back the clock.

BEP members and DEP staff should come look at the Sheepscot River themselves. There are public lands and trails leading to, and along, parts of the river section in question where people can hike, hunt, fish, and see a wide variety of bird and animal life. These areas on conservation land and private lands protected by conservation easements are used regularly by both locals and visitors for quiet recreation in a beautiful natural area. Please don't allow this area to be destroyed by the proposed project.

Thank you for your consideration of these comments.

Sincerely,

Jon Luoma
34 Golden Ridge Road
Alna, ME 04535

Attachments:

2/28/20 letter from Jon Luoma to DEP
3/11/20 email from Jon Luoma to DEP

Jon Luoma
P.O. Box 551, 34 Golden Ridge Road,
Alna, ME 04535

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

February 28, 2020

RE: Draft DEP decision for Jeffry Spinney's proposed boat ramp and pier at 126 Golden Ridge Road, Alna, Maine 04535

Dear Ms. MacNeil:

I am writing to oppose granting of this application for a new ramp and pier on this very special section of the Sheepscot River in Alna and Newcastle. I will not address here the many reasonable objections made by many other respondents based on technical dock and ramp matters or specific ecological and biological values, so very real here.

As an Alna resident who walks, skis, and paddles (by muscle power) along and on this river section, I believe strongly that you are not adequately addressing and taking into account the "existing scenic, aesthetic, recreational or navigational uses" on this river stretch, as you are mandated to do. Protection of Maine's unique and extensive riverine and shoreland areas, throughout the state, are dependent on DEP's taking protection of these values extremely seriously. The ramp and pier proposed in this application *will* certainly "unreasonably interfere with" these fragile "scenic, aesthetic, recreational, and navigational uses."

It is incorrect to say, as the draft decision does, that the Sheepscot River shorelines above Sheepscot Village and below Head Tide, or more accurately below the Dock Road bridge at Puddledock, are in any way "developed, with structures, lawns, and docks" -- of which the ramp and pier proposed in this application would be just one more. Paddling north from Sheepscot Village, once one has passed through the immediate settled area extending perhaps a quarter mile north of the bridge, the river and its shores all the way to the Dock Road bridge feel, and to a large extent are, "wild."

There are no permanent structures on or near the river banks. A power line crosses the river, and a few houses are visible, in part, upslope on the steep ridges above the river, but otherwise the shores are entirely woods or marsh. There are no "lawns" once Sheepscot Village is left behind.

This river section is completely quiet and natural. I have been able to watch eagles, deer, fisher, and mink there. As you know, the Nature Conservancy, Midcoast Conservancy, Atlantic Salmon Federation, and other organizations have devoted large amounts of time and money towards conservation and protection in this specific river area, through land and easement purchase, habitat analysis, dam restoration, and water quality monitoring. This is a *Maine, Beginning With Habitat* Area of Statewide Significance, providing habitat for Endangered, Threatened, and Rare animal and plant

species. There are public hiking trails along the river shore, on protected land, frequently used by townspeople and others desiring a quiet experience in nature, away from traffic, motors, and noise. Encouraging motorized craft on this river stretch will permanently alter this experience, so important to “quality of life” for those of us who live nearby and visitors as well.

Regarding the Golden Ridge Sportsman’s Club: my understanding is that a permanent ramp and pier would not be permitted here were the application made by the private landowner alone. Why, then, an application for a permanent ramp and pier for a perhaps 25-member Sportsman’s Club, with increased shoreland and motorized craft use, is acceptable is not clear to me. But in any case, I believe that the Golden Ridge Sportsman’s Club only came into existence after Jeffrey Spinney determined that a permanent ramp and pier would not be permitted for his personal use. It would seem justifiable to wonder about the true status of this new club, especially as I have heard Mr. Spinney state, at an Alna Planning Board meeting (of which he is the chair), that he would bear all ramp and pier costs himself alone. If this is a true, legitimate club, why wouldn’t dues or other funds from the membership be available to meet the sizable construction and installation costs?

The draft decision also exaggerates the current motorized boat usage above Sheepscot Village. I believe there is almost none, and virtually all boat use in recent decades has been muscle-powered. The amount of development here is exaggerated also.

In short, there are any number of ‘red flags’ raised by this application, and many inaccuracies in the draft decision. This ramp and pier should not be approved on “scenic, aesthetic, and recreational” grounds alone. But there are so many additional outstanding questions that rejection should be mandated also.

Please reconsider your draft decision and reject this application.

Sincerely,

Jon Luoma

MacNeil, Jami

From: Jon Luoma <jluoma@tidewater.net>
Sent: Wednesday, March 11, 2020 10:17 PM
To: MacNeil, Jami
Cc: Reid, Jerry
Subject: DRAFT - NRPA permit, # L-28397-4E-A-N, located in Alna - Jeffry Spinney

Dear Jami –

Recently revealed information about Jeff Spinney’s purported “Golden Ridge Sportman’s Club” makes it clear that the club does not actually exist. Mr. Spinney “founded” the Golden Ridge Sportsman’s Club specifically to get around DEP’s prohibition on granting ramp permits to a single landowner. The club appears to be a convenient fiction, invented and registered with the secretary of state, for that purpose. For DEP to grant an NRPA permit under these circumstances is neither fair nor right.

Mr. Spinney is the Club’s “founder,” but in all public meetings to date of the Alna Planning Board or Alna selectmen about the project, no other officer or member of the club has appeared or spoken, despite requests that other club members come to future meetings. Are there actually any officers or members? For how long have how many members been paying annual dues, if at all?

An article about this project in today’s March 12, 2020, *Lincoln County News*, quotes Mr. Spinney: “‘We are still working that stuff out as part of this whole thing,’ Spinney said of the membership the fees.” “‘A lot of details on *my* [emphasis added] private club (are) in flux, as we have never been that formal before now and are discovering our way,’ Spinney said.”

Mr. Spinney describes the club members as “a group of friends.” It does not appear he anticipates accepting other members of the public as members. If this is so, how is this proposed ‘club’ ramp and dock any different from a single private landowner receiving an NRPA permit, installing a dock and ramp, and allowing a few friends to use it – in other words, a single landowner permit, which DEP would not allow?

I heard Mr. Spinney say, at the December Alna Planning Board meeting, that he would bear all costs of this project himself. Taken together, the many questions surrounding the nature, or even the existence, of this club make the granting of an NRPA permit by Maine’s DEP highly questionable. If the DEP approves issuing a permit for this project, without looking further into whether the Golden Ridge Sportsman’s Club is in reality a legitimate club, it will be encouraging other individual landowners seeking permits for individual, private ramps and docks, to use this same ‘club’ subterfuge.

I strongly urge you not to grant this permit unless and until clear evidence is provided that the Golden Ridge Sportsman Club is something more than a smokescreen towards an individual, private ramp and dock. This would include actual adopted bylaws (not drafts), minutes showing when these bylaws were approved, a list of officers, minutes showing the date of their election, terms of office and responsibilities, and documents showing how many members currently belong to the purported club and who has paid dues. If the club is legitimate, Mr. Spinney should be able to provide these documents within a few days.

If, as the evidence available to date shows, this club is a fiction and Mr. Spinney cannot provide these documents, DEP should not grant the permit.

Jon Luoma

Golden Ridge Road, Alna 586-5706