



Friends of Merrymeeting Bay

Friends of Merrymeeting Bay is a 501(c)(3) non-profit organization. Our mission is to preserve, protect and improve the unique ecosystems of the Bay through:

Education

Conservation & Stewardship

Research & Advocacy

Member Events

Support comes from members' tax-deductible donations and gifts.

Merrymeeting News is published seasonally by Friends of Merrymeeting Bay (FOMB), and is sent to FOMB members and other friends of the Bay.

For more information call:
Ed Friedman
Chair of Steering Committee
666-3372



Friends of Merrymeeting Bay 2010-2011 Speaker Series

All talks at 7:00 p.m.

Location: Curtis Memorial Library, Brunswick unless noted.

- OCTOBER 13** Climate Change: Perspectives & Realities, Surprises & Opportunities
Paul Mayewski, Director, Climate Change Institute, UMaine
•Bowdoin College- Kresge Auditorium, Brunswick•
- NOVEMBER 10** Words for the Wild
Gary Lawless, Gulf of Maine Bioregion Poet & Publisher
•Bridge Academy, Dresden•
- DECEMBER 8** Last of the Kennebec Log Drives
Dave Calder, Log Driver, Song Writer & Storyteller
•Bath City Hall Auditorium•
- JANUARY 12** An Exploration of the World's Most Amazing & Mysterious Fish
James Prosek, Artist, Writer, and Activist
FOMB Annual Meeting & Potluck: 6:00, Public Welcome
•Cram Alumni House, Bowdoin College•
- FEBRUARY 9** Roadkill to Classroom
Rock Agostino & Anne Gorham, Creative Maine Taxidermy
•Town Office - Selectmen's Room, Bowdoinham•
- MARCH 9** Merrymeeting Park: Prehistory to Present
Chris Gutscher, Amateur Historian, Archaeologist & Producer
- APRIL 13** Green Business: Doing Well By Doing Good*
Gary Hirshberg, Chairman, President, & CE-Yo, Stonyfield Farm
•Bowdoin College - Beam Classroom, Brunswick•
- MAY 11** Fish Friendly Turbines ?
Alexander Gorlov, Professor Emeritus, Northeastern University

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With support & door prizes from: Patagonia, Inc.-Freeport

Contact Ed Friedman at 207-666-3372 or edfomb@comcast.net for more information.

Full speaker bios at: www.friendsofmerrymeetingbay.org

Co-Sponsors- *Bowdoin Environmental Studies, **Arctic Studies

NOIs

NOI is short for “Notice of Intent.” To sue that is. Citizen suit provisions of both the Clean Water Act [CWA] and Endangered Species Act [ESA] require 60-day notice of intent letters be delivered to the defendant before a lawsuit may be filed in court. The purpose of this is to allow opposing parties some time to possibly reach a settlement before taking up the court’s time. Delivery of a NOI does not require a plaintiff to sue in 61 days if no settlement is reached. The lawsuit may be filed anytime after the 60 days have passed.

FOMB was instrumental with Friends of Kennebec Salmon [FOKS] in expanding ESA protection for Atlantic salmon to the Penobscot, Kennebec and Androscoggin rivers. Federal wildlife services [USFWS and NOAA Fisheries (or National Marine Fisheries Service {NMFS})] under the ESA may issue Incidental Take Permits [ITPs] that allow for continued killing of endangered species under certain conditions. Dam operators who continue to kill fish in their turbines typically apply for an ITP but need to take certain measures in order to minimize individual mortality. Unfortunately there is no time deadline before which the services must issue these permits. Meanwhile, of course “take” can continue unabated unless challenged in federal court.

Under the Clean Water Act, state permit language for hydro-electric dams is incorporated verbatim into licenses issued by the Federal Energy Regulatory Commission [FERC] under the Federal Power Act [FPA]. The CWA also prohibits the downgrading of river classifications [quality] and elimination of pre-existing uses without the state conducting a Use Attainability Analysis [UAA] and submitting it to EPA for approval. UAAs are big deals and rarely applied for or approved. CWA pre-empts state laws.

Licenses for the four lower dams on the Kennebec contain specific language which prohibits salmon from inhabiting dam impoundments until, assuming dam owners “desire” to pass fish through their turbines, they have conducted site specific turbine mortality studies. For several years now every salmon migrating upriver

Newsflash! As we go to press with this issue we have been joined in our efforts by NELC and Environment Maine. Supplemental NOI’s filed on behalf of us all include ESA and CWA actions on the Kennebec [4 dams] and ESA actions on the Androscoggin [3 dams].

that reaches Lockwood, the first dam, has been trapped and trucked to the Sandy River to spawn in some of the best waters in Maine. Unfortunately, out-migrating adult salmon and smolt have four impoundments and dams containing multiple turbines, to transit before reaching tide water. At these dams the studies have not been done and FOMB and FOKS have filed 60-day NOIs to sue under the CWA. In this case the burden is on the dam owners to demonstrate they are in compliance with their licenses which they are not. Only four salmon were caught at Lockwood this season.

On the lower Androscoggin where for example downstream passage at the Brunswick-Topsham dam consists only of an 18” pipe between two turbines, we have filed a NOI to sue under the ESA in a “take suit.” We expect any day to be joined in our efforts by the National Environmental Law Center [NELC].

Meanwhile, downeast along the Canadian border, alewives have been barred by the legislature from ascending the St. Croix River. On two occasions in the not-too-distant past, the legislature has acted totally illegally in passing laws prohibiting alewife passage. Thus was done entirely without an UAA or approval from EPA. On its face this is totally illegal and violates federal pre-emption provisions in law. The EPA is also obligated to enforce CWA provisions prohibiting downgrades even if they have not been approached by a state for UAA approval. We have brought this to the attention of EPA and Doug Watts at FOKS has once again taken the wonderful lead on this, doing the work attorneys should have done years ago. If we do not get a satisfactory response from EPA in the near future we will be filing a NOI for the St. Croix as well. Thanks Doug!

Outings

Wonderful times were had by those attending our summer outings. Many thanks to volunteer leaders Helen Watts, David Barber, Ian Ramsey, Will Broussard, Jay Robbins, Anne Hammond, Andy Cutko and ending the season with over 40 attendees on her mushroom walk, Michaeline Mulvey!

Return of the Alien Hunters

On Saturday August 28, a crack team of FOMB volunteers led by Kermit Smyth descended on this remote *Phragmites* landing site near head of tide on the Abbagadasset to eradicate any survivors in this invasive alien reed colony. Even network television [channel 6] got in on the action arriving on scene. We received calls from as far away as Michigan expressing concern and curiosity regarding these strange but prolific beings.



masse the gathered group of stems above the tape. Net result as can be seen in the photo appeared to be a village of tipis or gathering of Hopi kachina dolls. Occasionally stems gathered in this manner folded over under pressure escaped the clip and drip. A return to the site a few weeks later revealed those vestiges of green whereupon survivors were summarily executed.

In a small advance party last year we attempted to cut the stand down to size, so to speak, and attack individual members using the “clip and drip” method of herbicide application. Inch by inch... stem by stem... slowly we turned, to find ourselves outnumbered and surrounded by the invaders. Our small group of elite phragmivores was forced to beat a reluctant retreat vowing to return another day to stem the tide (or tie the stems).

And so we did. In larger numbers and mission-ready, our team this year came on station at low water



Phagramites team

carefully moving through the remaining aliens snipping each stem, bagging seed heads and dripping a small amount

of dye-colored herbicide into each stalk. Perhaps it was the metaphorical return to a Crusade-like activity that attracted our otherwise peaceful members? Nothing like a good beheading, poisoning of the carcass and carting off of heads to a funeral pyre to draw public support.

Attempting to improve our efficiency this year we trialed several different methods of gathering stalks in order to treat more than one at a time. The use of bungi cords, cable ties, twine and tape were all tried and in the end collecting 20-30 stems with masking tape seemed to work pretty well. We could then clip and drip en

Kermit almost lost

Aliens can look a lot like locals so they may often go undetected. They may even walk among us. Hearing rumors of multiple *phragmites* stands on the Muddy River, phrag-busters Kermit Smyth and Ed Friedman flew the area finding *phrags* and mapping them on aerial photos. In two bush landings reminiscent of our misadventures in the high growth of Southeast Asia, we were able to set down briefly allowing Kermit to disembark and while narrowly escaping with his life from the twelve foot vegetation, obtain a couple of samples for more accurate identification. Comparing these to the *phragmites* from the Abby, it became clear those from the Muddy were natives co-existing peacefully with their neighboring plants in contrast to the Abby invasives eliminating all in their path. It's a good thing those are natives on the Muddy because if they weren't, it would be too late to take control measures.

Many thanks to Bryan Emerson, licensed alien buster and to volunteers: Misty Gorski, Kermit Smyth, Ellen Baum, Jeff Fisher, Ed Friedman, Leslie Anderson, Don Goodrich, Carole Sergeant, Steve Eagles, Nate Cushman, Nancy Murphy, David Huntress and Hank Dillenbeck.



Phrag Kachina Panorama 8-28-10

Connectivity

July 1970: My first real memory of anything meaningful was the smell of Woodsman's Fly Dope. They say that smell is the most powerful of memory inducers. I agree. We are headed to camp. Camp in this case is a small log cabin built on the shore of a small 30 acre pond in North Western Maine. The cabin was built by my father in 1948. He felled the spruce trees, hauled them, peeled them, shaved them, fitted them and the result was a sturdy 16 by 20 foot log cabin. It was a spike camp for Birch Island Lodge, a set of sporting camps built by the New York Fish and Game Club in 1898. My grandparents (mother's side) purchased the camps in 1943 during WWII. My grandfather thought having some extra remote camps relatively close by was a good idea and sent my father and another camp worker to build them. My father would guide for the lodge for several years and would build the spike camps, meet my mother, fall in love.....but that is another story. My personal favorite.

So, there we are headed to camp and everyone is excited. We are walking. Everyone except me. I am perched in the top of a pack basket. I am three years old. A certain smell wafts over me every once in a while. Much later I would learn to associate that smell with camp. Woodsman's Fly Dope. We walk for a good period of time. We had to park the 1968 VW microbus several miles back as the "road" was impassable. A logging track is all. To the left appears an old camp by the side of the road. It is sheathed in green roofing material. Its windows shuttered. My father off loads the pack basket and sets it on the porch. There is a spring below this camp that my father heads for. My mother picks me out of the pack basket. Mosquitoes are everywhere and eager to drill. My siblings are there as well, both of my brothers and my sister. Now, being three years old, my command of the English language was limited but I did know what the word "bear" meant. All my siblings were using THAT word and my name in the same sentences which I found to be....disturbing. They were all pointing at the cabin door and there on the door were a series of vertical scratches all close together. My father came back and looked at the scratches. He proclaimed that they were genuine bear scratches made by a genuine bear that lived somewhere hereabouts.

We continue our walk to camp. After a bit I can see a clearing through all the mosquitoes and we come out into the open and the pond lay before us. I have been here before. I can barely recall it but I know I have been here before. Again I am on the ground and my father continues on alone. Some time later a canoe appears on the pond and I recognize the shape of my father in the stern. The canoe comes straight for us. My siblings have disappeared as they chose to walk the rest of the way to camp leaving me with my mother. Shortly all of our kit is in the canoe. I sit with my back against the bow seat with the most ungodly contraption around my neck in the form of a life jacket. A short time later we pull into shore and I am unceremoniously heaved from the canoe and free to fend for myself. Again my siblings are there to show me the bear scratches on the side of OUR cabin. I had to take their word for it because the scratches were impossibly high so I feigned indifference and set about getting covered in pine pitch. If the bear scratches were impossibly high then the pines

were stratospheric in height. Many of the pines were far bigger through their stumps than I was tall. The wind would blow and the pines sighed way up high.

Another canoe was pulled out of the cabin and launched in the pond. In it went paddles, life vests and fly rods. I watched with fascination as my brothers put together their rods and decided which fly to use. I wandered to the end of the dock and peered in the water. A small wiggling creature hove into view from under the dock and I instinctively reached for it. Lying on my stomach I cradled the creature in my hand. It was easy to catch. My father was curious and stepped over to see what mischief besides pine pitch I was into. He looked at me and the thing in my hand. "Leech" was all he said and pulled it from my grasp. Or was it the other way around?

November 9th, 2009 7PM. The headlights of the Ford Escort illuminate the gravel road. It is raining steadily and 60 degrees out. Warm for this time of year. The Escort proves a nimble traveler on the gravel and I'm driving like it's stolen. If a moose happens into the road it's the ditch or worse. Even this prospect fails to lift my foot from the gas pedal. I'm headed to camp and my brother is there waiting for me. We're going to go birding some and see what we can see for deer. I park about a mile away from the cabin. The Escort is a capable but four wheel drive it isn't. I grab my kit and rifle from the trunk. Then it hits me. DARK! Blacker than the inside of a cow. The rain has stopped to be replaced by light mist carried on southern wind. I search my kit for a flashlight. Nope. Well, hell I didn't drive four hours to spend the night in the car waiting for daylight! One way or another I'll get down off the hill to camp. Sitting on the seat of the car is the Apple I-Pod. I grab it up and turn it on. I spool through the menu until the backlight option comes up. Always-on, I select. Holding the I-Pod before me I hit the trail. It proves to be more than capable of lighting the way.

My excitement builds as the path approaches camp and I can see the glow of the camp windows. I turn off the I-Pod and stealthily approach the cabin. I catch the faint smell of wood smoke, pond and beef stew. The pines whisper "welcome back". I walk around the front of the cabin and crouch by the picnic table. The cabin door is open but the screen door is closed. A golden parallelogram of kerosene lamp light projects from the cabin door onto the pine needle covered ground. Rummaging through my backpack I come out with a dog eared paperback copy of Zane Grey's "Riders of the purple sage". Perfect! I hold the novel up to my lips with a few pages exposed and blow. Hard to describe the noise this made but earthly it wasn't. I didn't have to wait but a few seconds for the desired effect to take place. I hear the chair scraping back from the table followed by a few foot steps. A brilliant circular patch of light appears centered on the screen door. Footsteps follow and the bright patch begins to diminish in size as my brother approaches the door. Closer and closer until the bright patch is the size of a coffee cup. Timing is critical and I heave the novel. It makes a terrible fluttering sound as it sails with a whack into the screen. Something between a scream and a shout erupts from the cabin and the bright patch falls away. Unable to control my glee any longer I break into fits of laughter. Words unfit for publication explode from the cabin and echo off the far side of the pond. "You thought I was a bear, didn't you?"

Nate Gray

What's Up [the Hill]?

On July 16, overlapping with our volunteer assistance to DEP in monitoring water quality on the lower Androscoggin, we rallied thirteen additional volunteers to assist the Maine Historic Preservation Commission [MHPC] in a Phase 1 archaeology survey of a target parcel associated with our Houdlette Conservation Project described in the last issue of Merrymeeting News. The core parcel in this protection effort is approximately 28 acres and labeled I in the aerial photo. Not wanting to invest in a conservation/archaeology project only to see a house built in the same field, our bridge buyer insisted the Houdlette's convey to FOMB a Sale Option for their portion of the field [II in the aerial] if he was to go ahead and facilitate protection of the 28 acres [adjacent to their property] from development. The Houdlettes thought long and hard about this and decided to sell us the time-limited Option.

We had yet to conduct any archaeology on the upper part of this field owned by the Houdlettes before on July 16 with a large crew of volunteers, transecting the entire length of the parcel with 50cm square test pits every 20 meters. Native American materials were found in over 50% of the pits, 18th century artifacts were also found and there was a very unusual spectrum of soil types present in the traverse. There should also be an 18th century foundation on the site but this was not revealed to us. Protection of this upper parcel is critical to the site integrity from archaeological, biological and aesthetic points of view.

Not only were artifacts discovered this day but also the presence in record amounts of one of Merrymeeting Bay's rare mud plants, spongy arrowhead or *Sagittaria calycina*. A later mud plant survey on August 22 revealed the following additional rare plants: Eaton's bur marigold [*Bidens eatonii*], Estuary bur marigold [*Bidens hyperborea*], Parker's pipewort [*Eriocaulon parkeri*], and Rigid



Houdlette Conservation Project

arrowhead [*Sagittaria rigida*]. The first four of these are considered species of special concern and the last one state threatened.

Thanks to Bob Weggel, Jay Robbins, Nancy and Nate Gray, Jess Murray, Chris Gutscher, Hilary Warner-Evans, Dave Halliwell, Ed Friedman, Martha and Arthur Spiess, Kent Cooper, Mary Perkins and Dave Barber who came on short noticed and worked really hard.

TO PROTECT THESE CRITICALLY IMPORTANT PARCELS ABOUT \$600,000 IS NEEDED. SO FAR THE MAINE HISTORIC PRESERVATION COMMISSION HAS SECURED ABOUT \$235,000 FROM THE LAND FOR MAINE'S FUTURE AND THE ARCHAEOLOGY CONSERVANCY HAS PROMISED \$75,000, BOTH ONLY TOWARDS THE ARCHAEOLOGY COMPONENTS OF THE PROJECT. FOMB HAS COMMITTED TO RAISE A SUBSTANTIAL PORTION OF THE \$290,000 BALANCE THROUGH GRANTS AND MEMBER DONATIONS. SINCE OUR LAST NEWSLETTER WE HAVE RAISED ABOUT \$63,000. RARELY WILL YOU HAVE AN OPPORTUNITY TO HELP PROTECT SUCH A RESOURCE. WE NEED YOUR HELP NOW!

PLEASE WRITE "DRESDEN" IN THE MEMO SECTION OF YOUR VERY LARGE CHECK AND SEND IT TO FOMB, P.O. BOX 233, RICHMOND, ME 04357. THANK YOU!!

Fall Bay Day

One hundred seventy students from Bowdoinham, Bowdoin, Harpswell, Woolwich and Brunswick had a great time and got really dirty at our Fall Bay Day on September 21. Yes, we believe there is a positive correlation between getting dirty, having a great time and learning! A leader in hands-on environmental education, FOMB has been providing these hands-on learning opportunities to 4th graders for over twelve years. Students continue to have a fun-filled opportunity twice a year to learn about the environment generally and Merrymeeting Bay specifically at an outdoor site right on the Bay.

A recent received mailing documents how other large environmental organizations with major infrastructures, large staff and huge budgets, reach similar amounts of student per year [over 1,000] as does FOMB at Bay Days and with our in-school programs. Dedicated volunteers are our secret. Committed community and membership involvement are what set us apart from most organizations doing this work allowing members a far better value for their support dollars.

Thanks to all of those volunteers! Presenters and their topics were: Tom Hoerth-Ecology Walk; Kathleen



Native American Wigwam (on the grid)

McGee & Caryl Giggey-Gyotaku: Fish Printing; Steve Musica-Merrymeeting Bay Natives and Dwellings; Emily Cirac-Macro-invertebrates; Emily Stone-Tidal Plant Walk; Peter Goodwin-Geology Walk, Steve Eagles and Kent Cooper-Merrymeeting Bay Watershed Modeling;



Macro-invertebrates

Lee Cranmer, Jay Robbins, Bill Burgess, and Leith Smith-Archaeology Dig; Ed Friedman-Conservation Canines; Nate Gray and Keith Sherman-Diadromous Fish Beach Seining; Geri Vistein-I Am Coyote; Betsy Steen-Exploring Fall Fields and Edges; Leslie Anderson-Tree Walk; and Heidi Ludwick-Bird Language.

No way students would have found or made it to their next sessions on time without the help of our volunteer chaperones. A big thanks to: Joan Llorente, Colleen Moore, Tom Walling, Diane Richmond, Ed Benedikt, Carol Seargent, Andrew Fiori, Dana Cary, Carla Rensenbrink, Fritz Kempner, Bill Heaphy, Tina Goodman, Pam Hanson and Annie Cox.

Thanks also to Wild Oats Bakery for a partial donation towards volunteer lunches, G.A. Downing for a slight discount on our portable toilets and regional biologist Jim Connolly and the Department of Inland Fisheries and Wildlife for use of the Merrymeeting Bay Wildlife Management Area. Special thanks as well to FOMB organizers Nancy Murphy, Ed Friedman and Misty Gorski.

Other Volunteers

Various mailings and other administrative tasks would not go nearly so well without volunteer help. Thanks to Petey Ambrose, Steve Musica, Tom Walling, Angel Kimberk, Ed Friedman, Martin McDonough, Stan Moody, Jane Frost, David Whittelsey and Doffie Barstow.

Outreach and education volunteers help spread the word building support in communities for our mission. Thanks to summer volunteers Tom Walling, Ed Friedman, Nate Gray, Phil Bryzowski, Sarah Cowperthwaite, Mary Perkins, Betsy Steen, Nancy Murphy, and Joan Llorente.

Friends of Merrymeeting Bay · Box 233 · Richmond, Maine 04357

Membership Levels

- \$1,000+ Sturgeon \$750 American Eel \$500 Wild Salmon \$250 Striped Bass
 \$100 Shad \$50 Alewife \$20 Smelt Other

Name

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Town/State/Zip

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- Renewal New Member Send me information about volunteer opportunities.

\$7 Enclosed
for a copy of
*Conservation
Options: A
Guide for Maine
Land Owners*
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Friends of Merrymeeting Bay

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Your name here...

HRHG Outreach Coordinator

Kathleen McGee 666-3598 email: kmcgee@gwi.net

*Thanks to David Hansen for layout
and design of this issue.*

Water Quality

As our season draws to a close, we have once again focused on the lower Androscoggin in our attempt to upgrade this section from Class C to B. Because of our efforts in the legislature, DEP staff came down during two periods to conduct intensive monitoring this summer. They will take their intensive [twice/day and continuous data] and construct water quality models for the river to see how dissolved oxygen and bacteria levels might fluctuate with different flows, discharge volumes and temperatures. What they are doing is in no way suggested by law and we have objected continuously. We also supplied volunteers to assist them in their sampling and on more than one occasion our equipment bailed them out when theirs broke down.

DEP data have confirmed everything we have been saying for years-there is no stratification in this section of river so surface sampling should suffice instead of depth profiles, there is little difference between the center of flow and the near shore areas which should but probably won't eliminate the need for sampling from a boat or bridge, and mostly, our dissolved oxygen and *E. coli* results have been confirmed.

While Senator Seth Goodall has committed to introducing an upgrade bill for this section of river, it remains to be seen what the official DEP position will be. There has been talk by Land and Water bureau chief Andy Fisk that while data appear to meet the Class B requirements during low flows and hot weather, dischargers are not discharging at full license limits. Never mind that they never do and that those limits are artificially high.

Thanks to volunteers Nancy Murphy, David Whittlesey, Ed Friedman, Bethany Laursen and Helen Watts for assisting DEP in their efforts. Regular Androscoggin volunteers for this effort are Kathleen McGee, Sarah Cowperthwaite, Nancy Murphy and Ed Friedman. Regular monitors are Melinda and Ken Emerson, Richard Nickerson, Diane Richmond, Ed Benedikt, Andrew Fiori, Tom Walling, Kathleen McGee, Nancy Murphy, Steve Eagles, Milo Stanley, Bill Milam, Kathie Duncan, and Bill Briggs. In the lab are Jeff Sebell, Kermit Smyth, Ed Friedman and when needed, Ruth Innes. Thank you to all and to John Lichter and Bowdoin College Environmental Studies as well for use of the lab.



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A Fond Farewell to Misty

With us for only a couple of years but schooled in planning, Executive Coordinator Misty Gorski has taken a job as Planning and Development Director with the Town of Waldoboro. The position includes responsibilities as Codes Enforcement Officer and Licensed Plumbing Inspector both of which Waldoboro will send her to school for.

In her brief tenure with FOMB, she has done some fine work continuously developing and refining our volunteer base, writing numerous grants, worked hard on water quality and education and generally



Misty photographs an orchid

helping our whole operation run smoothly. Misty will continue to work a few hours a week for us as time permits and during the transition to a new Coordinator. In response to our advertising for the open position we have received over forty complete applications and about twenty-five that are incomplete.

Misty's new position particularly as planner and CEO in a Route One town has the potential for a lot of conflict. Hopefully her soft and intelligent manner will provide some calm in those situations serving all parties well. We wish Misty the best and thank her very much for her service to FOMB.