

March 29, 2011

Robert L. Green, Jr., Project Manager
Division of Land Resource Regulation, Bureau of Land and Water Quality
Maine Department of Environmental Protection
312 Canco Road, Portland, Maine 04103
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COMMENTS SUBMITTED VIA E-MAIL

RE: Public Comments to the U.S. Army Corps of Engineers permit submission: Proposed August 2011 Maintenance Dredging of the Kennebec River Channel, Sagadahoc County, Maine

Dear Mr. Green,

The Kennebec Estuary Land Trust (KELT) is a membership based conservation organization representing the towns of Bath, West Bath, Woolwich, Arrowsic, Georgetown and Westport Island. We have over 300 members supporting our mission to conserve the natural, historic, scenic, cultural and agricultural resources of the Kennebec Estuary. They trust us to safeguard this significant natural resource and while we have never taken an advocacy role, this issue seemed so significant we felt obliged to comment.

The Kennebec River Estuary is significant to the entire state of Maine:

- The Kennebec River system drains nearly 40% of Maine.
- The Kennebec Estuary contains over 500 miles of coastline and river frontage.
- It is comparable to the Hudson and Chesapeake Bay estuaries for its historic abundance.
- 20% of Maine's tidal marshes are found within the estuary, representing the largest concentration of salt marshes in the state.
- Five federally endangered and threatened species inhabit the estuary.

KELT feels that dredging a section of the Kennebec Estuary in August will adversely impact the resources that we are dedicated to protecting.

KELT has reviewed dredging impacts in the lower river and participated in depth testing of the disposal area in the summer of 2010. These results led us to believe that the spoils had washed away from the disposal site and had wider impact that anticipated.

We are particularly concerned with disturbance to the endangered Shortnose Sturgeon and Atlantic Sturgeon, noting that five takes occurred the last time an August dredge was performed (2003), and the shellfish flats of Arrowsic, Georgetown and Phippsburg will become silted and experience decreased production or complete closure.

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As our DEP funded AmeriCorps volunteer is finding in her term with our organization, water quality has enormous impact on the regional shellfish industry.

We **encourage alternate solutions** to dredging in August such as use of a local pilot who knows the channels, or rescheduled launch to avoid a need to dredge at this environmentally sensitive time of year.

In addition, we strongly encourage:

1. A full Environmental Impact Statement especially impacts to aquatic life.
2. Adherence to the Clean Water Act (CWA) and the Maine Natural Resources Protection Act (NRPA) requiring that water quality standards not be violated when dredging is performed
3. If deemed absolutely necessary, the dredging should be done using best practices to reduce turbidity, siltation and re-deposition of materials.
4. Alternate disposal methods: Dispose of the material upland in locations that would benefit from the material.
5. Avoid over-dredging: Doubling Point and Popham Beach are active areas that re-shoal rapidly, the data doesn't show it extends the overall time between dredges.
6. Improve the Environmental Assessment by the ACE to include the BIW dredging and disposal information, because that is part of the cumulative impacts.

Thank you for the opportunity to make comments.

Sincerely,

Handwritten signature of Carrie Kinne in black ink.

Carrie Kinne
Executive Director

Handwritten signature of Jack Witham in black ink.

Jack Witham
President

cc: William Kavanaugh, Jr
U.S.Army corps of Engineers mae-pn-nav@usace.army.mil