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## NEWS

### Opposition to August dredging project grows

[Print Page](#)**By Seth Koenig, Times Record Staff**

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PHIPPSBURG — Environmental groups have joined Phippsburg fishermen and business owners to line up against a Kennebec River dredging project, which opponents describe as “illegal” and a “job killer.”

The Army Corps of Engineers seeks permits to move 70,000 cubic yards of sediment from the river bottom near Doubling Point and Popham Beach in August. The Army Corps’ goal is to ensure the depth necessary for the destroyer DDG-111 to get from Bath Iron Works to the Atlantic Ocean in early September.

At issue is the timing of the project and the locations where the Army Corps proposes to dump the material it moves from the destroyer’s navigation channel.

Typically, Kennebec River dredging takes place during winter months, when protected aquatic life and riparian businesses are less active. But because of the scheduled September sailaway of the DDG-111, Navy and Army Corps officials argue that the dredging must occur in August this year.

“You couldn’t come up with a worse project for coastal Maine in August,” said West Bath attorney Steve Hinchman. “August dredging is a triple whammy on the Phippsburg community. You will be dredging and dumping right in the heart of the traditional fishing ground for Small Point lobstermen. There are 20-plus boats right in that area.”

Hinchman represents a coalition of projects opponents, including the Kennebec Estuary Land Trust, Friends of Merrymeeting Bay, business owners and local fishermen. The group filed documents stating its opposition during a March period for public comment on the permit application.

Hinchman told The Times Record on Friday that dredging in August would decimate business for multitudes of Phippsburg residents who rely on the river for their livelihoods. He said “parking this massive vacuum” off Popham Beach also would drive away tourists and trigger a secondary impact on Mid-coast businesses where beach-goers stop on their way to Phippsburg.

“If clammers lose August, they lose the whole year,” Hinchman said. “That’s 30 percent of their annual income. The multiplier effect on Phippsburg when clammers, lobstermen, fishing guides and bed-and-breakfast owners (lose business) is significant. That’s too much to ask that community in August. Anybody in Maine knows, don’t take away August. This project would be a job killer for the Phippsburg peninsula.”

Dean Doyle, chairman of the Phippsburg Shellfish Committee, said the material deposit also could wreak havoc for clammers in future years.

“It would wipe out a year class for us,” Doyle said. “The juvenile (shellfish) are only about the size of a pinhead and they can only survive just under the surface of the sand. We’re going to dig stuff this year that was spawned three to four years ago. If this year’s juveniles get smothered, we could lose a whole crop three or four years from now.”

Jim DeMartini, spokesman for BIW, said the dredging permit is necessary not because the ship

cannot currently pass, but because the state of the river bottom in four or five months is uncertain.

"Today, a build-up of sand along the bottom of the west side of the designated navigation channel south of BIW leaves insufficient water depth to allow a DDG-51 (class) ship to pass," DeMartini said. "However, today, there is sufficient water depth to the east, outside that designated channel, which has enabled us to pass through — although the ability to maneuver the ship in that area is restricted.

"The next ship's movement is planned for August (or) September, at which time the Navy will own the ship and the ship's captain will be responsible for its safe navigation," he continued. "Six months from now, as we approach the end of summer, the condition of the river bottom will be different than it is today. For example, an unusually dry spring (and) summer, with less-than-normal runoff could cause sufficient bottom build-up to preclude safe transit. Conversely, an unusually wet spring (and) summer with heavy runoff could alleviate the issue altogether."

Hinchman said the permit sought by the Army Corps would allow not just enough dredging to create space for the DDG-111, but would allow what he called "overdredging" to keep the channel passable for several years.

"Of course, we don't know how the spring runoff will affect the river levels," he said. "We hope they will be able to navigate out of the channel without dredging. If they can't, then we think they need to take a minimalist approach. They don't have to overdredge to get the (DDG-111) out. If they want to overdredge, they should do it in the winter."

A call placed to William Kavanaugh of the Army Corps of Engineers on Friday was not returned by press time.

At a hearing held in Phippsburg on the subject in February, Kavanaugh told attendees the earliest the dredging work could take place, considering the extensive permitting process in place, would be August. At that time, he also said the expense of moving the dredging equipment to the area would make it not cost-effective to do only a minimal dredging job.

### **Dredge project**

Ed Friedman, president of Friends of Merrymeeting Bay, said the dredging project as proposed is more than just a case of bad timing for Phippsburg fishermen and business owners. He argues that it's illegal.

Friedman said the Phippsburg side of the river is designated as Class SA water, which means activity there is regulated. Some of the material to be dredged is slated to be deposited at a location known as Jackknife Ledge.

"In Class SA waters, which are the marine equivalent of Class A waters, discharges are illegal," Friedman said. "And dumping of dredge spoils is a discharge."

Friedman said state environmental regulators must gain approval from the federal Environmental Protection Agency if they hope to change the classification to one that would allow the dredging activity to take place as planned.

"What's happening is that the (state Department of Environmental Protection) has finally realized that these are SA waters, and they're saying that it was classified as SA in error," Friedman said. "They are using that as an excuse to try and bypass the normal administrative process required to downgrade a water body, and that process is one of public hearings and research."

The Army Corps also must go through an additional permitting process in which they must show that there is no less environmentally damaging alternative to their current plan, Friedman said.

"That's not the least damaging alternative, when you could take it offshore or go to an upland disposal instead," he said. "Those are both federal issues and they are both issues we could go to federal court over."

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