



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

June 8, 2011

Office of Counsel

Ms. Susan Lessard
Presiding Officer
Board of Environmental Protection
Maine Department of Environmental Protection
#17 State House Station
Augusta, Maine 04333-0017

Re: Appeal of Water Quality Certification for Kennebec River Maintenance
Dredging Project, DEP #L-16281-4E-E-N

Dear Ms. Lessard:

On May 13, 2011 the U.S. Army Corps of Engineers ("Corps") submitted an appeal of Condition 4 of the Department of Environmental Protection's April 15, 2011 "Corrected Order," DEP #L-16281-4E-E-N, issuing the Water Quality Certification ("WQC") for the Corps Lower Kennebec River Federal Navigation Project maintenance dredging project. On June 3, 2011, Governor LePage signed emergency legislation, L.D. 1398, clarifying the water quality classification of marine and estuarine waters of Phippsburg. The effect of this legislation was to clarify that the waters at the Bluff Head disposal site are Class SB waters, consistent with the Department's understanding as set forth in the WQC. In light of this legislation, which became effective upon signature by Governor LePage, the Corps hereby withdraws its appeal of Condition 4.

Please contact me at (978)318-8014 if you have any questions regarding this matter or if there are issues requiring my attention. Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink that reads "John P. Almeida". The signature is written in a cursive style.

John P. Almeida
Assistant District Counsel

cc Service List