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June 17, 2011

Susan Lessard, Chair  
Maine Board of Environmental Protection

Patricia Aho, Acting Commissioner  
Maine Board of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

Re: Appeals of L-16281-4E-EN for Maintenance Dredging of the Kennebec River, Maine

Dear Chair Lessard and Acting Commissioner Aho,

The Phippsburg Appellants, Dot Kelly, Ed Friedman and Douglas Watts hereby request that the Board and Department of Environmental Protection expedite the appeals in the above matter. As you are aware, the applicant seeks to initiate dredging August 1<sup>st</sup>. The scheduled July 21<sup>st</sup> hearing would allow only 10 days between any decision and initiation of the project, which is insufficient time to allow for implementation of modifications that might avert harms to appellants. In addition, is insufficient time for judicial review should it become necessary, or even for the Board to request staff to modify its recommended order.

Given that the Board is currently in receipt of the appeals and responses from the applicant and interested parties, and only six weeks remain before the scheduled start of the project, we feel it is patently unfair to appellants to let five of those weeks go by before this issue is heard by the Board. We understand that scheduling can be difficult and that Department staff need time to prepare. But in the interests of justice and to accommodate appellants' right to be heard, we request that every effort be made to set an earlier date for the Board's review.

Counsel for the Army Corps of Engineers has authorized us to state that they do not oppose our request for expedited review. Counsel for Bath Iron Works has not responded.

Thank you for your consideration in this matter.

Sincerely,



Stephen F. Hinchman, Esq., counsel for  
The Phippsburg Appellants and on behalf of  
Appellants Dot Kelly, Ed Friedman and Douglas  
Watts

Cc: Service List