

Eagle's nest move a no-go, feds tell Edgecomb

By SUSAN JOHNS
Staff Reporter

For now, at least, the bypass project does not qualify for a permit to remove an eagle's nest from the long bridge route. That was the word from the U.S. Department of the Interior's Fish and Wildlife Service, in a letter Edgecomb Bypass Task Force Chairman Jack Sarmanian received last week.

The nest's discovery last year shook up plans for the long bridge route. On Monday night, selectmen, including Sarmanian, voiced their displeasure at the June 27 letter from Marvin Moriarty, the U.S. Fish and Wildlife Service's acting regional director in Hadley, Massachusetts.

"This is, let's send them a letter and see if they'll go away," Selectwoman Jessica Chubbuck said of the government's response to a May letter from the task force.

"If we attack that response and get them to go back on that response, we might just get what we're asking for," Selectmen's Chairman Stuart Smith said.

"What we need to do is contact our Congressional group, I think, and get them to respond to [Moriarty's letter]," Sarmanian said. He noted the letter does not mention the task force's request to meet with federal officials.

According to Sarmanian, alternatives to the long bridge route would require the taking of 31 more homes on Edgecomb's Cochran and Englebrook roads.

Board secretary Jennifer Elkins questioned the government's reasoning. "I don't understand why it's so hard for them to figure this out," she said. "I mean, an eagle's nest [or] 31 homes?"

Chubbuck suggested the task force, which selectmen created, should make

sure the federal officials are aware of what's at stake for homeowners. She wondered if it would change their opinions, "if they look at the whole picture, and see everything it's going to affect."

Moriarty's letter tells Sarmanian the bypass project does not qualify for a permit to remove the nest while the nest is "active," during the breeding season, or "inactive," following the breeding season, "because [the nests] take can be practicably avoided through the construction of one of the other alternatives under consideration."

"Safety emergencies are the only circumstances under which a permit may be issued to remove or relocate a nest that is being actively used," Moriarty's letter continues. "According to this criterion, the active nest on Davis Island in Maine cannot be removed or relocated because this does not constitute a safety emergency."

When the nest becomes inactive, a permit could be issued if removal is "necessary to ensure public health and safety," if the nest was built on "a human-engineered structure and creates a functional hazard that renders the structure inoperable..." or if removal "is necessary to protect an interest in a particular locality and the activity necessitating the take or the mitigation for the take will, with reasonable certainty, provide a clear and substantial benefit to eagles."

The letter goes on to note that "environmental conditions" for the bypass project could still change, "due to the expanding population of bald eagles in Maine and the extended construction window for the project."

"The Service is continuing to work

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with MDOT [the Maine Department of Transportation], ACOE [the Army Corps of Engineers], and other stakeholders as we study the potential social and environmental impacts of all practicable alternatives," the letter states.

Smith said of the letter, "They don't even express anything about loss of homes in there." He agreed with other board members that the impact to properties should be emphasized. He suggested seeking "some kind of legal help, to write a letter stating an opinion about those structures that would be taken if the bypass is moved...I don't want to see these people leave, unless they all want to leave."

"They wouldn't want to leave," Sarmanian said. "These are real peo-

ple. They've put that time, energy, money, into their home."

The task force was to meet on Tuesday of this week, to begin planning its next moves following the letter, Sarmanian said. He reiterated the need to get Maine's Congressional delegation involved; in addition, Smith said he will be contacting the governor's office.

In other business, selectmen agreed to hold a special town meeting on September 26, beginning at 7 p.m., at the town hall, to raise \$1,000 for the shellfish committee and \$3,000 for the Wiscasset Ambulance Service.

Wiscasset officials met with Edgecomb selectmen last spring about the ambulance service's budget, but

board members explained at the time that it was too late to get the first-time request onto the May town meeting warrant.

Sarmanian said the shellfish committee funding was not on the May warrant, due to an "oversight."

Also Monday, Jarryl Larson reminded selectmen of her concerns about the town's blasting ordinance. Smith told her he read the ordinance, and found that its formulas for determining who gets advance notice are "interesting. They don't take into account any kind of ledge...We know Maine's riddled with ledge, and it can run for miles and can upset houses," he said.

"I think we could probably improve it," Smith said of the ordinance.