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Penobscot Bay Watch
LD 735

Penobscot Bay Watch
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Supplemental Testimony to the Environment and Natural Resources Committee
Regarding LD 226 and LD 735: The Critical Need to Address the Sears Island
Causeway

Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee, my name is Ron Huber, and I run Penobscot Bay Watch - a bay history and advocacy archive.

I provide this supplemental testimony regarding the greater estuary issues at stake if the island is industrialized as proposed.

While my previous testimony addressed the broader conservation value of the island, I would like to specifically address the ecological impacts of the Sears Island causeway and, how it relates to the bills under consideration.

An important starting point: the currently solid causeway connecting Sears Island to the mainland was unlawfully built. See: 1985's *Sierra Club v. Secretary of Transportation*. 779 F.2d 776 (1st Cir) (the Brennan admin and US Coast Guard knowingly lied by declaring this solid causeway to be a "bridge") Thus no Congressional hearings were needed nor called)

Ultimately the lower court simply required Maine to "monitor" the impacts that this significant ecological disruption wreaked upon this estuary. As any vessel operator or clammer of Stockton Harbor will tell you, those impacts are severe. By completely blocking water circulation around the island, the causeway has fundamentally altered the natural processes that once defined this critical area where river meets bay.

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The sand dunes addressed in LD 735 are themselves partially an artifact of altered sediment transport caused by the causeway. When the causeway dramatically changed how sediment moved through the area, creating artificial accumulations in some areas while depriving others of natural sand replenishment. Any comprehensive protection of these dunes must consider how the causeway has altered their formation and ongoing development.

Equally important: Prior to the causeway's construction, waters from the Penobscot River and Penobscot Bay mixed and circulated freely around Sears Island, creating a productive brackish zone especially within Stockton Harbor

*The Penobscot people named this area "Essick" or "great shellfish bay" in recognition of its remarkable shellfish abundance.

*Historical surveys from 1966-67 documented harvestable clam populations valued at up to \$405,000 (in 1960s dollars) from just 57 acres.

But today the causeway blocks this circulation pattern, effectively jamming the natural exchange between these waters.

This has measurably degraded ecologically mandatory estuary transitional zones for numerous species:

Migratory fish (including endangered Atlantic salmon, striped bass, and sturgeon) have lost critical travel corridors

Shellfish populations have declined dramatically due to altered sediment patterns and reduced water quality

Salt marsh habitat has been fragmented and degraded

Water quality has deteriorated in the semi-enclosed Stockton Harbor. This as waste leachates rich in heavy ionized metals erode and filter into the waters.

Stockton Harbor is so low in planktonic biodiversity that multiple would be aquacultureists have³ set up then, only to depart in a year or two when their oysters starve.

As the committee considers these important conservation bills, I respectfully urge you to include provisions for studying and implementing appropriate modifications to the causeway so that the ecosystem recovers

Modern bridge planning would maintain pedestrian access but limit mechanized island traffic to maintenance and emergency vehicles.

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Visitor motor vehicle parking would continue limited to the sides of the remaining portions of the causeway itself

The conservation easement proposed in LD 226 and the dune protections in LD 735 represent important steps, but their effectiveness will be limited without remediating the causeway's impacts on the island's surrounding waters.

Real protection of Sears Island must include restoring the natural water circulation that once enriched this top of Maine's biggest bay

Thank you for your consideration of this critical aspect of Sears Island protection.

Respectfully submitted,

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