

### **AFFIDAVIT OF BRETT GILLIAM**

I, BRETT GILLIAM, being first duly sworn, depose and state:

1. My name is Brett Gilliam and I reside in Phippsburg, Maine.
2. I have been a commercial lobsterman since 1968, and regularly fish 600 traps out of Small Point Harbor.
3. I am one of approximately 12 lobster boats that fish out of Small Point Harbor, and approximately 8 boats that fish out of Popham and Bay Point.
4. The area surrounding Jackknife Ledge ("JKL") off Popham Beach State Park is the traditional summer fishing grounds for the Small Point, Popham and Bay Point lobstermen. This area contains highly productive lobster habitat and is very heavily fished between July and September.
5. I regularly trap the area surrounding JKL between July and September, including the proposed disposal area 0.4 miles south of JKL and areas surrounding the disposal area. I also fish the haul routes to the disposal site. Generally, I set about 50 traps in this area.
6. The proposed disposal area 0.4 miles south of JKL is in about 40 to 50 feet of water and is subject to tremendously strong currents and daily incoming and outgoing tides. Based on my lifelong experience setting lobster traps in this location, it is my belief that dredge spoils will not settle within the 500-yard circular disposal area but instead will disperse widely with the currents and tides into a much broader area.
7. Once dredging starts I will not be able to fish in my traditional fishing grounds within the haul route or disposal area. Due to concerns about loss of gear that could be buried by dispersal of spoils during settling, I will not be able to fish the buffer zone around the disposal area either.
8. The value of each trap, with associated ropes and pots is \$100.
9. If the Corps buries the JKL area in 20,000 cubic yards of spoils as planned, it will kill an enormous number of lobsters, including non-legal lobsters (females and under/over sized lobsters) that I, as a commercial fishermen, throw back in order to properly conserve and manage the species.
10. I will not be able to fish these areas for the remainder of the season, as they will be buried. I am concerned that burial of the area in several feet of spoils will harm lobster populations and will severely degrade what is now high quality habitat, possibly for years to come.
11. As noted above, this entire area is very heavily fished. Once displaced from the JKL area, I cannot move my gear to other locations because they also are heavily fished.
12. Loss of the ability to fish the area surrounding JKL between July and September will adversely affect my ability to make a living.

13. I remember when the Corps used to dispose of dredge spoils near Seguin Island. This area is no longer heavily fished by commercial fishermen, because most of the fish are gone.

Signed Brett Gilliam

State of Maine, Sagadahoc County  
June 30, 2011

Personally appeared the above-named BRETT GILLIAM and, being first duly sworn, made oath that the statements contained in the above Affidavit signed by him are true.

Before me,

Steph F. Hancock

Print Name: Steph F. Hancock

Notary Public Attorney at Law 9795

My Commission Expires: Aug. 2011