

Bristol Mills Dam ad hoc Advisory Committee

Minutes of Meeting Tuesday, December 5th, 2017
Bristol Town Office

Committee members present: Pam Allen, Phil Averill, Claire Enterline, Chuck Farrell, John Freburger, James Hatch, Abby Ingraham

Absent: Jim Albright, Bill Benner

Also present: A. Beaudet, M. Farrin, C. Hall (Town Administrator), J. McLean (Wright-Pierce), C. McLetchie, R. Poland.

The meeting was called to order by chair Enterline at 6:07 pm with a quorum present, and the Pledge of Allegiance was recited.

Minutes/Agenda

A motion to accept the minutes of the meeting of November 28th was proposed by Farrell and seconded by Hatch, with two corrections of spelling. The motion carried unanimously.

Agenda items were passed. Two items were added to the agenda: estimates of the harvest value of alewives (Enterline) and consideration of the petitions being circulated (Averill).

Alewife harvesting: At the request of the committee, the Chair had requested expected economic impact of an alewife harvest and for the town and local lobster industry from Michael Brown, responsible for river herring harvest and restoration at the Maine Department of Marine Resources. In a letter to the Committee he noted that in the event of restoration to the maximum carrying capacity of the river system, income to harvesters of between \$70,000 and \$100,000 could be expected. Assuming that the availability of alewife bait would stimulate new lobster fishing effort (rather than assuming a switch from other bait sources), additional lobster landings worth between \$528,000 and \$1,506,000 could be expected. Town Administrator Hall had contacted the Town of Newcastle for information on the value of the harvest at Damariscotta Mills, and reported that Newcastle earned \$9,000 in 2017 from their 50% share of the joint harvest with Nobleboro. This profit received by the towns is a portion of the total harvest profit, which is also shared with the harvester.

Farrell asked if harvesting is only possible once a threshold of fish returns is reached; Enterline reported that this level is 591,000 for the Pemaquid River, a level that would have to be sustained for four years; DMR could then recommend to open the fishery, controlling harvests through days open and closed, for example 4 open/3 closed each week. Final approval of a fishery is made by the Atlantic States Marine Fisheries Commission after recommendation by the DMR. Approval guidelines may change over time.

Documents explaining the Committee's work: two documents were discussed. One would respond to recent Facebook discussions of the Committee's work which had contained many inaccurate depictions of the Committee's work and its draft report; and a second which would serve as an Executive Summary to the report itself. As a basis for the first, Farrell had circulated a draft (now including feedback from Benner) which was used as the basis for discussion.

Ingraham requested that Option B be captioned in such a way as to clarify the intent of the option, such as "Remove the dam and replace with nature-like water fish passage near Benner Road." In discussion, this was felt to be too long and Averill asked that the term "remove (the) dam" be removed as potentially incendiary; it was agreed to use the words, "Replace dam with a nature-like water level control and fishway structure."

Allen asked that emphasis be placed on the low number of alewives passing the existing fishway, as opposed to the capacity of the lakes. Farrell noted that in his draft he was trying only to respond to the concerns he hears from citizens; but there is a reference to the numbers of alewives in his second section. Allen was asked to draft an additional short paragraph to amplify this point.

The document will be published on the Town's web site. The committee decided that the information from the document be summarized for a press release to the Lincoln County News. The release would also include information about the committee's upcoming schedule and the study's background.

Petitions: after brief discussion, chair Enterline ruled that the Committee (collectively and individually) should have no role in petition-gathering, either for or against any position on the future of the dam. Hatch noted that it is not the Committee's job to respond to everything, or to spend its scarce time discussing them. Enterline then asked that the Committee move on to consideration of the remaining sections of the draft report.

Feasibility Study Review

Section 6

Farrell asked that acronyms and abbreviations, such as 'NFPA' and 'AHJ,' be spelled out.

6.1.3: Concern was expressed about the ISO ranking of the dam as a 10, or 'lowest' rating. This may be due to incomplete data, or to the age of the assessment. Ingraham's suggestion of modifying the wording to read, "As of the latest ISO assessment...." was accepted. Wright Pierce will also include the date of the last assessment.

6.3: Hatch requested removal of the sentence at the top of page 6-7, and replacement with the simple statement, "Bristol Fire and Rescue is the final authority having jurisdiction (AHJ) at the Bristol Mills Dam site."

Section 7

A small number of typos and misspellings were addressed.

Section 8

There was considerable discussion of how best to present a summary table showing expected expenditures for each option. It was agreed that these should be separated by time period (years 1, 2 through 5, 6 through 10, 11 through 20 and 21 through 50).

8.2: Under Option A, Farrell asked that a sentence be inserted to clarify that improvements would help the dam improve its classification to 'satisfactory.'

Addition of the cost of a second Denil passage, likely to be needed to bring the rate of fish return to 600,000 or more, was discussed. It was agreed that this cost should be listed under Future Capital Investments. McLean thought that this expenditure would likely be appropriate in 10 years or so if the first Denil passage was successful in increasing numbers.

In the listing of Initial Capital Investment costs on page 8-2, it was agreed that 'Reconstruction of Fishway' should be replaced with 'Construction of New Fishway.'

Farrell asked if the cost of eel passage is included in the estimates. (It is.)

Albright had noted in written comments that the General Maintenance and Operation section did not mention the use of volunteers. McLean noted that this paragraph referred principally to

repairs, not operations; he agreed to revisit GM&O costs for all three options, using the federal Allowable Rate for Volunteers.

8.3: Agreed that this Option be entitled “Replace Dam with Nature-Like Water Control and Fishway.”

Albright in written comments suggested keeping part of the dam abutments as an historical memento, and possible cost saving. McLean believed that this would increase, not save, costs. Wright Pierce will include in section 5 a description of the possibility to keep part of the dam abutments with a discussion about the uncertainty of costs associated with this.

The question of additional maintenance costs at Ellingwood was raised, and who would pay for them (the Parks Commission or the Town). Some costs currently incurred at the Dam Swimming Hole would be transferred to Ellingwood.

After considerable discussion of the total costs of dry hydrants, it was agreed that it would not be worth the cost of extra work by Wright-Pierce to refine these further.

It was noted that the order of listing “Potential Ellingwood Park Fire Water Supply” and “Park Enhancements” should be reversed; a dry hydrant would only be accessible if the park driveway enhancement is installed, so the enhancements should come first.

Regarding Option C, on page 8-5, it should be clear that it makes economic sense to completely remove the existing dam and replace with a lower structure if this option is pursued because the structural integrity of the dam would be compromised

Section 9

McLean agreed to edit the Conclusions section, though there were many supportive comments to the effect that this is a sufficient summary of the study for public dissemination. Averill suggested that this should serve as the handout or summary for public consumption. Enterline reminded the Committee that the Selectmen have asked the Committee to develop an Executive Summary; she would not recommend having too many different summary pieces.

Farrell noted that the way the last sentence of the second paragraph of Section 9 reads, it could mistakenly be interpreted that Option C only provides **some** - not all - of the needed firefighting water supply. It is the case that **some** swimming “at the dam” will still be possible with a lower dam (in shallower water). He requested, and the Committee agreed, to move the word “some” from where it is currently located to immediately before the word “recreation.”

Publicity for the completion of the report

After further discussion, Enterline summed up the understanding of the Committee that there would be three documents made available to the public in addition to the full report itself, which few would read in full. These would be (i) the Executive Summary, which Allen volunteered to draft and circulate by email; (ii) Farrell’s draft response to the public debate (with Allen’s additional paragraph), for use on the web site and use as a handout; and (iii) a press release, including much of the Section 9 ‘conclusions’ page, describing the wrap-up of the Committee’s work.

Public comment:

Alex Beaudet asked that it be stressed that funds may be available for dam removal, and that a petition be started to counter the “keep the dam” petition being circulated. Enterline repeated her earlier warning that the Committee should not engage with any kind of petition or campaign.

It was agreed that a further meeting be scheduled (date to be agreed by email) in early January, to prepare for the Public Hearing in late January and give final approval to the revised draft report for publication.

In the absence of additional Public Comment, the Committee adjourned at 8:27 pm.

Respectfully submitted,
Chris Hall