

Meeting Notes: Summary BRIDGE ST DAM

Tuesday, September 9, 2014 at 7:00 pm at the Yarmouth Town Hall. Meeting to discuss the issues requiring further investigation in regards to potential removal of the Bridge Street dam and ancillary improvements of the fish pass structure(s) at Elm Street.

Nat Tupper, Yarmouth Town Manager, welcomed everyone and explained the task at hand. Approximately 25 people were in attendance. Not everyone made an entry on the sign in sheet, so there may have been additional persons present not listed below: (please feel free to notify Nat Tupper of others present if noting their presence in the record is desired).

Nat Tupper, Alan Gregory, Jeff Verrill, Phoebe Hardesty, Mark Norton, Josh Royte, Steve Heinz, Landis Hudson, Bob Byron, Matt Craig, Peter Milholland, Jerry King, Alan Dugas, Steve Arnold, Jim Dusch, Jay Clement, Deborah Delp, George Kendrick, Jeremy Bell, Bruce Soule, David Craig, Tamson Hamrock, Vanessa Farr, Randall Bates, Andrew Kittredge, Kenna Small, (others?)

A quick review of the history and events of the considerations from roughly 2005 to March 2014 related to the Royal River restoration/dam removal considerations was offered. Nat also reviewed the specific charge he was given by the Town Council in March 2014 and requested that the group stayed focused on those matters going forward. Specifically the Council had endorsed in concept the idea of removing the Bridge Street dam (but not Elm Street) and improvements to fish passage at Elm Street (other than dam removal). The Council requested particular focus on environmental and ecological concerns with removing Bridge Street dam AND adverse potential impacts dam removal might have on navigational interests, sediment transport and contamination of downstream public and private areas which require periodic maintenance dredging, as well as potential impacts on water quality, shellfish resources, aqua cultural activity and similarly potentially impacted activities.

The request was to stay focused on these issues while recognizing that other broader questions about dam removal (such as aesthetics, recreation above the dam, fish passage, historic preservation, hydro power capacity and other considerations) have already been considered by the Town Council and would no doubt be reviewed and considered again by future Town Councils when/if funding commitments and authorizations to proceed with dam removal or other actions were on the table.

So, with this focus on paying particular attention to potential adverse impacts and challenged to maintenance dredge activities, Jim Dusch (DEP) provided a broad overview of DEP's perspective on permitting and ecological criteria for permitting dam removal. Jay Clement (USACOE) provided some additional insights as to Federal requirements,

With a follow-up informal questions session, Jim, Jay, George Kendrick (Stantec), Bruce Soule (citizen), Deb Delp and Steve Arnold (Marinas), Steve Heinz (citizen/recreational fishing), Jeff Verrill and others were able to help clarify the issues, concerns and challenges including a healthy discussion about the isolated mercury "hot spot" detected downstream of Sparhawk Mill, and questions of who "owns" the river bottom.

The group turned its attention to developing (in very broad terms) the scope of an investigation needed. (It being stated and understood that work and technical assistance from experts and the regulating agencies would be needed to refine a scope of work and estimate a budget requirement).

In bullet form only, the following issues were identified:

- Mercury: Particular attention and more testing is needed to confirm the presence, location, nature, extent of mercury above or below the dam and to assess
 - (a) the potential for it to be remediated, or mobilized as a result of dam removal,
 - (b) if mobilized (sediment transport) what consequences/risk does that present for future dredging and/or water quality marine harvesting concerns
- Further quantification of sedimentation quantities and characteristics generally (other COPC's- "Chemicals of Potential Concern") and the potential impacts of mobilization as a result of dam removal.
- An understanding of remediation options, costs and risks
- A detailed listing and understanding of the regulatory/permit requirements, processes, and requirements and the costs/potential time frame to seek such permits.
- A better understanding of the options, costs, permit requirements, time frames, process for fish pass structure(s) improvements at Elm Street
- An estimate of the costs of all of these studies (and potential funding sources for them)
- A refined estimate for cost of construction if dam removal at fish pass structure(s) improvements were proposed – including project design and engineering, probable costs of construction and construction monitoring, as well as construction/contract risk management, and environmental liability concerns.

Additional issues/considerations for potential re-visiting were places in "Pandora's Box" (aka a "parking lot for issues) including:

- Changes to existing habitat conditions, and
- Ownership of the river bottom - and the implicated responsibility for remediation, if required

An agreement was reached to form a smaller "work group" to help flesh out the issues above, with periodic reporting to the entire group (and anyone else interested) as a recommendation to the Town Council on how to proceed is prepared for April 2015. Volunteers included:

- Peter Milholland or Joe Payne of the Friends of Casco Bay,
- Matt Craig of the Casco Bay Estuary Project (USM),
- Deborah Delp (Yankee Marina),
- Landis Hudson (Maine Rivers),
- Bruce Soule, P.E. (resident)
- Jeremy Bell (The Nature Conservancy and Yarmouth Resident).

Susan Bogle Kraus and Alan Stearns were suggested in abstention as potential additional resources.

Henry Clauson of TRC will be contacted to see if he is still willing to volunteer some time to help. Jim Dusch (and appropriate DEP staff) offered to assist and advise but not as "members", as did Jay Clement for the Army Corps.

Nat offered to send out summary notes and to convene the smaller work group to get started.

Meeting adjourned at 8:50 pm.

Respectfully,

Nat Tupper

Town Manager