

Presumpscot River Watershed Coalition
October 27, 2005
4:00- 5:30 p.m.
@ MDEP, Canco Road, Portland

Next Meeting of the PRWC Board

Thursday January 26, 2006 4:00 – 6:00 PM

In attendance (at all or part of the meeting): Forrest Bell-PRW, Jeff Varricchione-DEP, Betty Williams-CCSWCD, Diane Gould-EPA, Matt Craig- CBEP, Sandy Cort-FOPR, Erin Crowley- Americorps, Karen Young- CBEP, Will Plumley- FOPR, Jim Stahlnecker- DEP, Richard Curtis, Gorham Sebago Land Trust, Lois Winter, US F&W, Dusti Faucher, FOPR, Brooks Moore, Westbrook, Mary Cerullo, Friends of Casco Bay, Nan Cummings, Portland Trails

I. Introductions/Purpose of Meeting:

Will handed out a table and map from the report *Gorham Bypass Wetland Mitigation Site Search: Preliminary Findings*, prepared by Normandeau Associates for the Maine DOT. He explained that the purpose of the meeting was for the PRWC to evaluate the 4 projects proposed by the Maine DOT as possible mitigation for 24.3 acres of wetlands impacts which will result from the construction of the Gorham Bypass. PRWC representatives (Karen, Forrest and Dusti) have been invited to join key state and federal agency representatives on a site walk November 8th, at which time they will act as advocates for our preferred project. This is a major habitat restoration/protection opportunity for the River. Projects #7 (RWS Property), #8 (Presumpscot River Corridor), #11 (Gully Brook) and #16 (Cumberland Mills Dam) are the four possible choices. Only one project will be selected by the responsible state and federal agencies (Maine DEP and US Army Corps of Engineers, with comments to be provided by US F&W, EPA, IF&W and DOC).

The Executive Committee met earlier today and representatives of the Executive Committee discussed the possible choices. It was agreed to eliminate #11 from discussion because it is not in the Presumpscot watershed and was not considered a strong project by the Executive Committee.

II. Describing the Projects

Cumberland Mills Dam

Dusti discussed #16, Removal of the Cumberland Mills Dam. She noted that this is quite different from the other projects, since it is neither land protection nor restoration, the usual types of mitigation projects selected by the agencies. Removal of this dam is key to getting fish passage on the River. We have to have fish passage at Cumberland before the FERC requirements for passage kick in at the upstream dams. FOPR intends to work with the state, making a case for implementation of the IF&W requirement for fish passage. The best option ecologically is dam removal. This could be the lynch pin for opening up 16 miles of the river to anadromous fish. It would provide the biggest impact

for the whole region in terms of river restoration. There are two spillways at the mill. If fish passage is required by the state, likely it would only be at one channel, leading to potential problems, lost fish, etc. Removal is our best chance for success. This site is difficult because it is right under a working mill. It would be more difficult and expensive to remove than Smelt Hill.

Will pointed out that SAPPI owns the dam and SAPPI would have to agree to remove the dam. Based on a meeting with DOT, removal of the dam does not meet the criteria typically used, i.e., regulators look for restoration of the functional values lost, usually selecting a site near the impacts. If there is not a good restoration choice, they may consider protection of similar wetlands. The agencies are not clear on how to evaluate the dam removal choice.

Rich asked if SAPPI would be likely to go along with the dam removal. Dusti said that we really don't know. It is a monetary opportunity for SAPPI, since they will likely be required to do fish passage on the dam. Lois noted that if the dam removal is selected, the state agencies will only allow the negotiation process to go for about 6 months. If they cannot resolve the issues, at that point they would select an alternate project.

It was noted that Dean Van Dusen, DOT, said the dollar amount for the mitigation has not yet been set. Dusti noted that removal of the dam (not including engineering design costs) would probably be about \$1.5 M.

RWS Parcel

Forrest described #7, the RWS parcel project. It involves 264 acres, including a 50 acre parcel that abuts Rt. 25 between Westbrook and Gorham (near Beals ice cream). It includes some open fields, ditched areas, 1900 feet of river frontage. The restoration part of the project would be 20 acres in a heavily ditched area that is currently a monoculture of buckthorn, an invasive species. The area is zoned commercial/industrial. The central portion of the site is developable and is not proposed as part of the mitigation. The area to be protected by an easement includes an unnamed stream corridor and river frontage, including part of the old Cumberland and Oxford Canal.

It was noted that much of the river corridor portion of the project is already protected as part of the 250 foot buffer zone, so not much is gained. The restoration proposed may not be viable because of the extent of invasive species, the fact it is next to a major road, and the questionable results of the proposed alterations to the ditches. Lois questioned the habitat value of the potentially restored wetland area.

River Corridor

This project would involve protecting 1.25 miles of riverbank through a conservation easement. The riverbank includes the unnamed tributary and river front area from the RWS project above, extended to the north. There would also be some restoration work related to cattle that now use the river, causing bank erosion. The cattle would be fenced out, an alternate water source provided. At its narrowest, the proposed buffer is 250 feet; the rest is wider. The project could also include widening the planted buffer area, which

is now as narrow as 10 – 15 feet in places. There is no public access, although DOT said they would consider it. This project provides much more river front protection than the RWS parcel project (7200 feet versus 1900 feet). The landowners are all interested in this project. The Gorham Sebago Land Trust would be the easement holder.

Lois noted that we could recommend that public access be included. If the corridor is wide enough, there shouldn't be a conflict between people and wildlife.

III. Executive Committee's Recommendation and Group Discussion

Will noted that the Executive Committee met earlier and agreed to recommend the Cumberland Mills Dam removal as their top choice. The Executive Committee did not rank the other two projects. If we were to support either of these projects (#7 or #8) we would want to make some suggestions to strengthen the projects.

Mary asked whether SAPPI needs the dams. Dusti noted that they use the dam to get process water. Jim noted that this opportunity could be the catalytic event that finally gets the dam removed. Dusti noted that all the agencies that are part of the FERC process are in favor of fish passage at Cumberland Mills. Dana Murch from DEP is strongly supportive of the dam removal. She noted that it is very hard to get dam removal money. Jeff asked if the ACOE could be encouraged to use the dam removal as a training exercise. Dusti noted that the location of the dam would make it too difficult for training.

Nan Cummings expressed her support for the dam removal, noting it is a unique opportunity. There may be other ways to protect the land.

Brooks Moore said he supports the dam removal but cannot speak for Westbrook policy makers. Westbrook was part of the consensus decision but stated that the City of Westbrook be allowed to change its mind."

Sandi noted this would be the biggest thing to happen to the river in 250 years.

Matt wondered why the dam removal is given a Medium/High rating in the table. It is likely because this is such an atypical choice. All agreed that the dam removal should be considered wetland restoration.

Mary noted that the dam removal choice would generate lots of publicity.

Rich thought that the dam removal was the best choice overall. He noted that a 2nd choice is needed, #8 would be the best choice.

DEP members present agreed with the decision but did not formally participate because their agency is a decision-maker in this process.

Consensus

Will summarized the discussion. We agree that dam removal is our top choice and that #8 is our 2nd choice. There will be an opportunity to talk with the regulatory agencies and we can offer to help solve the problems with #s 7 and 8 if either is ultimately selected.

All concurred.

Will summarized the next steps. The Executive Committee will frame the message to be conveyed to the regulators at the Nov. 8th site walk. A decision could be reached by the regulators as early as November 8th.

Next Meeting

January 26th, 4 PM at DEP, Canco Road.