

**Presumpscot River Watershed Coalition  
Annual Meeting  
March 28, 2006  
3:00 – 5:00 p.m.  
@ MDEP, Canco Road, Portland**

**Next Meeting of the PRWC Board  
Thursday May 25 3:00 – 5:00 PM**

**In attendance:** Forrest Bell-PRW, Jeff Varricchione-DEP, Betty Williams-CCSWCD, Diane Gould-EPA, Matt Craig- CBEP, Sandy Cort- FOPR, Karen Young- CBEP, Will Plumley- FOPR, 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, Fred Dillon - PRW, Don Kale – DEP, Christopher Jones – USM, Justin Rich - USM, Brandon Kulik, Kleinschmidt Associates, Merrie Cartwright, NOAA Fisheries, Bob Heyner, Cumberland Con. Comm.

**I. Introductions** – Will welcomed the speakers and all present introduced themselves. The meeting got underway at 3:10 PM.

## **II. Project Proposal Presentation – Fish Assemblage Study**

Brandon Kulik, a fishery biologist from Kleinschmidt gave a powerpoint presentation to introduce the PRWC to the ongoing Fish Assemblage study in Maine rivers. The project is conducted under the supervision of Chris Yoder, Midwest Biodiversity Institute, with funding from USEPA. In 2006 they would like to continue the work by surveying fish in the Presumpscot and Saco Rivers and are looking to the PRWC for funding support.

Brandon noted that the approach used looks at the entire fish ecosystem to measure biological progress as we improve the water and habitat quality of rivers (e.g., dam removal). For example, are desired fish present? Are species no longer endangered? Are invasive species gone or minimized? Is the ecosystem self-sustaining, with little human assistance needed to maintain species abundance? Fish are a good indicator of ecosystem integrity. An Index of Biotic Integrity (IBI) has been used in the western part of the US as an assessment tool. The IBI model needs to be regionalized for this part of the country. This study is collecting the information to develop an IBI for Maine based on measurable parameters (metrics). The IBI would provide an objective score to rate the status of the ecosystem and to provide management guidance. For example, if there are carp instead of brook trout, the water is too warm in summer and the appropriate management action may be cooling the river through added riparian vegetation.

Lois asked if the IBI could show us what the fish assemblage would look like without the Cumberland Mills Dam in place? Brandon noted that we can look to a relatively pristine area or build a scientific caricature of a pristine area. He gave an example of an impoundment on the Sebasticook that showed more “riffle dwelling” versus “pool-dwelling” type fish would be expected without the impoundment. Thus it was possible to

predict species and biomass after the removal of the impoundment, based on downstream assemblages.

Once developed, the IBI for Maine waters can be used to assess:

- Water quality improvements
- Habitat restoration
- Instream flow production
- Habitat connectivity
- Fishery management achievements
- Advance or retreat of invasives

He noted that this study is the first time anyone has catalogued what fish are in Maine's rivers.

The IBI premise is

- Key attributes can be classified into metrics
- The least impacted assemblages exhibit distinctive structural and functional attributes
- Deviation of metrics from a reference condition indicates a problem in the system.

Basically the IBI gives you a biological community condition versus human disturbance gradient.

Some examples of generally applied metrics are: tolerant species, intolerant species, abnormalities, common carp, specialist insectivores, generalist omnivores, top carnivorous piscivores, non-indigenous, invasive, lithophilic spawners... For New England, additional metrics would include cold water species (e.g., salmonids), tidal/freshwater, anadromous fish.

Data is collected by electrofishing from a boat in late summer. Jeff asked if the tributaries are included and Brandon noted that they are. The study commenced in the Kennebec, a good starting point because it has many diverse types of riverine characteristics. Information on the work is online at <ftp://ftp.Kleinschmidtusa.com/1011-004/> <http://www.sebasticookriver.org/images/SRES.pdf>

Merrie asked where they would sample in the Presumpscot. Brandon noted they can tailor their sampling sites with a mix from the upper and lower river. They would not be sampling Sebago Lake. Brandon encourages input from our fishery committee. Dusti noted that the Normandeau study found electrofishing difficult because the fish are deep. Brandon said they will fish at night when the fish move up or set nets on the bottom for presence/absence.

### **III. Project Presentation – Gravel Pit Study**

Christopher Jones and Justin Rich joined us from USM to report on the gravel pit study that we funded in response to a presentation last year from their professor Irwin Novak. Christopher, a senior in the Geoscience Dept., gave a powerpoint presentation. The project mapped sand and gravel mines (with rivers, roads and watershed boundaries

added), looking at the growth of mining within the watershed. The result combines state and DEP data on licensed sites. DEP licenses pits over 5 acres. Pits under 5 acres are unlicensed but can be registered. They used 1998 1-meter grayscale imagery, 2001 half-foot color imagery and 2004 SPOT satellite imagery. They looked at each year of imagery and outlined the areas where surface soils had been removed. For all sites (both licensed and unlicensed) the total increase from 2001 to 2004 was 191.75 acres. They also mapped areas that could be mined (excluding buffers). The map Christopher displayed showed there is not much correlation between the location of existing mines and where they are allowed.

The conclusion of the study is that mines are growing in size. They did not look at environmental impacts or the depth of the pits. Gorham has the greatest number of pits. Brandon noted that he has given his presentation to the Gorham Zoning Board and that it was well received. We will be provided with a CD with maps and GIS tools, data layers.

#### **IV. Board Member Nominations (Annual Meeting Business)**

Will noted that the Executive Committee recommends adding Matt Craig as an Executive Committee member. There are currently 5 and the By-Laws allow 9. Matt was approved by consensus. Will discussed the need to recruit new members to the PRWC. Betty noted that she will be on a Tannery brook site walk on Sunday with the Gorham Con. Comm. They may be interested. Brooks suggested a property owner and Matt noted a realtor/developer would be good. Merrie suggested someone from USM's science department (Rob Sanford perhaps). Jeff suggested a local ATV club representative. Fred noted that more town participation is needed but that it has been difficult to get. Falmouth and Portland have been contacted. Brooks agreed to talk to other planners about participating. Also, Merrie suggested that more volunteer Con. Comm. Members (like Bob) could be approached. They may not be terribly effective but they do know what is going on in the towns and may benefit from working with the PRWC. The Executive Committee will discuss this further at their next meeting.

#### **V. New Business**

##### **SD Warren vs. Maine DEP**

Dusti noted that the SD Warren vs. Maine DEP case went Feb. 21<sup>st</sup> to the US Supreme Court. Briefly, the issue is about the definition of the word "discharge." Does s. 401 of the Clean Water Act apply to licensing a dam? We don't know how the decision will go. A total of 37 states filed amicus briefs in favor of Maine. We'll learn the decision in June. Because the Presumpscot's FERC license includes the state's provisions, the suit will not likely impact the Presumpscot itself. SD Warren could reopen the license. The decision is an important one because it would impact all other US dam relicensing.

##### **Cumberland Mills Dam**

Regarding Cumberland Mills Dam, Dusti noted that the fish passage provisions of the FERC license are contingent upon fish passage at the Cumberland Mills dam. Inland Fish and Wildlife has the authority to order fish passage. FOPR will publicly ask SD Warren to voluntarily provide passage. If not, they will then go through an adjudicatory hearing process that will take a couple of years. If IF&W order fish passage at

Cumberland Mills, within 2 years the next dam upriver will have to have passage. The rest of the dams have biological triggers, as determined by state and federal agencies.

Dusti noted that SAPPI can not decide to abandon the dams even if they go out of business. She passed out petitions, seeking public support for the hearing. She requested that they be returned the first week in April.

### **Gorham Bypass Mitigation**

Forrest expressed his disappointment over an e-mail he had received from Dean Van Dusen. The e-mail indicated that none of the proposed mitigation sites in the Presumpscot watershed would be selected. The Army Corps and US Fish and Wildlife decided to select a site in the Nonesuch River watershed, Larabee Farm, a private 288 acre parcel with gravel pits where wetlands would be restored and protected. Karen noted that the impacted 25 acres is in the Presumpscot watershed and it doesn't make sense to go outside the watershed for a mitigation site. Also, Richard noted that gravel pits on private property should be restored by the owner.

Betty asked if the public usually has input into the selection process. Have we opened the door? Matt said the public is not usually included, but we were invited to participate because of the restoration inventory. Lois explained that in her conversations with the USF&W regulatory staff, the policy is to seek in-kind, in-place restoration of the same kind of wetland (in this case, palustrine forest wetland). Since there was no similar wetland to restore in the Presumpscot, they went to the Nonesuch watershed. The agency fears that exceptions might ultimately weaken their ability to direct mitigation funds solely to appropriate mitigation projects. The good news is that we were invited to be involved and that could set a positive precedent. Karen sent an e-mail expressing disappointment but thanking the agencies for the opportunity to participate.

### **Wrap-Up and Next Steps**

Will indicated that other agenda items (PRW Guide, Albuquerque Targeted Watershed Conference, Presumpscot Watershed Initiative Project update) would be covered at the next meeting. He noted that we need to make a decision on funding for the Fish Assemblage study. The proponents need \$35,000 to complete the project and are looking for our support. By consensus, the Executive Committee was given authority to decide whether to provide funding and how much.

Jeff noted that the NEAB meeting takes place March 29-31 and that it will include a presentation on the Fish Assemblage project. Contact Don or Jeff or the DEP website for information.

### **Next Meeting**

Thursday May 25<sup>th</sup>  
3- 5 PM at DEP, Canco Road.

