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KENNEBUNK LIGHT & POWER DISTRICT
COUNTY OF YORK
STATE OF MAINE

- - -
OPEN PUBLIC MEETING
TRANSCRIPT OF AUDIO RECORDED PROCEEDING
(Zoom Video Conference)
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KENNEBUNK LIGHT & POWER DISTRICT
4 FACTORY PASTURE LANE
KENNEBUNK, ME 04043
TUESDAY, JANUARY 26, 2021
5:00 p.m.

- - -

BOARD MEMBERS:

- PRESIDENT: DAVID CLUFF - (PRESENT)
- VICE-PRESIDENT: ROBERT EMMONS - (PRESENT)
- GENERAL MANAGER/TREASURER: TODD SHEA - (PRESENT)
- CLERK: DAN BARTILUCCI - (PRESENT)
- TRUSTEE: BRADLEY "SCOTT" DUCHARME - (PRESENT)
- TRUSTEE: BEVERLY FREUDENREICH (PRESENT)

ALSO PRESENT:

Matthew Rancourt, Business Manager

1 A P P E A R A N C E S:
2 Vickie Adams, Kennebunk, ME
3 Susan Bloomfield, Kennebunk, ME
4 Kenny DeCoster, Kennebunk, ME
5 Joseph Webster, Biddeford, ME
6 Kevin Flynn, Kennebunk, ME
7 Bob Grillo, Kennebunk, ME
8 Bill Grabin, Kennebunk, ME
9 Bob Wuerthner, Kennebunk, ME
10 Kathy Polletto, Kennebunk, ME
11 John Polletto, Kennebunk, ME
12 Curtis Mildner, Kennebunk, ME
13 Dr. David Wayne, Kennebunk, ME
14 Sandy Nedeau, Kennebunk, ME
15 Brian Beaudette, Kennebunk, Maine
16 Dan Sayre, Kennebunk, ME
17 Joyce Schnaars, Kennebunk, ME
18 Keith Schnaars, Kennebunk, ME
19 Tom Berry, Kennebunk, ME
20 John Burrows, Mousam and Kennebunk River Alliance
21 Casey Clark, Maine Department of Marine Resources
22 Tim Murphy, Saco, ME
23 Betsy Stevens, Kennebunk, ME
24 Landis Hudson, Executive Director, Maine Rivers
25 Robert Georgitis, Kennebunk, ME

1 A P P E A R A N C E S (continued):

2 Peter Gyimesi, Kennebunk, ME

3 Ian Durham, Kennebunk, ME

4 Corbin Hilling, NOAA Fish and Wildlife Service

5 Sarah Stanley, Executive Director, Kennebunk Land
6 Trust

7 Matt Streeter, Vice-President, Trout Unlimited -
8 Sebago Chapter

9 Ward Hansen, Kennebunk, ME

10 Albert Kolff, CEO, Mousam River Hydro, LLC

11 David Huntress, Brunswick, ME

12 John Costin, Kennebunk, ME

13 Kyle Scardino, Kennebunk, ME

14 Joseph Wolfson, Kennebunk, ME

15 Chauncey Copeland, Kennebunk, ME

16 Bill McDavitt, National Marine Fisheries Service

17 Oliver Payne, Kennebunk, ME

18 Peter Ashley, Cape Neddick, ME

19 Tim Sommers, Kennebunk, ME

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21 (Other members of the public may have been present but
22 not identified.)

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TRANSCRIPT OF PROCEEDINGS

THE VERBATIM PORTIONS OF THIS MEETING are supplied to you on the condition that receipt thereof will certify the accuracy of the spoken word but not that of the speakers.

THE VERBATIM PORTIONS OF THIS MEETING are a transcript of the recorded proceedings and since the proceedings were not taken in front of a court reporter, accuracy in the depiction of speakers cannot be guaranteed in the colloquy of the transcript.

THE VERBATIM PORTIONS OF THIS MEETING are the only official transcript which may be relied upon for purposes of verbatim citation of the proceedings.

1 Whereupon, President Cluff called the meeting to
2 order at 5:00 p.m.

3 PRESIDENT CLUFF: This is being recorded so
4 that it will be able to be viewed by others that were
5 unable to meet tonight. We are asking that we keep our
6 public comments to about three minutes. I think the
7 last I heard, the General Manager reported that there
8 was over 30 people on this call. I'm not sure if all 30
9 are going to want to speak tonight or not, but it could
10 take a while to get through this process if it gets too
11 lengthy.

12 If you do have written comments that you
13 want entered into the record, those can be sent over to
14 the General Manager and the General Manager will enter
15 them into the record. Tonight's meeting will also be
16 transcribed and that transcription will also be entered
17 into the record and sent to FERC. If you have written
18 documents that is one, two, three or more pages, we ask
19 that you not read those comments verbatim, but give us a
20 summary. Otherwise, we're not going to make it through
21 the timeline that we're looking at. But, those comments
22 can always be sent to the General Manager, again, and he
23 will enter it into the record.

24 The General Manager -- I'm going to turn the
25 meeting over to the General Manager. He's going to run

1 the meeting from here, 'cause he has control over
2 everybody that is joining us from Zoom, and that way he
3 can select everybody for their comments and -- I think
4 he has some opening words that he wants to say and then,
5 after that, we'll come back to the Board before public
6 comment, to see if the Board has any last words that
7 they want to say to the public before we open it up.

8 So, Todd, it's all yours.

9 GENERAL MANAGER SHEA: All right. Thank you
10 very much, Duffy. I'm Todd Shea, General Manager of
11 Kennebunk Light & Power. The Trustees will be
12 soliciting comments this evening on the FERC license
13 surrender application for Project P5362. Kennebunk
14 Light & Power has held the license for our three
15 facilities since 1982. It's important to note that KLPD
16 has operated the Kesslen generating facility in one way,
17 shape, or fashion since 1893.

18 The surrender application and plan was
19 unanimously approved by the Board of Trustees on
20 December 15, 2020 with the culmination of a year's worth
21 of deliberations, ample public discourse, much public
22 comment and extensive legal and technical research. The
23 Board approved surrender application plan is the best
24 financial -- in the best financial interest of KLPD and
25 its ratepayers. The years of supporting documentation

1 are available on our website, www.klpd.org.

2 The Board approved surrender application and
3 plan takes into consideration the historical nature of
4 KLPD's and other's impoundments on the Mousam River, the
5 non-jurisdictional nature of facilities immediately
6 upstream of KLPD's facilities, the number of impediments
7 on the Mousam River, industrial and utility uses of the
8 Mousam River upstream of KLPD's stretch, the age and
9 condition of KLPD's generating equipment, the cost of
10 re-licensing and upgrading necessary to continue
11 operation and any return on that investment, and
12 community sentiment.

13 I'll ask now, Trustee Cluff, if he has -- if
14 he, or any other Board members, have any comments before
15 we open the public meeting.

16 PRESIDENT CLUFF: All right. I'll go around
17 the Board and see.

18 Scott, do you have any comments that you
19 would like to make before we go to public comment on
20 this surrender plan? Scott?

21 TRUSTEE DUCHARME: No.

22 PRESIDENT CLUFF: Okay. Beverly?

23 TRUSTEE FREUDENREICH: I think we tried to
24 do our due diligence on this and really work through the
25 steps of it and tried to be careful with the wording and

1 that's why the public's input on wording and -- is
2 important.

3 There's been a lot of desire to have hydro,
4 but it is expensive on refurbishing the -- the equipment
5 and that's the challenge. And, so, coming forward and
6 being able to leave things as they are and not disturb
7 the environment I think that was our goal.

8 PRESIDENT CLUFF: All right. Thank you,
9 Beverly.

10 Dan, do you have any comments?

11 CLERK BARTILUCCI: No, I don't.

12 PRESIDENT CLUFF: Okay. Thank you.

13 Bobby?

14 VICE-PRESIDENT EMMONS: No. I think Beverly
15 just said a good -- a good -- did a good job.

16 PRESIDENT CLUFF: All right. Thank you.

17 Yeah, I just -- I concur with what Beverly
18 said. I want to thank, you know, the Board for all of
19 their hard work and time that they put into this. I
20 know it hasn't been easy. I know at times we've been on
21 different sides when it comes to this. I think the
22 Board has worked very hard over the years trying to
23 drill down into this and do what is best for the
24 community and I think the plan that we have put
25 together, that we've all agreed on, some of us may be

1 happy with it, some of us may not be happy with it. Or
2 maybe we're just all in the middle, where we're able to
3 move forward, but we're here and this is the final
4 process and I think, you know, the Board should be
5 commended on all of the work that they did with this, as
6 well as the General Manager.

7 The General Manager has been the one
8 steering the ship on this. Without his guidance and
9 some hard work, you know, we'd still be trying to work
10 through this process.

11 GENERAL MANAGER SHEA: Thank you, Duffy.

12 PRESIDENT CLUFF: So, I thank everybody on
13 this and, Todd, I'll turn the meeting back over to you.

14 GENERAL MANAGER SHEA: Excellent. So, like
15 -- like the President said, we're going to try to limit
16 the time to three minutes. So I have a timer here. I'm
17 going to start timing when you begin speaking. What
18 I'll do is, I'm going to go in order of the folks on my
19 screen. I'm not necessarily alphabetical, although I
20 might start alphabetically. I'm going to go through the
21 folks on my screen. I will ask that you un-mute. If
22 you wish to speak, un-mute, introduce yourself, let us
23 know if you are a KLPD customer, your interest, and make
24 your comments, please, and I'll remind everyone when I
25 -- when I get to you.

1 And I'm going to start with what as I see as
2 Vickie Adams. If you have any comments, please un-mute,
3 Ms. Adams. There you go. Oh. There you are.

4 MS. ADAMS: Okay. I guess what I would say
5 first of all is I think it was a good decision not to
6 continue making the electricity because, you know, I
7 totally agree with the Board on that. But I'm very
8 concerned about the fact that the dams will remain and
9 continue to be an obstruction for the anadromous fish
10 that swim up the river.

11 I also am aware that these river herring are
12 really important for the lobster industry. They use the
13 herring as bait and the population of river herring is
14 -- is far less. According to one source only one
15 percent of what it was historically. So that's my main
16 concern now, is I think the dams are an obstruction and
17 I would like to see a lot more effort towards either at
18 least fish passage or removal of the dams.

19 So, that's my opinion and that's all I have
20 to say. Thank you.

21 GENERAL MANAGER SHEA: Ms. Adams, are you a
22 KLPD customer?

23 MS. ADAMS: Yes.

24 GENERAL MANAGER SHEA: Thank you very much.
25 Thank you for your comments.

1 Next is going to be Susan Bloomfield. If
2 you have anything you'd like to add, please, Susan,
3 un-mute yourself, introduce yourself, and -- and go on.

4 MS. BLOOMFIELD: Hi. Can you hear me okay?

5 GENERAL MANAGER SHEA: I can.

6 MS. BLOOMFIELD: All right. Good. Thanks,
7 Todd. Good evening. My name is Susan Bloomfield. I'm
8 a West Kennebunk resident and a ratepayer, and I would
9 like to speak in opposition to KLPD's proposal to
10 surrender the three dams, gut them, and I feel,
11 irresponsibly, leave them in place. These obsolete dams
12 obstruct the natural flow of the water. They adversely
13 affect the water quality. They disrupt fish spawning
14 and migration cycles, and, without question, the entire
15 natural ecosystem of the Mousam is gravely impacted by
16 the dam's presence.

17 And all of this over the years has been
18 undisputed. To restore the Mousam to some semblance of
19 its balanced ecological past, the dams need to be
20 removed. Leaving the dam structures in place is the
21 equivalent, I think, of leaving garbage in the road. At
22 its core it's selfish and irresponsible, a dangerous
23 impediment to the flow, and it becomes somebody else's
24 problem to address.

25 Gutting the dams and leaving them in place

1 implies abandonment. It implies irresponsibility. It
2 implies irresponsibility. And I need to ask the Board
3 and Mr. Shea, is that what you want for KLPD's legacy on
4 the river?

5 This is your chance to take full
6 responsibility for opening the river and restoring pride
7 in this resource. The long-term health and vitality of
8 the Mousam is in Kennebunk's best interest.

9 Thank you very much.

10 GENERAL MANAGER SHEA: Thank you very much,
11 Ms. Bloomfield. And you did say yes, you are a KLPD
12 customer?

13 MS. BLOOMFIELD: I am.

14 GENERAL MANAGER SHEA: Thank you.

15 Next up is going to be Kenny DeCoster. If
16 you care to speak, I've asked you to un-mute.

17 MR. DE COSTER: Thank you.

18 GENERAL MANAGER SHEA: Thank you.

19 MR. DE COSTER: My name is Kenny DeCoster.
20 I'm a resident and a KLPD ratepayer. I'm going to echo
21 the sentiments that were just said. I mean, when I
22 first moved here 20 years ago, the Lafayette Center, the
23 dams, all are very historic, they -- you know, it's part
24 of the past and it was -- it was part of the core of
25 Kennebunk. But when the licenses for the dams came up

1 for renewal and I found out how little electricity was
2 being generated, it felt like an opportunity, an
3 opportunity that since the dams were no longer an
4 economic gain for the Town, they could be removed and
5 when the river runs free, there's much more of a --
6 there's an ecological benefit, but there's also an
7 economic benefit.

8 Vickie Adams mentioned the herring
9 supporting the lobsters and there is sports fishery
10 downstream and that would all be enhanced with the
11 removal of the dam. Like Susan Bloomfield said, the --
12 the dams are obstructing the river. When you take them
13 out, the water quality goes up and the river gets
14 restored, and I -- I do believe that KLPD has the
15 responsibility not to leave them in place. They are
16 still going to need maintenance and, you know, they --
17 they aren't doing anything, and I realize that it costs
18 money to take them out, but I think in the long run,
19 we're going to see a lot bigger benefit.

20 Those are my comments. Thank you for
21 letting me speak.

22 GENERAL MANAGER SHEA: Thank you, Mr.
23 DeCoster.

24 Next up I have Joseph Webster's iPhone.
25 Joseph Webster's iPhone, if you'd like to speak.

1 MR. WEBSTER: Hi. My name is Joe Webster.
2 I live in Biddeford, Maine. I'm here to say the dams
3 need to go. I think it is extremely irresponsible to
4 leave them in and even building fish ladders is not
5 adequate. I'll keep it short and sweet and say that's
6 all. I feel very strongly about this.

7 GENERAL MANAGER SHEA: Thank you, Mr.
8 Webster.

9 Next up I've got Kevin Flynn. Kevin, if
10 you'd like -- there you go.

11 MR. FLYNN: Can you hear me?

12 GENERAL MANAGER SHEA: Yes.

13 MR. FLYNN: Okay. I'm Kevin Flynn, I'm a
14 ratepayer in Kennebunk. I live in Kennebunk. I've been
15 here for a long time and fish in the Mousam River. I
16 swim in the Mousam River. I kayak in the Mousam River.
17 Fresh water, salt water, you name it, and I love that
18 river. It's very close to my house. I live just a
19 couple of blocks away and I look at it just about every
20 day one way or another and I would love to see those
21 dams removed and that lower section of the river in
22 Kennebunk, which amounts to about 40 percent of the main
23 stem of the river, give that a chance to run free.

24 You know, everybody in town who pays any
25 attention to that river know that there's a -- there is

1 a river herring run in the river. You can just stand
2 down by Kesslen Dam and look into the water at the end
3 of May, early June and you will see masses of fish down
4 there. I've caught and eaten shad in that river and
5 they taste pretty good. I generally catch and release,
6 but, you know, shad is -- is a real tasty fish, so I do
7 eat them once in a while.

8 That -- that river has some real potential
9 for restoration. I think it's tragic to leave those
10 dams in place. I don't understand why all three are
11 being considered to be left in place and certainly they
12 should be looked at if you -- you know, for fish
13 restoration, fish passage at the very least, but from a
14 maintenance standpoint, I don't understand the, you
15 know, where your -- in your plan you really outline the
16 long-term maintenance costs of those dams going forward.

17 Yeah, you can let them alone for a few years
18 and nothing is going to happen probably, but that isn't
19 going to be the case over a long period of time. I've
20 heard some estimates of over a half a million dollars in
21 20 years. It could be significantly more. I don't see
22 where that is in your plan and I'm concerned about that.

23 But, primarily, I'm concerned about the
24 river, the water quality. You know, the Town of
25 Kennebunk has a sewage treatment plant that dumps

1 effluent into the tidal portion of that river. What's
2 coming downstream is very important to how that sewerage
3 gets diluted and how clean the river is down at -- as
4 far down as Parson's Beach.

5 This is one of the biggest resources in
6 town. Yes, taking the dams down will be a change, but
7 the river will be beautiful, I believe, and all of the
8 recreation opportunities that we have now would be
9 enhanced if those dams were removed.

10 Thank you very much and I appreciate the
11 work that the members of the Board are doing and have
12 continued to do. I know it's a lot of work to -- to be
13 on any board and you guys have -- have done a good job.
14 But I do think this -- this plan is lacking in -- in the
15 way that it addresses these dams. Thank you.

16 GENERAL MANAGER SHEA: Thank you, Mr. Flynn.

17 Next, Mr. Grabin. Maybe it is alphabetical.
18 No, it's not. Oh, can't hear you, Bill. You're
19 un-muted, but we can't hear you. Want me to come back
20 to you, Bill? Okay.

21 Next is R. Grillo.

22 MR. GRILLO: Grillo, yes. My name is Bob
23 Grillo. I'm a Kennebunk resident and KLPD customer. I
24 appreciate all of your efforts in this project. I know
25 it's been long, and difficult and time consuming. I do

1 support removal of all the dams, but my main comment
2 tonight is that your surrender plan does not address dam
3 safety. You're leaving the impoundments behind these
4 dams. They're old, they need maintenance, and without
5 FERC oversight, the District will be solely responsible
6 for the safety of these dams.

7 I live downstream of the dams, one of
8 hundreds of Kennebunk residents that do, that could be
9 damaged, you know, by a dam failure here and I'd implore
10 you to take the safety of these dams seriously. I would
11 like to review your dam monitoring and safety plan at
12 some point and maybe I could call and find out where
13 that is, but that is something I want to review
14 carefully and stay on top of to make sure you're meeting
15 your responsibilities here.

16 Thank you.

17 GENERAL MANAGER SHEA: Thank you, Mr.
18 Grillo.

19 Next up -- are you ready, Bill?

20 MR. GRABIN: I think so. Can you hear me?

21 GENERAL MANAGER SHEA: I can hear you, Bill.

22 MR. GRABIN: Okay. I'm Bill Grabin, a
23 Kennebunk resident and KLPD ratepayer. I just want to
24 make one comment tonight, at this point anyway, which is
25 that six months ago, approximately, KLPD received

1 letters from NOAA, the federal agency, as well as the
2 Commissioner of Maine's DEP, (the Department of
3 Environmental Protection), the Commissioner of Maine's
4 DMR, (the Department of Marine Resources), and the
5 Commissioner of Maine's IF&W, International -- Inland
6 Fisheries and Wildlife -- too many acronyms
7 --(inaudible) -- letters addressed to KLPD saying
8 essentially that as you will be decommissioning the dams
9 that are under your ownership, we'd like to invite you
10 to talk about the plan. They're concerned about the
11 health of the rivers and the water quality, something to
12 that effect, and we would love to get together with you
13 --(inaudible) -- whatever, and share our thoughts and
14 let you know what resources we might have available, and
15 KLPD's response was -- was absolutely nothing. Zero.

16 GENERAL MANAGER SHEA: We lost you, Bill.
17 Wiggle your -- we lost you right there.

18 PRESIDENT CLUFF: Todd, also, can you see
19 who Chuck is and mute him because we're getting feedback
20 from whoever that is.

21 GENERAL MANAGER SHEA: Okay.

22 TRUSTEE FREUDENREICH: I had difficulty
23 hearing Bill.

24 PRESIDENT CLUFF: Yeah, Bill was -- I could
25 hear Bill, but it was --

1 GENERAL MANAGER SHEA: It was choppy.

2 PRESIDENT CLUFF: There was some background
3 noise in there as well.

4 MR. GRABIN: Where did you lose me?

5 GENERAL MANAGER SHEA: We could hear -- it's
6 the way it's been. If you keep talking, we'll hear you
7 in the recording. We just -- you cut out a moment ago
8 completely.

9 MR. GRABIN: Okay. Thank you. I was just
10 saying that KLPD received these letters from the state
11 and federal agencies. They did not take them up on
12 their offer at all to hear what they had to say, to hear
13 what they might contribute to KLPD's deliberations and
14 considerations. Instead, KLPD just elected to get
15 together with their attorney in a series of executive
16 sessions and put together a decommissioning plan. And I
17 just think it's outrageous that they did not even
18 respond to the agencies and hear what they had to say
19 and these letters are available and posted on KLPD's
20 website -- (inaudible) -- and I encourage people to take
21 a look at them. I don't understand why KLPD did not
22 include them in the work they did as they put together
23 their decommissioning plan. Thank you.

24 GENERAL MANAGER SHEA: Thank you, Bill.

25 Next is listed as Joan, but I'm fairly

1 certain that Bob is going to speak. Mr. Wuerthner?
2 Hang on, Bob. I've got to -- Bob, I've got to un-mute
3 you. There you go.

4 MR. WUERTHNER: Okay. Good. Yeah, it's
5 Bob. Ratepayer, resident of Kennebunk and just -- when
6 I read the draft, I was surprised that you're still
7 using the Alden Report to, I guess, suggest that there's
8 no fish in the water. I can't believe that. It --
9 first of all, it's ten years old and it -- it doesn't --
10 it doesn't pass the smell test. As Kevin and any number
11 of people have said, in the spring at the base of
12 Kesslen, the river herring, the shad are -- you can't
13 miss them. They're there. And even if you -- if you
14 drive across the bridge this weekend, just look down and
15 you'll see guys fishing. So there are fish in the river
16 and the -- they can't get upstream.

17 So, I urge those of you that have not, you
18 know, walk down from -- from Rotary Park, there's --
19 there's a nice path and take a look at the fish and
20 we've got to save them and help them grow and increase.
21 So, again, this is for the fish and we need fish passage
22 or we need to take the dams down to save that resource.

23 GENERAL MANAGER SHEA: Thank you, Mr.
24 Wuerthner.

25 Next up is -- I see Mr. Polletto. It says

1 Kathy. Oh, I see Mrs. Polletto. Please un-mute
2 yourself and speak if you wish.

3 MRS. POLLETTO: Okay. There's both of us
4 here. We're John and Kathy Polletto and we are
5 ratepayers and we're Kennebunk residents.

6 MR. POLLETTO: Yeah, Todd, I have a couple
7 of questions. First of all, I'm in favor of keeping the
8 dams. If the dams are removed, do we know what kind of
9 sediment or waste that's in the riverbed will be -- will
10 be picked up and will -- will go downstream into the
11 ocean? Do we have any kind of a sense as to what kind
12 of a volume that might be at this point?

13 GENERAL MANAGER SHEA: As the President
14 said, Mr. Polletto, in the interest of time, it won't be
15 question and answer. That information is available on
16 our website, though.

17 MR. POLLETTO: Oh, okay. Go ahead.

18 MRS. POLLETTO: The other thing is, I'm in
19 favor of keeping the dams. We live on the river, but we
20 also, especially during COVID, we have seen a lot of
21 activity with people, you know, using kayaks, canoes,
22 and whatever and it's really been nice to see it used
23 much more. I know everybody is concerned about fish,
24 but I think we should also be concerned about the people
25 that need the recreation. Plus, if the fish come

1 through the dams, they can only go so far, because
2 there's dams upstream that will not be coming down, so I
3 don't see -- they'll never get to the lake.

4 And then, the other thing I'm really worried
5 about is, number one, what was -- oh, yeah, when we have
6 lowered the water -- when KLPD has, we have like a --

7 MR. POLLETTO: Culvert.

8 MRS. POLLETTO: Culvert on our property and
9 actually that is lower than the actual riverbed, so
10 you're going to have a real problem, 'cause we're not
11 the only ones that has a culvert, with water just being
12 stagnant, bringing mosquitoes and everything else into
13 that one area and other areas along the river. So, I
14 really feel that by removing the dams, the water is
15 going to go down to a trickle. It's not going to be a
16 big river like a lot of these people believe that there
17 are.

18 And the other thing I just want to mention,
19 when we had the vote a few years ago, the percentage of
20 the residents here in Kennebunk voted to keep the dams,
21 so I'd keep that in mind.

22 Do you have anything else to say?

23 MR. POLLETTO: No.

24 MRS. POLLETTO: Okay. Thank you.

25 MR. POLLETTO: Thank you.

1 GENERAL MANAGER SHEA: Thank you, Mr. and
2 Mrs. Polletto.

3 Next up, if you wish to speak, Mr. Mildner.
4 Curtis, you're un-muted, but I still can't hear you.
5 You've -- maybe your microphone is not plugged in.

6 MR. MILDNER: Yeah, I have this fancy
7 headset today to use because I'm working at the computer
8 all the time, but thanks. I'm not trying -- I don't
9 plan on speaking for hours, but I do have some comments
10 on the filing, and questions in general. I just have a
11 lot of questions and I think these questions are pretty
12 serious and that, you know, they need to be answered
13 before the people of Kennebunk can move forward.

14 First thing, in the report it says the --
15 the decommissioning plan describes will have no
16 environmental effects. No environmental effects.
17 Pretty extreme statement since the dams are already
18 having environmental effects in terms of reduced water
19 quality, it affects the type of fish and also the limits
20 on the type of fish that can go up the river.

21 Yes, I understand that it's nice to have a
22 pond, but if there's a free flowing river where people
23 could fly-fish, they could kayak up and back, and I
24 think that is -- that just doesn't seem to be correct.
25 No environmental effects? And plus, as it was a few

1 years ago, we had some public benefit to the dams. That
2 is, we had electricity. Now there's no public benefit
3 and so I'd like to see the Trustees really take a
4 complete look at the environmental effects of keeping
5 the dams versus dam removal or keeping the dams and fish
6 passage.

7 Which brings me to the next topic, which
8 really is your financial duty to the ratepayers. I - I
9 am really from Missouri, about the cost of maintaining
10 these dams in a safe way. I know that there was a
11 report done. Is it the GZA Report? I think this report
12 is now four-and-a-half year's old. I hope that you
13 didn't use this report to come up with your estimate of
14 what it's going to cost to maintain the dams, because
15 they just plug in numbers. \$100,000 every ten years.
16 I've been in business a long time, and when I'm doing a
17 spreadsheet that pushes things way out in the future,
18 you put in a plug number. It's not really clear that's
19 a real number at all and it could be a very big number.
20 So, what are we strapping the ratepayers with over the
21 course of the dams? Indefinitely repairing and
22 maintaining structures I understand were not built for
23 longevity? I think that's going to be a big question.

24 The cost alone could be significant and I'm
25 not sure that the idea of just leaving them in place --

1 it may sound simple, but over the course of time that
2 doesn't seem so fiduciary -- so fiscally responsible.

3 And then I get into, of course, the whole
4 safety issue. Leaving old dams in place with no real
5 plan to protect the people below them is crazy and you
6 can see throughout history a number of catastrophes that
7 have resulted from dams collapsing and some of these are
8 pretty significant dams. Even those people who live
9 upstream of the Kesslen Dam would be surprised how much
10 water could come crashing down and how it could affect
11 their property if these dams were not maintained.

12 So, I guess -- Like I said, I'm from
13 Missouri on this. I'd like to see more facts and I
14 realize you guys have been working hard and working
15 years on it, but both for the environmental, safety,
16 cost, I think there needs to be a lot more investigation
17 of this before you move ahead with any decommissioning
18 plan. And that plan needs to be backed up with rigorous
19 data, clear thinking, transparent information.

20 So, unfortunately, based on what I've seen,
21 I think -- I think you've got some more work to do in
22 order to really meet what the people of Kennebunk are
23 going to need.

24 GENERAL MANAGER SHEA: Thank you, Mr.
25 Mildner.

1 Mr. Wayne, Dr. David Wayne, you are up --
2 you are down -- you are back there. I'll go with you
3 next, sir.

4 DR. WAYNE: Okay. Can you hear me?

5 GENERAL MANAGER SHEA: I can.

6 DR. WAYNE: David Wayne, resident of
7 Kennebunk and a ratepayer. And first, I want to
8 congratulate you on what I think is -- it's a very
9 straightforward, it's a simple plan. It does take into
10 account fiscal responsibility in large part. We would
11 be, as ratepayers, paying a huge amount for the
12 multi-million dollars that it would cost to not only
13 take down the dams but reclaim the land around.

14 I particularly liked one of the footnotes,
15 Footnote 5 in the document itself, which talked about
16 the possibility of, in the future, if clean energy is
17 available, that that might be an option for us, because
18 that was a primary reason for keeping the dams in the
19 first place.

20 With the 18 inches that the water -- the
21 depth of the water, we do know that most fish would not
22 survive based on the temperature of the water and so on.
23 The pollution impact is huge potentially, knowing what
24 was on there. I'd -- and so I'm very much in favor of
25 the report. I think FERC will come back and tweak it a

1 reasonable amount, probably asking for things like
2 signage and so on.

3 I do have a question. I know they're not
4 being answered now, and perhaps this would be directed
5 at Mr. Cluff, and that is, although it is a historic
6 site, Kessler is not on the national registry of
7 historic sites, and of course, has to have KLPD do that,
8 and I'd love to know the implications of that going
9 forward for the Town of Kennebunk.

10 Thank you.

11 GENERAL MANAGER SHEA: Thank you, Dr. Wayne,
12 and either Duffy or I will get back to you in response
13 to your question.

14 Okay. Next in line I see Sandy and Ed's
15 iPad. If you'd like to speak, please un-mute yourself.

16 MS. NEDEAU: Hello. Can you hear me?

17 GENERAL MANAGER SHEA: I can hear you. Can
18 you give us your name, please?

19 MS. NEDEAU: Yes. My name is Sandy Nedeau.
20 I am a resident of Kennebunk and a ratepayer. But --
21 and I, too, would like to advocate for taking the dams
22 down, removing them. I am concerned with the
23 maintenance costs and safety as well, but I have been a
24 teacher for more than 50 years, and pride myself on
25 advocating for young families and the least among us.

1 And in this case, I wanted to speak to the incredible
2 opportunity for young children, older children, families
3 together to fish in the river. It gets -- fishing is a
4 -- is an historic pastime for Mainers. It gets people
5 of all ages off devices. It teaches them incredible
6 life skills and it teaches and reinforces a love of
7 nature and conservation. We live in a magical little
8 town and we need to conserve and empower people to
9 absolutely love the nature that is all around us.

10 I also read that fish in the river can have
11 a huge impact on the commercial fisheries in the Gulf of
12 Maine and we all know that that is our bread and butter
13 for our state and I'm very anxious to protect that as
14 well. I feel like a -- a viable, vital river, and lucky
15 for us it runs right down through town, will bring a lot
16 of people to town, as well. Fish runs are a lot of fun
17 to watch and throughout the state in rivers that have
18 been restored, that has become a real draw to the town
19 which, of course, in turn, supports the food industry
20 and I think that is a piece that no-one has spoken to
21 and I think it needs a lot more attention before a
22 decision is made to leave dams in place. So, I would --
23 I would strongly advocate for removing them.

24 Lastly, I want to say that I've served on a
25 lot of boards and it is a thankless job, and I want to

1 thank everyone of you for your time and your
2 consideration as you keep moving through this process.
3 Thank you.

4 GENERAL MANAGER SHEA: Thank you, Ms.
5 Nedeau.

6 Up Next, Mr. Beaudette. Brian Beaudette I'm
7 asking you to un-mute.

8 MR. BEAUDETTE: Yup. Can you hear me?

9 GENERAL MANAGER SHEA: Yes, I can.

10 MR. BEAUDETTE: So, my name is Brian
11 Beaudette. I'm an architect in the Town of Kennebunk.
12 I am a Kennebunk resident. I am a KLPD ratepayer, and I
13 actually live on the Mousam River. In fact, my house
14 has a beautiful view of the cove. That said, I am still
15 in favor of removing the dam, not keeping them in place
16 with a fish ladder. I am in favor of absolutely
17 removing the dam. There's -- there is no use for it.
18 As people have already mentioned, there's a huge
19 environmental impact if we keep the dams in place and,
20 unfortunately, I know this is a public hearing, and I
21 know that you have a deadline for your letter and I've
22 been to many of these meetings before over the past few
23 years, and I've seen the direction that this Board has
24 taken and I don't think you're going to take any of our
25 advice to heart. I think you're going to still submit

1 the letter that you've already come up with. So, I feel
2 like, unfortunately, what everybody here is saying is
3 falling on deaf ears and it's very disheartening to
4 realize that a company that I rely on for electricity is
5 so anti-environment.

6 You know, you claim on your brochures that
7 you are trying to be green with your solar panels and
8 whatnot. You can never, ever claim that you are a green
9 agency if you agree to leave these dams in place. I'm
10 extremely passionate about that and I can't believe that
11 you have not listened to the people who have gone to all
12 of these meetings over these past years. It's just very
13 discouraging.

14 That's all I've got to say.

15 GENERAL MANAGER SHEA: Thank you, Mr.
16 Beaudette.

17 Up next I've got Dan Sayer.

18 MR. SAYER: Hi, Todd. Longtime fan of the
19 show. First time calling in. Thanks for taking my
20 call. I'm a Kennebunk resident and a satisfied KLPD
21 ratepayer. I am a fan of your work especially when CMP
22 has outages.

23 Dams damage ecosystems. It's just a fact.
24 The tradeoff for that damage is the production of
25 electricity through hydropower. Hydropower has a lower

1 carbon footprint than burning fossil fuels, but it does
2 has certain significant environmental impact on
3 fisheries, water flow, water quality, the accumulation
4 of pollutants, and so on.

5 Surrender in place is unwise. It's a half
6 measure. It doesn't avoid the costs of removal. It
7 just postpones the cost to a later date without
8 addressing the ongoing cost of maintenance, the
9 estimated cost of future removal, or the potential
10 damage that would come from a failure. I am, therefore,
11 requesting that dam removal be undertaken now. If there
12 happens to be a pollution remediation problem buried in
13 the river, that cost won't go away or get cheaper by
14 leaving it in place and postponing it. The postponing
15 and environmental reclamation always makes it more
16 expensive.

17 The benefit of energy production from these
18 dams is gone. So the dams should be gone too. You've
19 got a tremendous opportunity right now to make a
20 dramatic improvement to our town's landscape.
21 Government and nonprofit organizations have all advised
22 KLPD of the benefits of dam removal, and I recommend
23 that KLPD seek partnerships to plan, fund and execute
24 dam removal in order to restore the natural flow of the
25 river in its Kennebunk run to the benefit of local fish

1 and bird habitat and to provide recreational benefits
2 like paddling, fishing and swimming that will be
3 enhanced with the dams gone.

4 Thank you.

5 PRESIDENT CLUFF: Todd? Todd, you're muted.

6 GENERAL MANAGER SHEA: All right. Let's try
7 this again. There we go.

8 Ms. Schnaars, you're on.

9 MS. SCHNAARS: Hi. It's Joyce Schnaars here
10 and my husband, Keith Schnaars, as well. We're
11 Kennebunk residents and we've been following the process
12 the Board has been going through with regard to
13 surrendering the license and we are in favor of removal
14 of the dams; going the full nine yards. I think that
15 the process could be, you know, a little bolder, in
16 terms of going the nine yards again and removing the
17 dams along with the surrendering of the license.

18 I do agree with what Mr. Beaudette had said,
19 as well as Mr. Sayer that just spoke, so we will second
20 that, as well.

21 Also, I want to know if it has been taken
22 into consideration surrendering the dams to the state
23 for removal; is that a possibility? Just throwing that
24 out there. But the dams should go.

25 Thank you.

1 GENERAL MANAGER SHEA: Thank you very much,
2 Ms. Schnaars and Mr. Schnaars.

3 Down here in the corner I have Chuck.
4 Chuck, would you like to speak?

5 (No verbal response.)

6 GENERAL MANAGER SHEA: One more time.
7 Chuck, would you like to speak? Un-mute yourself.

8 (No verbal response.)

9 GENERAL MANAGER SHEA: All right. I will
10 move on then to Tom Berry.

11 MR. BERRY: Okay. I'm Tom Berry. I'm from
12 West Kennebunk and I'm a KLPD -- again, a satisfied
13 customer. I'm so glad that my power almost never goes
14 out and when it does, it's for, maybe, thirty minutes,
15 so it's a very reliable source and I appreciate that. I
16 appreciate the work that you gentlemen and you folks do
17 on the Board.

18 I do recommend removing the dams. Just, my
19 own experience, anybody who has been on the river far
20 upstream, up in West Kennebunk, up by Yankeeland
21 Campground where I am, there's a qualitative difference
22 between the water that's up there and what's below the
23 dam at Main Street -- below Main Street.

24 I was on a canoe two summers ago. I thought
25 it would be a wonderful experience to get a canoe out on

1 the river because I -- someone gave me the opportunity,
2 but I was shocked when I got on there. The river -- the
3 water is just black. I don't know if it's just full of
4 sediment or what, but -- but it seemed like -- it seemed
5 dead to me. There were turtles but that was about it.
6 I didn't see any sign of fish or any -- much bird life
7 even. It was -- it was like -- it was hideous. It
8 seemed like a dead river to me.

9 But, when you get on below the river where
10 the water is actually flowing, I would say that the
11 difference is stark and I would like to see as much of
12 the river returned to that level of life and quality.
13 It would be a great thing.

14 Thank you.

15 GENERAL MANAGER SHEA: Thank you very much,
16 Mr. Berry.

17 Next we will go with John Burrows. That's a
18 grin if I've ever seen one. Wait. You've got to
19 un-mute, John. There you go.

20 MR. BURROWS: Can you hear me now, Todd?

21 GENERAL MANAGER SHEA: Wow. Yeah. I'll
22 turn it down a little bit. I can hear you, John.

23 MR. BORROWS: All right. Thank you. Yeah,
24 I just caught an Atlantic Salmon up in Quebec in that
25 picture so I was quite thrilled. As you can see behind

1 me, I found the nine fish in the Mousam River and so
2 this photo from May 25, 2018 right below the Kesslen
3 Dam, there were over 900 fish that day. These are
4 alewives, blue-back herring, and some American shad.
5 They were all up there that day. Some lobstermen in
6 their cast netting catching lobster bait at the same
7 time and so I've been fishing the river for 20 years,
8 year in and year out, season to season, and I can
9 absolutely tell you that the Mousam is really a tale of
10 two rivers.

11 You've got below Kesslen Dam, which is full
12 of life and then you have above Kesslen Dam, which while
13 there is a great beauty and supports wildlife and bird
14 species, none of those species would be harmed by the
15 removal of the dams. In fact, just about all of those
16 communities and populations would be enhanced by that.

17 In addition, in response to a comment
18 earlier, removal of these dams, which as you all know
19 I'm strongly in support of, would open up nine miles of
20 the main stem of the river plus about six miles of
21 tributaries. That is actually a very large amount of
22 habitat, particularly for a river the size of the
23 Mousam. And since I work on river restoration
24 professionally now for about a quarter of a century, I
25 can say that in other parts of New England people would

1 spend millions and millions of dollars to be able to
2 open up that much habitat.

3 And, before I continue, I just should go
4 back and say that I am a Kennebunk resident and a KLPD
5 ratepayer. And for a little bit of history when my
6 family first moved to town, back in the 1930s, my
7 grandparents worked at the Kesslen Shoe Company. They
8 were managers there before moving on to owning and
9 operating inns in Kennebunkport.

10 As a kid, back in the late '70s early 1980s,
11 I remember going up to the river where Twine Mill is and
12 where Dane Perkins is now, and Twine Mill wasn't there
13 or -- the mill was there. There was no dam in 1980.
14 The dam was completely breached. Dane Perkins was a
15 pile of rubble. There was a small little shallow
16 impoundment. That was it.

17 So, when we're talking about dam removal,
18 you know, we're talking about removing two structures
19 that have been there for, you know, about 40 years. You
20 know, Kesslen Dam has been in place off and on for quite
21 a long time and KLPD has been operating it for about 130
22 years and I think, you know, putting the context of --
23 of that human history into place with the history of
24 going back 12,000 years with the Native Americans that
25 depended on fish in the river or our first settlers when

1 we were part of Wells in the 1600s, 1700s, 1800s that
2 harvested shad and salmon and everything from this river
3 is really important.

4 I guess the last thing I'll say before Todd
5 shuts me off is, I do think you're missing an
6 opportunity here. The last three or four years when we
7 were dealing with the shenanigans of America First Hydro
8 and other things, where we probably could have come
9 together and put some resources together and found a
10 solution that the vast majority of the community could
11 have supported, you really did not do a lot to actually
12 look at in depth dam removal, to look at fish passage in
13 combination with dam removal. And I think, if you look
14 back, when you guys, KLPD, looked at, you know, the
15 process you went through to decide whether or not to
16 renew your license and decided smartly not to, look at
17 the public comments that came in then. You know, they
18 were about evenly split, 50/50, between people who
19 wanted the dams in, people would wanted the dams to go,
20 but a large number of supporters of people who wanted
21 the dams to stay in, wanted fish passage. They said,
22 let's have both. Let's keep the dams, but let's put in
23 the fish passage and try to find that balance.

24 I don't think that you actually achieve
25 balance by doing that, but that is something that the

1 overwhelming number of folks in town I think would
2 support and I would ask KLPD to reconsider that.

3 I think, lastly, I guess I just want to
4 express kind of my sadness in terms of the process
5 moving forward and really just the strategy that you
6 guys, KLPD, is taking. I'm going to refer back here to
7 your, you know, legal memo from August of last year
8 where the bottom of Page 1, it states, and I'll quote,
9 "No removal. No passage. The Mousam is a damned
10 river." It's that kind of approach and attitude that
11 will leave the Mousam a damned river and it will put
12 KLPD and the Town of Kennebunk on the wrong side of
13 history.

14 And I really wish that wasn't the attitude,
15 but that's what's driving this and it's unfortunate that
16 you're going to take that approach and go to FERC with
17 that, but if you're going to do so, I will ask you, as
18 Mr. Wuerthner mentioned before, please stop using crazy
19 falsehoods like there are only nine fish in the river.
20 Be honest about your reasoning. Don't perpetuate these
21 outright lies and just say that this is what you believe
22 needs to be done for economic reasons or whatever, but
23 stop with just perpetuating these incredible lies and
24 misconceptions which do nothing but harm.

25 Thank you.

1 GENERAL MANAGER SHEA: Thank you, Mr.
2 Borrows.

3 Next, Casey Clark, from the Department of
4 Marine Resources.

5 MR. CLARK: Okay. Can you hear me okay?

6 GENERAL MANAGER SHEA: I can hear you, yes.

7 MR. CLARK: Thank you. My name is Casey
8 Clark. I work for the Maine Department of Marine
9 Resources. I'm not a resident of Kennebunkport. I was
10 just calling in to reiterate what many of your residents
11 and ratepayers have reiterated tonight, which is that
12 the Department of Marine Resources and other agencies
13 have reached out, have provided an olive branch in hopes
14 of providing resources and giving you the help that we
15 think you likely would need to move forward with an
16 informed decision for dam river or fish passage at these
17 dams.

18 As many of your other constituents have
19 mentioned tonight, there is a cost of leaving the dams
20 in place. Long-term, there are maintenance costs, there
21 are safety risks and other things that are associated
22 with that and the same goes for any sediment that's
23 behind those dams, that if you're not dealing with it
24 now, you're likely going to deal with it at some point.
25 And constructions costs and contractor costs will only

1 go up over time.

2 So, I'm advocating that we would like to,
3 you know, extend that olive branch again and have that
4 conversation. As our letter, which is dated July 22,
5 2020 stated, there are many agencies within the state,
6 as well as federal agencies that would like to sit down
7 with you and have a conversation about we can work
8 towards a solution for your residents and we're here to
9 provide those resources. We are not trying to argue one
10 way or the other, but provide you resources so that you
11 can make an informed decision.

12 With that, I'll reserve the rest of my time.
13 Thank you.

14 GENERAL MANAGER SHEA: Thank you, Mr. Clark.

15 Next up I see Tim Murphy. If you would like
16 to speak, Mr. Murphy, please un-mute yourself.

17 MR. MURPHY: Yeah, I'm also not a resident
18 of Kennebunk. I live in the nearby town of Saco and I'm
19 also a student at UMaine, Orono, which happens to border
20 the Penobscot River.

21 I'd just like to say that I'm in favor of
22 total dam removal. Many of you have probably already
23 heard about the Penobscot River restoration and the
24 things that it's done for the river. I'm a fisherman
25 myself. I enjoy spending time on the water and I

1 believe that restoration of this river is the right
2 thing in many aspects. I appreciate the comments from
3 everyone before me and that's all I have to say.

4 GENERAL MANAGER SHEA: Thank you very much,
5 Mr. Murphy.

6 And next I have Betsy Stevens. If you would
7 like to speak, please un-mute yourself.

8 MS. STEVENS: Can you hear me now?

9 GENERAL MANAGER SHEA: I can.

10 MS. STEVENS: Okay. I'm Betsy Stevens. I'm
11 a 25-year resident of Kennebunk and I do appreciate our
12 local energy company. I think that you have been
13 incredibly responsive to the needs of the ratepayers and
14 I want to thank you for that.

15 I'm also a retired biologist. Well, I guess
16 once you're a biologist, you're always a biologist.
17 When I started realizing what the situation was with the
18 dams, was actually when I was down in the turbine room
19 with my grandson and a program where each week the town
20 had a program where we visited different areas of town.
21 So, I actually got to see that turbine spinning down in
22 the basement by the dam, so I felt connected to it.

23 But I have also witnessed videos taken of
24 fish that -- the anadromous fish that work their way --
25 that get stymied by the presence of the dam and I feel

1 very strongly about dam removal and as our speaker from
2 the DMV [sic] expressed, I think that you have not
3 necessarily utilized all of the resources for input and
4 conversation about --

5 I have seen rivers that have had the dams
6 removed and in spite of some people's concerns, the
7 volume of water coming down the river is going to be the
8 same volume of water in total. It's not going diminish
9 because the volume -- how much is in the watershed and
10 that's going to continue the way it has in the past.
11 So, what we will end up with if the dams are removed, is
12 an incredibly beautiful river with, perhaps, new
13 vegetation along the sides, new habitat for new
14 critters. We might even get river otters. So, I would
15 be very excited to see the dams removed.

16 And I am concerned about the safety issues.
17 There has already been, about ten years ago, a pretty
18 serious situation that occurred. We just don't want
19 anymore uncontrolled changes that might end up with
20 floods or with people being hurt.

21 So, I'm in favor of dam removal and I
22 appreciate everyone's input and thank you for listening
23 to me.

24 GENERAL MANAGER SHEA: Thank you very much,
25 Ms. Stevens.

1 Next I have -- I don't think Matt has
2 anything to say. If he does, I'll ask him later. We've
3 got Landis Hudson. If you would like to comment, please
4 un-mute yourself, Landis.

5 MS. HUDSON: Thanks, Todd. Yes, I'm Landis
6 Hudson and I'm not in Kennebunk. I'm in Yarmouth. I'm
7 the Executive Director of Maine Rivers and I have been
8 watching this process in Kennebunk for many years and I
9 admit that I'm quite disappointed by the Draft Surrender
10 Plan, which I've reviewed. It's pretty unimpressive and
11 I, frankly, think it's a disservice to the future
12 generations of your community. It essentially puts off
13 the costs of safety, flooding, and fish passage onto
14 either other people in the state of Maine or future
15 generations. So, I'm quite disappointed by this and
16 also somewhat perplexed.

17 I mean, the surrender plan, for example,
18 says that, you know, there's been a long history of dams
19 and no required fish passage. For example, 1954. I --
20 it's just kind of baffling to me that -- that KLPD
21 hasn't taken some of the assistance that has been
22 offered over many years from many different
23 organizations to try and find a better path forward for
24 this river.

25 I think, as a community, you deserve better.

1 Your river deserves better and your -- your future
2 generations, the kids who are in kindergarten now I
3 would hope that they are coming through -- by the time
4 they are coming through high school, I would like to see
5 a better -- a better plan for the future of this river.

6 GENERAL MANAGER SHEA: Thank you. I assume
7 you're done, Landis. Thank you. There she is okay.
8 She muted herself.

9 All right. Next up I have Mr. Robert
10 Georgitis. Mr. Georgitis if you care to speak, un-mute
11 yourself, please.

12 MR. GEORGITIS: Hi. Bob Georgitis. I am a
13 ratepayer and a nearby abutter to the river, but not
14 right on it. An interesting discussion. My perspective
15 is that I think that the economic benefits of hydropower
16 have been proven over the years. I also agree that
17 there should be fish passage. I think that your
18 surrender plan is okay at this point, given where we are
19 and the state of the technology, but if we look at where
20 we're going to go down that path in the future, I would
21 hope that we would be able to resurrect the idea of
22 cogeneration, allowing for fish passage, and the
23 recreation, and all the benefits that everybody is
24 looking for, but keeping that door open and I think
25 that's -- your surrender plan doesn't really speak to

1 that, other than abandoning what's in place.

2 I think that the town's people spoke loudly
3 about wanting to keep what's there because of the
4 impacts and it's not just about the fish. We can solve
5 the fish issue for the next nine miles, but I have not
6 heard anybody tell us what the potential is there for
7 habitat for fish. Everybody talks about wanting to go
8 and use and go fishing, but nobody wants to pay for it.

9 These other agencies have said we'll be
10 willing to partner and talk with you about this, but
11 KLP's responsibility is to look at the fiscal impacts on
12 us as ratepayers and we have that part and I think what
13 you have done with the surrender plan is appropriate at
14 this point in time.

15 Thank you.

16 GENERAL MANAGER SHEA: Thank you, Mr.
17 Georgitis.

18 Next I have -- oh, Peter Gyimesi. I'm
19 sorry, Peter. I just never get it right. If you
20 un-mute, correct me. If you'd like to speak, please.

21 MR. GYIMESI: Can you hear me?

22 GENERAL MANAGER SHEA: I can.

23 MR. GYIMESI: Great. Thank you. Good
24 evening, everybody and thank you to the Board for -- for
25 all of your work through these years on this process.

1 It's difficult balancing the desires with what you hear
2 in town against the interests of two sides in this
3 conversation.

4 So, I'm in support of -- of keeping the dams
5 as outlined in your surrender agreement. I also support
6 fish passage and continued hydroelectricity to power the
7 maintenance on these dams through the balance of their
8 life. I think there is something to be said for the
9 current recreation that's offered in the river now. The
10 environment built over more than hundreds of years and
11 there are endangered species in there as well. So,
12 there is a great of deal of beauty between Duffy's and
13 95 in those impounded areas and then further up for
14 sure.

15 So, I'm concerned at how quickly we're going
16 from surrender in place to -- to the only solution is to
17 take the dams down. I'm concerned about what the
18 implications will be to the environment, and what the
19 costs associated with it will be. I think we need to
20 have a much better understanding of what the impacts to
21 the environment will be. If the dams come down, what
22 the cost will be for remediation or restoration. You
23 know, I think there are a lot of moving parts here and I
24 think we have to get some hard numbers around these
25 things and look at our various options including

1 hydropower and fish passage.

2 Thanks very much.

3 GENERAL MANAGER SHEA: Thank you, Peter.

4 Next up I have iPhone3. Lauren is the name
5 that shows up. iPhone3 if you would like to speak,
6 please un-mute yourself. iPhone3, Lauren, second
7 chance. Would you like to speak?

8 (No verbal response.)

9 GENERAL MANAGER SHEA: Okay. I'll move on
10 from iPhone3, Lauren. And next I have Mr. Ian Durham.

11 MR. DURHAM: Thanks. Can you hear me?

12 GENERAL MANAGER SHEA: I can hear you.

13 MR. DURHAM: All right. Good. Thanks. So,
14 I'm a resident of Kennebunk and I'm a ratepayer. I am
15 also a -- someone who uses that river a lot. I like to
16 fly-fish on the river. I also canoe on the upper river
17 above Mill Road a lot, and I just -- a couple of
18 comments. The -- my biggest concern here is that -- so,
19 first of all, we've sort of been through this for --
20 I've been talking to my daughter about this. My
21 daughter is a senior in high school and she did a
22 project on this in seventh grade. So, we've been doing
23 this a long time.

24 My personal opinion is that I would love to
25 see the dams removed. However, I also understand the

1 logistics surrounding that are difficult and, you know,
2 it's a money issue and there are lots of -- lots of
3 issues surrounding that and I would also -- if we don't
4 remove them, I would love to see fish ladders, but I
5 also understand the costs associated with that.

6 A lot of people have talked about some of
7 the, you know, we need -- we need studies and costs.
8 We've been through this over the last seven years.
9 There are detailed reports that have been out about how
10 much it costs to put these things in. I think the --
11 you know, this stuff is known.

12 I think what concerns me -- I want to -- I
13 want to echo what people said, John Burrows in
14 particular, I think the two things that bother me. One
15 is, a lack of -- so I'm a scientist and so the -- the --
16 the misuse of science in a lot of this has bothered me
17 and I think I really would encourage you to make sure
18 that you -- you make sure that whatever you present to
19 FERC, you make sure that the science is solid.

20 There are fish in there. There are fish in
21 there below the dams. There are fish in there above the
22 dams. They are not the same type of fish, but there are
23 fish in both places. I catch them all the time. It's a
24 routine thing.

25 There are -- you know, the -- certainly, we

1 know what would happen if we took them out. We know --
2 you know, there have been studies on remediation, how
3 much sediment there is behind, et cetera, et cetera, et
4 cetera, so -- but I think that -- I think that the
5 science needs to be made -- you have to be honest about
6 the science when you present it to FERC.

7 The other thing is that I think from the --
8 the standpoint of the long term, what bothers me most
9 about this particular plan is the long-term maintenance.
10 That worries me, so I -- you know, I would hate to see a
11 dam fail, so while my preference is to take them out.
12 If you're not going to take them out, that they be
13 maintained in some manner such that, you know, there --
14 because I have seen dams fail before. Dams that have
15 not been maintained and you've got the State telling you
16 that, you know, they're there and willing to work with
17 you on some of this stuff. It seems like after seven
18 years we could have -- we could have come to some kind
19 of agreement that -- that everybody -- or most people in
20 the town would have been okay with.

21 Nobody is going to love it, because there
22 are passions on both sides. Nobody is going to love the
23 final decision, but this just seems -- what you've
24 decided seems like a copout. It seems just like we're
25 just going to leave them and I really worry about the

1 long-term maintenance and what could happen long term
2 with that.

3 I mean, you know, I would hate to see
4 anything happen to people downstream and I'm not exactly
5 downstream, but I'm only about 500 yards away from the
6 river down in the lower portion and if anything ever
7 happened, I could see some damage to my house.

8 I understand the people who don't want to
9 see their recreation taken away, but I just think there
10 could have been more done to reach some kind of a mutual
11 agreement where all sides were a little bit more -- felt
12 heard and that we wouldn't have to push it -- push the
13 buck down the way a bit and leave it for future
14 generations, 'cause I do think it's going to be a
15 problem in the long term.

16 Thank you very much. I do appreciate KLPD's
17 work, though. I like my rates and I like never having
18 the power out, so.

19 GENERAL MANAGER SHEA: Thank you, Mr.
20 Durham. Okay. So after Mr. Durham I have Corbin
21 Hilling.

22 MR. HILLING: Hi. Can you hear me?

23 GENERAL MANAGER SHEA: I can hear you.

24 MR. HILLING: Okay. I'm a NOAA Fish and
25 Wildlife Service employee and I'm just checking in to

1 see what's going on and I'll reserve my time for other
2 folks.

3 GENERAL MANAGER SHEA: Thank you very much.

4 The next one I have is Sarah Stanley.

5 Sarah, if you would like to add comment.

6 MS. STANLEY: Hi, Todd. Can you hear me?

7 GENERAL MANAGER SHEA: I can hear you.

8 MS. STANLEY: Okay. Perfect. Firstly, I
9 just want to say thank you, Todd, and the Board for
10 giving an opportunity for everyone to have a chance for
11 comment on this and thank you for your work on it.

12 My name is Sarah Stanley. I'm the Executive
13 Director of the Kennebunk Land Trust. The Land Trust is
14 a nonprofit membership powered organization. The Land
15 Trust is based in Kennebunk. I'm not a ratepayer. I'm
16 here on the call in my capacity as the Land Trust
17 director.

18 I want to keep it short in the interest of
19 time because I know we only have a limited amount of
20 time here and I just wanted to reiterate that the Land
21 Trust sees this as an opportunity to work with Kennebunk
22 Light & Power to ensure the protection of wildlife
23 habitat and recreational opportunities along the dam, so
24 I hope that we can continue some of our initial
25 discussions that -- and comments that were made earlier

1 in past calls and I'd love to continue those discussions
2 with Todd and the Board.

3 So, thank you so much for your time and we
4 hope that we can remain connected.

5 GENERAL MANAGER SHEA: Thank you, Sarah.

6 Next up, let's see. Matt Streeter is who I
7 have listed. Matt, if you'd like to speak, please
8 un-mute yourself.

9 MR. STREETER: All right. Thank you very
10 much, Mr. Chair. I'm not a ratepayer or a resident, so
11 I won't take too much time, but I am a member of the
12 Board of Directors of the Sebago Chapter of Trout
13 Unlimited, which covers Southern Maine from about
14 Brunswick south and west to the New Hampshire borders,
15 so the Mousam River is square in the center of our
16 membership area.

17 And what I can say from experience, taking
18 out a number of dams with Sebago To You and other groups
19 and individuals, is that there are a lot of sources of
20 funding for dam removals because of the ecological
21 benefits; both private and government funding. So, the
22 cost of dam removal can be mitigated in that way.

23 And also, a few comments about the sediment
24 issues. In my experience, the sediment is a technical
25 challenge and there's always a solution to it. So, if

1 it's addressed in the process of the removal, as part of
2 the removal project, that can really be addressed and,
3 again, with -- hopefully with outside funding sources,
4 it doesn't -- you know, it doesn't cost the ratepayer
5 very much if anything.

6 And, finally, I would say, organizations
7 like Sebago To You and other nonprofits that are
8 dedicated to river conservation will probably be pleased
9 to partner with Kennebunk Light & Power District in
10 raising funds for removal if removal becomes the
11 objective. So, I encourage you to consider that. Thank
12 you.

13 GENERAL MANAGER SHEA: Thank you.

14 After Mr. Streeter we have Ward Hansen --
15 well, Ward H it says. I'm assuming Ward Hansen. Would
16 you like to speak?

17 MR. HANSEN: I Would. Can you hear me?

18 GENERAL MANAGER SHEA: I can, Ward.

19 MR. HANSEN: Okay. I don't see my picture.
20 I don't know what's going on. I just want to say I am a
21 ratepayer of Kennebunk. I -- I can't get this to come
22 up. There we go.

23 GENERAL MANAGER SHEA: There you go.

24 MR. HANSEN: Okay. Okay. I am far more
25 concerned about the financial risks if the dams were

1 removed. You know, I just heard a gentleman speak about
2 the sediments, but we have no idea what the costs would
3 be. We don't know what could be found. There are
4 hundreds of people that kayak and use the river as it
5 is. If the dams were removed, they said the average
6 depth would be 18 inches. I remember when the flyover
7 was done and in some places the water was deep and in
8 others it was quite shallow and it would require you to
9 have mud boots or something to get out of your kayak and
10 portage to the next section.

11 I just did also want to read something here.
12 It says right in your report that despite the long
13 history of the dams, at no point has fish passage been
14 required. For example, in 1954, in connection with the
15 construction of the existing concrete Kesslen Dam on
16 pre-existing concrete footings from the prior wooden dam
17 which was then being replaced, Maine Department of
18 Inland fisheries and Game Commissioner advised the
19 District that the Department would not require a fish
20 way at that time.

21 It's now 65, 70 years later. I find it hard
22 to believe that if you were to take the dams out and
23 they could make it up over the rocks at the -- at the
24 foot of the Kesslen Dam, that the water is going to be
25 warm because it's very shallow and how far they're going

1 to go up, they're never going to go all the way up to --
2 up to Mousam Lake, so I'm not sure what really is going
3 to be accomplished, but I've also had Lyme Disease, like
4 five years ago. A particularly dangerous -- unless
5 caught early. I'm concerned about what kind of diseases
6 and problems could arise if -- if we take these dams
7 out. There's a lot of unknowns.

8 And just one final comment. I hear these
9 constant comments about oh, maintenance here,
10 maintenance there, but even if you look at the original
11 Wright-Pierce report, and the difference between the
12 revenue and the costs is about five-and-a-half million.
13 That was the financially worst case scenario. That five
14 million worked out to \$40.00 per ratepayer per year.
15 I'm certain that under any of these scenarios being
16 discussed, we're going to be far lower than that.

17 So, I think people are trying to work up too
18 much over the monetary issue and that -- you know,
19 you've got -- and just one final comment is, as someone
20 said earlier, why are the fish, which have not been in
21 there for many, many years, far more important than the
22 people and the current environment that exist?

23 Thanks. That's all I have to say.

24 GENERAL MANAGER SHEA: Thank you, Ward.

25 Next I have Albert Kolff. Mr. Kolff, if you'd like to

1 speak, please un-mute yourself.

2 MR. KOLFF: Yes. This is Albert Kolff.

3 GENERAL MANAGER SHEA: Would you care to be
4 seen, Albert?

5 MR. KOLFF: No. That's not necessary.

6 GENERAL MANAGER SHEA: Okay. Thank you.

7 MR. KOLFF: My name is Albert Kolff, a
8 ratepayer and CEO of Mousam River Hydro, LLC, Kennebunk,
9 Maine. In reviewing the KLPD December 15th surrender
10 plan, Page 6-II, Reason For Surrender, the paragraph
11 footnote says, quote, The District believes that it
12 could be possible in the future for some other entity to
13 operate a hydropower project in this area of the Mousam
14 River on economically rational terms, end quote. Mousam
15 River Hydro, LLC continues to have the unequivocal
16 intent to apply for a license to operate the existing
17 three hydro powered dams to provide clean energy
18 required to offset the climate change and provide fish
19 passage.

20 If KLPD is truly interested in a minor
21 waterpower project occurring in the future, the current
22 surrender application plan should be modified by
23 mothballing the hydropower equipment instead of removing
24 and salvaging the equipment.

25 Bancroft Contracting Corporation, operating

1 five hydro dams in New Hampshire, provided Mousam River
2 Hydro with an outline of their visual observations from
3 their site visit of the three lower Mousam hydro
4 facilities on October 15, 2020. Numerous safety
5 concerns were noted for each of the dams, but the
6 overall observation was to renovate existing equipment
7 as the most cost effective way to restore hydropower.
8 New equipment would required additional civil
9 engineering adding additional higher costs.

10 On Page 8-V, Decommissioning Plan, the last
11 sentence on Paragraph 1, quote, the District will
12 perform additional development specific decommissioning
13 activities as summarized below, end quote.

14 For the three dams, Kesslen, Twine Mill and
15 Dane Perkins the following six bullets make restoration
16 of the existing hydro equipment unfeasible.

17 One, disable the floodgates, Kesslen. You
18 can't even check the quality of the hydro-dam safety
19 without keeping the floodgates.

20 Two, permanent close or fill the penstock.

21 Three, disable runners, chain in place.

22 Four, dismantle and sell the generators for
23 scrap.

24 Five, remove step-up transformers and store
25 for refurbishment or reuse.

1 And six, remove and sell all electrical
2 equipment for salvage reuse.

3 We believe that mothballing the hydro
4 equipment in a revised decommissioning plan is less
5 costly to KLPD and will allow Mousam River Hydro the
6 unequivocal intent to apply for the preliminary license
7 application at the conclusion of the decommissioning
8 activities in phase two.

9 That about summarizes our feelings. Thank
10 you.

11 GENERAL MANAGER SHEA: Perfect timing,
12 Albert. Thank you very much. Did you have your timer
13 on, as well?

14 All right the next person in line here, I
15 apologize, I can't toggle my -- oh, there we go. Okay.
16 So, we were at Albert. I have David Huntress -- is
17 next. If you would like to speak, please -- there.
18 You've un-muted yourself.

19 MR. HUNTRESS: Can you hear me?

20 GENERAL MANAGER SHEA: I can hear you.

21 MR. HUNTRESS: All right. My name is David
22 Huntress. I'm a resident of Brunswick. I periodically
23 head down to Kennebunk to fish the Mousam and also to
24 canoe and kayak on the river in proximity to the dams.

25 Reading through the plan as presented by

1 KLPD I note that it's really inadequate for a number of
2 reasons. One, I don't believe it follows the NEPA, the
3 National Environmental Policy Act, that FERC is going to
4 be looking at this under and specifically, it's not
5 giving fair balance to the environment and with that,
6 there's -- there's a lot of potential here for fish
7 species like American shad, blue-back herring, you know,
8 sea-run river trout. The river itself right now, as
9 others have pointed out, is a tale of two rivers above
10 and below the dams. Particularly, downstream is really
11 healthy, really vibrant. In fact, the Mousam, the lower
12 Mousam below the dams, supports one of the top four
13 recreational American shad fisheries in the state of
14 Maine.

15 This is not a river without fish and yet,
16 the draft plan as provided is trying to cherry pick data
17 from the presence/absence study, which is not a study to
18 be designed to quantify how many of whatever fish
19 species are down there. The document also does not even
20 cite how many river miles are affected by these dams. I
21 just did a quick, kind of tape-off on Google Earth.
22 It's close to nine miles of river. The Edwards Dam is
23 only about a 12 mile impoundment with a couple of miles
24 above that until you get to the next series of dams that
25 lack fish passage.

1 There's now five million -- in excess of
2 five million river herring swimming through that reach
3 of river, so to say there's nothing here is very
4 disingenuous to the people of the state of Maine.
5 Frankly, my 12 year old niece could have wrote a better
6 document than this one.

7 Thank you.

8 GENERAL MANAGER SHEA: Thank you, Mr.
9 Huntress.

10 Next up we have Mr. John Costin. Mr.
11 Costin, if you would like to speak, please un-mute
12 yourself.

13 MR. COSTIN: Thank you very much. I'm even
14 going to -- I'm even going to show my beautiful face,
15 maybe.

16 So, I am -- I would describe myself as a
17 proud Kennebunk Light & Power District member. One of,
18 I believe, three consumer owned electric utilities in
19 the state of Maine, a feeling which is deepened having
20 moved my business from Kennebunk to Sanford,
21 transplanting an identical operation from one utility to
22 another, that I swear by KLPD.

23 GENERAL MANAGER SHEA: Thank you, John.

24 MR. COSTIN: One of the great things about
25 having waited a long time to speak is that a lot of

1 other people made points that you're going to make and
2 you get questions of your own answered. I would like to
3 quickly make a special shout-out to Betsey Stevens who,
4 just in case you might have missed it, pointed out that
5 we don't need to speculate, conjecture or assert
6 anything about what a dam-free river would look like,
7 because we have a dam-free river below the dams, below
8 the Kesslen Dam. That's what it would look like. It's
9 the same amount of water going in and going out. So,
10 when people talk about muddy trickles, no. That -- that
11 is -- that's factually incorrect. We know what it would
12 look like.

13 It took me a while to realize that surrender
14 was a bit of a misnomer, because the dams themselves, I
15 believe, are not being surrendered, but, rather, the
16 license. So, putting on my business owner cap, I would
17 say we really have to think of the dams as assets. I
18 know some people think of them as liabilities, but I'm
19 saying, in the strictest business sense, they're assets.

20 What they are is radically underperforming
21 assets and underperforming assets are extremely costly
22 in the long term. There is no way to escape the fact
23 that the dams are going to continue to cost the District
24 and its ratepayers a lot of money over time. It's
25 merely a question of how far we spread it out before

1 they either completely decompose, which is a long, long,
2 long time, or some government entity forces the District
3 to remove them. And during that time span, we incur all
4 of the costs of maintaining an underperforming asset and
5 all the more loosely construed liabilities of -- of the
6 dangers of having those assets in place. I cannot
7 fathom how one can make an economic argument for leaving
8 those underperforming assets in their present location.

9 Thank you and I'm going to leave you now,
10 not because I don't love you all, but because the Select
11 Board meeting is beginning.

12 GENERAL MANAGER SHEA: Thank you, Mr.
13 Costin.

14 Okay. So the next I have up -- where did he
15 go? Kyle Scardino. Would you like to speak, Kyle?

16 MR. SCARDINO: Yes. I'm trying to get this
17 to pop up. Can you hear me?

18 GENERAL MANAGER SHEA: I can hear you.

19 MR. SCARDINO: Okay. It seems a number of
20 people have hit on points that I was gonna speak to, but
21 I want to leave time for everyone to comment.

22 I think that the presentation of there being
23 the number of fish being able to be counted on two hands
24 is absurd. Probably for the last decade or so I have
25 been going to the Kesslen Dam with my son and every May,

1 near the end of the month, the river is chockfull of
2 alewives, river herring and shad and they've got --
3 they've got nowhere to go. They -- I'm -- I'm in favor
4 of the dams coming down for a number of reasons.

5 But the other concern that I have is that my
6 same son, when he was young and was going to daycare on
7 Intervale Road, which is not far from upriver from the
8 Kesslen, and there were some serious floods up there.
9 To the point that people required federal assistance
10 from the government to elevate their homes. People
11 needed to leave their homes and also there -- it was --
12 it was -- it was such a high flood that -- that the
13 ground was so saturated that at the daycare, the in-home
14 daycare that my son went to, a gargantuan tree came
15 uprooted and fell toward the house by the daycare and it
16 crushed a box truck, from the box -- the box truck,
17 rather, prevented it from smashing into the daycare
18 itself. So, you know, I have concerns and feelings for
19 the people not just the -- the environmental health and
20 for the fish species.

21 So, I didn't -- maybe I missed it, any --
22 anyone voicing concerns about the -- just the health of
23 the -- of the water, for one, is terrible above -- above
24 the dams and in the impoundments. I wouldn't -- I
25 wouldn't put a towel in that river and I hope that you

1 will take these things into consideration and I
2 appreciate you allowing me time to talk. Thank you.

3 GENERAL MANAGER SHEA: Thank you, Mr.
4 Scardino.

5 Next up we have -- let's see. We went from
6 Joe -- I'm going to go to Dr. Joseph Wolfson. If you
7 would like to speak, please un-mute yourself.

8 DR. WOLFSON: Hi. I'll be very brief. I
9 have a science background and everything that I've read
10 about the dams to me seems that they're environmentally
11 unsound. I think that we have a responsibility to our
12 future generations to do everything we can to correct
13 whatever problems we can.

14 I don't see much reason to keep the dams
15 around. I realize it might be a short-term expense.
16 I'm a ratepayer of Kennebunk Light & Power. I live in
17 Kennebunk. I appreciate the good service I've gotten.
18 I would be willing to pay slightly more to see the dams
19 come down. I don't think it's just favoring fish over
20 people. I think there are other environmental concerns,
21 which I won't go into detail because other people have
22 already described them.

23 Thank you very much.

24 GENERAL MANAGER SHEA: Thank you, Dr.
25 Wolfson.

1 Next up we have, I believe, yes, Chauncey
2 Copeland. Chauncey, if you would like to speak, please
3 un-mute yourself.

4 MR. COPELAND: Can you hear me?

5 GENERAL MANAGER SHEA: I can hear you.

6 MR. COPELAND: Okay. I'm a Kennebunk
7 resident and also a KLPD ratepayer. I think that the --
8 the Board's plan -- I support. I think it -- they've
9 captured in their document the -- everything. The key
10 -- the summary of key factors regarding the elimination
11 of hydro generation capabilities, but also the
12 advantages of retaining the existing three dams.

13 The issue of hydro generation, dam
14 retention, elimination, fish passages, et cetera, have
15 been a topic of multiple -- many discussions, meetings,
16 public input, nonbinding resolutions, et cetera for a
17 number of years and I think that the Board has taken
18 those into consideration and is reflected in that
19 document.

20 I personally would have preferred to
21 continue hydro generation by some entity and clearly,
22 several outside organizations determined that hydro
23 generation would be economical with upgrades to existing
24 equipment. So, I feel like, you know, it's -- if key
25 components could be retained so that hydro generation,

1 if deemed necessary as a critical infrastructure need in
2 the future, the dams, again, could be utilized with the
3 upgraded hydro-generating equipment.

4 I did have a concern with the plan as it
5 relates to the proposed disabling of the Kessler
6 floodgates. It is my understanding that in 2014 the
7 chain and gear mechanism for these floodgates were
8 replaced with a new hydraulic automated system. Now, if
9 retained, it would provide a measure of defense against
10 extensive flooding and associated damage. In addition,
11 they could be utilized to manage the river water level
12 should dam maintenance be required.

13 So, in closing, what I'd like to do is quote
14 from an article I read at American Rivers, a document
15 entitled: Explain Dam Removal - A Decision Making
16 Guide. And I quote, while hundreds of dams have been
17 removed, that does not mean that all dams should be torn
18 down. Many dams continue to serve important public and
19 private functions such as flood control, irrigation and
20 hydropower generation. In some cases, changing the way
21 a dam operates will provide ecological improvements to
22 the river. In other cases, removing a dam could have
23 adverse eco -- ecological effects such as the release of
24 contaminated sediments that are too costly to mitigate.
25 And in some cases, dams are retained because they

1 represent a significant aspect of the country -- the
2 community's history. And I think that's where we are at
3 this point.

4 So, in closing, again, I would like to thank
5 the Board for all of their time and effort on this. I
6 know that this has gone on for years and I know it's a
7 lot of hard work and I do appreciate your efforts on
8 this. Thank you.

9 GENERAL MANAGER SHEA: Thank you, Chauncey.

10 Up next, I believe I have Bill McDavitt.
11 Bill -- there you go.

12 MR. MCDAVITT: Hi. My name is Bill
13 McDavitt. I think I'm probably the only person who is
14 from out of state. I live in Massachusetts and I'm a
15 contractor for the National Marine Fisheries Services.

16 I'll make this quick. I just want to
17 reiterate or sort of back up the points that Casey Clark
18 from MDMR made. We did send a letter to the Board back
19 in July of 2020 noting that surrender was coming up and
20 we were -- we'll just say, our door is open and we're
21 happy to talk. We certainly see restoration potential
22 on this river. We think that fish passage above the
23 three dams would help improve the overall population.
24 The National Marine Fisheries Service is part of the
25 Department of Commerce, so we're very interested in the

1 economic -- the economic impacts and the fact that a
2 restoration would have to the lobstermen, which was
3 mentioned, to cod fishermen. So, we're very interested
4 in the overall picture in terms of how restoration would
5 help the economy and some of the fisherman that -- that
6 really have been struggling because of -- for a variety
7 of reasons, but we do think that restoration holds
8 promise for -- for the -- for the overall economy.

9 So, again, we had that letter sent to the
10 Board and we're happy to talk. Thank you.

11 GENERAL MANAGER SHEA: Thank you, Mr.
12 McDavitt.

13 Next up I have 7qwduj. If you would like to
14 speak, 7qw, please un-mute yourself.

15 MR. PAYNE: Hi. My name is Oliver Payne. I
16 live on the Mousam River below the dams. I'm a
17 ratepayer and, of course, a Kennebunk resident and I'm
18 just -- I've become pretty skeptical of the claims that
19 this -- the dams, especially Kesslen will become viable
20 sources of hydropower. I think that was kind of the --
21 the premise years ago on which the vote of the town
22 people did favor keeping the dams. They -- they were
23 largely sold on the fact that it was going to generate
24 power. I understand that one company has tried to
25 submit a proposal to do that and it was apparently kind

1 of a joke, so I'm kind of skeptical about that.

2 And, as for recreational opportunities, I
3 live on the lower Mousam as I mentioned. I paddle. I
4 swim in it. It's a beautiful river. I lose my water
5 everyday by the way when the tide goes out, but I'm glad
6 to see it come back and I understand that people above
7 the dam will lose their little pool at certain times of
8 the year but it will come back.

9 But I'm struck every time I go visit people
10 I know upstream from the dam, how stagnant and often
11 unattractive the shoreline looks. It doesn't
12 necessarily -- I don't think it's true to say that the
13 dam will look -- that the river will look worse once the
14 dams are removed. Further, right now the amount of
15 paddling one can do above the dams is pretty limited by
16 the fact of the dams themselves. You get to Kesslen,
17 you go a few miles, but then you have to portage or
18 stop.

19 I think opening it up will -- will create a
20 beautiful scene and I just think it's -- as for the fish
21 versus the people, you know, I think it will benefit
22 both. I think people above the dam will come to
23 appreciate the beauty of a free flowing river and as for
24 the fish, you know, people have been winning the war
25 against nature for a long time and it's really about

1 time we start to think about the fact that letting
2 nature have a chance is really in all of our best
3 interests; not just that of the fish.

4 Thanks very much.

5 GENERAL MANAGER SHEA: Thank you, Mr. Payne.

6 Next up, I'm going to ask you to un-mute,
7 Mr. Peter Ashley. There we go.

8 MR. ASHLEY: Hello?

9 GENERAL MANAGER SHEA: Hello, Peter.

10 MR. ASHLEY: Hi. Have you got anyone else
11 ahead of me?

12 GENERAL MANAGER SHEA: No. You're the --
13 you're up.

14 MR. ASHLEY: Oh, wonderful. My name is
15 Peter Ashley and I was -- I was hired by Phil Davis of
16 Kennebunk Light & Power, the manager, and worked with
17 Don LaPoint, the foreman of the facility, and Don
18 LaPoint and I and the crew did probably 80 or 90 percent
19 of the installation work for all of the equipment that
20 was added at Dane Perkins and Twine Mill. Kesslen was
21 already running. We got that running first. This was
22 right at the oil embargo situation and CMP was upping
23 the rates to Kennebunk Light & Power. I think it was in
24 the range of about 30 percent and that was in the era
25 right after the late '70s and before '81 and we started

1 putting the dams and Jeff Stevens did Dane Perkins,
2 poured the concrete for that and all of the rest of the
3 concrete that was needed and he also did the Twine Mill.
4 Neither of the places had dams in them at that time.

5 Mike Harper was the British engineer on the
6 job and he did all of the basic design of how the
7 equipment was to be placed and during that time, the
8 stress was really paramount. People were running around
9 the countryside running, trying to figure out what to do
10 about the oil problem and maybe some of you are old
11 enough to remember that. I certainly was. My wood
12 stove got used quite a bit.

13 But I wish to talk tonight about the future
14 that has been proposed by this surrender license. The
15 surrender license talks about pouring concrete about --
16 about various pieces of equipment at Dane Perkins and
17 going to Twine Mill for scrap, although I have been
18 trying to let them know that I think I know what the
19 problem is there to make the machine go, but so far they
20 haven't talked to me about actually going up there and
21 doing that.

22 So, it leaves Kessler. Kessler has the most
23 -- pardon me -- most history for the Town. Thousands of
24 families, hundred of thousands maybe by now, of children
25 and grandchildren, great grandchildren, et cetera, have

1 owed their life to that factory in that location with
2 the hydropower and in -- in the era they had a big fire
3 in 1903 that destroyed the Kesslen corner. This was
4 before Kesslen, and on Roz Magnuson's book, Trunks,
5 Textiles & Transits that's available at the Brick Store
6 Museum, you can see on Page 59 the remains of the
7 basement of Kesslen and you can also see that the log
8 dam is still there. In the background, behind the log
9 dam, on the far side of the impoundment, you can see the
10 huge granite blocks, which was part of the dam that kept
11 the water from going out into the street and running
12 down Water Street. The dam took a corner and went along
13 the upriver face of Kesslen, the building that was
14 there, and, therefore, that part is also part of the
15 dam.

16 And, so, if FERC starts talking about
17 removing the dam, I'm not sure where anybody would want
18 to stop. I don't think they'd want to take out Kesslen,
19 the Lafayette Center and all of that, just because you'd
20 have to take out the dam. I would like to envision
21 something, and listen carefully about my concept of
22 saving the historic elements in that area. Leave the --
23 leave the generator there. We know that the windings
24 are burnt. We know that it doesn't produce any power.
25 We know that it would take a lot of money to fix. We

1 know that the runner down the bottom, the draft tube on
2 that was repaired -- replaced by Sharon Staz and the
3 crew when it was partially fallen away and so we know a
4 lot about that machine obviously. You know, they're
5 running the machine for quite a few years, 40 -- 40 plus
6 years.

7 So, if you just pour concrete around the
8 runner down at the bottom, and you pour concrete around
9 the head dam -- head gate at the top, and obviously the
10 runner isn't going to turn, the generator isn't going to
11 turn, because you poured concrete around it, but when
12 you stand on the bridge near the new survey marker and
13 the new bridge concrete right by your feet there, and
14 you look through the windows at the generator, if you
15 had a bunch of floodlights there at night on a timer,
16 you would be able to look through those windows to see
17 the generator and the switchboard, et cetera, and
18 obviously the electrical equipment would have been
19 disabled, and I think that would fulfill the FERC
20 requirement for disabling that location.

21 You're certainly not going to try and tear
22 it apart and who knows what would happen to the
23 foundation of Kessler trying to get those pieces out of
24 there and I'm sure Mr. Cluff wouldn't want to have
25 anything happen to the floor underneath his restaurant

1 there. So --

2 GENERAL MANAGER SHEA: Peter.

3 MR. ASHLEY: What?

4 GENERAL MANAGER SHEA: Five minutes.

5 MR. ASHLEY: Oh, okay. That's the concept.
6 You put some floodlights on it, you look at it. It's
7 like going by a store window or a shop and all of the
8 visitors get a chance to see what the hydro situation
9 looks like and I think you figure out the money. You've
10 saved a pile of money by doing it that.

11 That's it, Todd.

12 GENERAL MANAGER SHEA: Thank you, Peter.

13 MR. ASHLEY: Okay, bye-bye. Thanks a lot
14 for doing your job.

15 GENERAL MANAGER SHEA: All right. The next
16 one. The last caller that I see that I haven't heard
17 from is Tim Sommers. Tim already un-muted himself. Go
18 ahead, Tim.

19 MR. SOMMERS: Thank you, Todd. A couple of
20 things. First of all, I'm a resident of Kennebunk. I
21 have kids in the school system. I'm a ratepayer of
22 Kennebunk Light & Power. I enjoy working with you
23 folks. I did the high school project as project
24 manager. I enjoyed working with KLPD. I enjoy having
25 you as a local service.

1 I am -- I have a couple of comments. First,
2 on the cost. I know that there's been a lot of talk
3 about costs. 40 years ago the Town of Kennebunk entered
4 into and got bonds to build this hydro project. As of a
5 few years ago, we were still paying on that note. So, I
6 don't know. There's not -- there wasn't much of a
7 return on investment there. If we're still paying on a
8 note from 40 years ago.

9 The cost of keeping the dams is -- is a mute
10 point. It's done. It's over. It's been proven.
11 There's no point in keeping hydro generation going any
12 longer. It just -- it does not make sense.

13 To the letter, I was disheartened. I've
14 been involved in this process for, I don't know, seven,
15 eight years now. I've been interested in the river and
16 I've provided a lot of public comment, written a lot of
17 letters along with a lot of folks and I feel very much
18 like our concerns were not supported in this letter to
19 FERC, not supported in this plan. It was very one sided
20 and really steered by, you know, folks that want to keep
21 their pond behind their house.

22 It did not input -- we've documented on
23 numerous, numerous occasions the amount of fish that are
24 in the river. There's a commercial fishery in the river
25 a couple of hundred yards down from the Kesslen Dam that

1 operates every spring. So, to say that there is
2 virtually no fish in the river is a -- completely
3 untrue. I know, you know, folks have seen the amount of
4 herring and everything in the river in the springtime.
5 There are anadromous fish coming up the river and
6 they're getting stopped by the Kesslen Dam. That's just
7 a fact and to leave that out of this plan really, really
8 upsets me for all of the time that I've put into this.

9 So, you know, there's -- this river is a
10 public resource. Yes, we have some assets/liabilities
11 as a town on these -- on this public resource, but at
12 the end of the day, we have to do what's best for the
13 public for this river. We have to do the responsible
14 thing.

15 You know, when I was brought up, I was
16 brought up that you leave something a little better than
17 you found it. When I take my kids camping, I make them
18 pick up trash from people left trash at the campsite. I
19 see no difference in what we're talking about here. We
20 have a legacy dam. Yes, at some point in the past they
21 produced power, they drove the economy with -- you know,
22 they were -- they were a resource. They are no longer a
23 resource.

24 We need to be -- the river needs to be
25 restored and our plan as a community of Kennebunk needs

1 to show -- needs to show that. We need to be cognisant
2 of that. You know, I understand that there's some
3 costs. I understand there's some risk. I do
4 construction for a living. I can tell you with great
5 certainty, in my view, there's no better time to do a
6 project like then than right now from a cost
7 perspective. It's only going to get more expensive.

8 So, you know, I am not interested in kicking
9 this can down the road and having my kids pay this. If
10 we've got to suck it up and restore the river and clean
11 up some sediment, then we need to do that now. It's the
12 responsible thing to do and not leave it for future
13 generations.

14 So, I guess in closing, I urge the Board and
15 Todd to relook at this letter before -- you know, before
16 it gets finalized or sent and let's put some real data
17 in there. Let's talk about the fish that are actually
18 in the river, documented. Not cherry pick, you know,
19 from -- from -- and you, like so many other folks do,
20 and, you know, put this through the spin cycle and spin
21 it to, you know, to our point of view.

22 So, thank you.

23 GENERAL MANAGER SHEA: Thank you, Tim.

24 All right. President Cluff, I'll turn it
25 back over to you. I'm going to do another quick scan,

1 but the other page -- everyone has spoken, Mr.
2 President.

3 PRESIDENT CLUFF: There's your timer.

4 GENERAL MANAGER SHEA: Yup. I'd rather it
5 shut up now. All right. Good.

6 CLERK BARTILUCCI: Time to get up.

7 PRESIDENT CLUFF: All right. Thank you. I
8 would like to thank everyone who has joined us this
9 evening and provided their comments. The Board will
10 have one last discussion on this matter, which will be
11 at our next meeting in February, which is February 23?

12 GENERAL MANAGER SHEA: Yes.

13 PRESIDENT CLUFF: That's our next scheduled
14 meeting. So, at that point, that will be the last
15 discussion by the Board on this prior to the document
16 being sent. So, I don't know if any of the Board
17 members have any comments this evening, or they want to
18 wait until our final meeting on this, but I'll go around
19 and ask.

20 Dan, do you have any comments?

21 CLERK BARTILUCCI: No. No, I don't. Thank
22 you.

23 PRESIDENT CLUFF: Thank you. Scott? Scott?
24 Is he still with us, Todd?

25 GENERAL MANAGER SHEA: He is still with us.

1 He's trying to un-mute. I'm sending him the... he
2 can't find the tab.

3 PRESIDENT CLUFF: All right. I'll -- we'll
4 come back to him.

5 Bobby?

6 GENERAL MANAGER SHEA: Hang on. Bobby is on
7 the other page here. Bobby, Bob, I'm asking you to
8 un-mute if you have anything to say, Duffy would like to
9 hear it.

10 TRUSTEE DUCCHARME: Can you hear me now?

11 GENERAL MANAGER SHEA: I can hear you now,
12 Scott.

13 TRUSTEE DUCCHARME: I appreciate their
14 comments and I hope we can discuss those at the next
15 meeting.

16 GENERAL MANAGER SHEA: All right. Scott --
17 Bob?

18 VICE-PRESIDENT EMMONS: I'm all set.

19 PRESIDENT CLUFF: And Beverly?

20 GENERAL MANAGER SHEA: Hang on. I've got to
21 find her. There she is. Oops. Beverly, hang on.
22 You're muted. There you go. Oops. There you go.

23 TRUSTEE FREUDENREICH: I thank everyone who
24 spoke up. I apologize. Once in a while I had to kind
25 of lean in. There were a few of them I didn't hear the

1 words, but everyone that -- and just note that it will
2 be transcribed. Just because I couldn't hear it, it
3 didn't matter.

4 Thank you.

5 GENERAL MANAGER SHEA: Thank you, Beverly.

6 PRESIDENT CLUFF: Okay. Like we had said at
7 the beginning of this meeting, this session has been
8 recorded on Zoom. It will be posted on our website for
9 future viewing. It also will be transcribed and the
10 transcription of tonight's meeting will be sent along to
11 FERC with our document.

12 If anyone has any written comments that they
13 would like to add to that document, you are asked to
14 please send it to the General Manager at the District
15 and he will add that to the document.

16 I ask the Board members to put their
17 thoughts together, and come back on February 23, at our
18 next meeting, and that will be the meeting that we have
19 our last discussions on this prior to being sent off to
20 FERC. Some may have some comments, some may not, but
21 this will be your last opportunity to reference it
22 before it is sent off.

23 With that -- yup, Scott?

24 TRUSTEE DUCHARME: I want to apologize, too.
25 I had to lean in, too, to listen. I hope I didn't, you

1 know, put anybody off by seeing my shiny, bald head.

2 PRESIDENT CLUFF: No. No, I think we're
3 fine, so.

4 All right. Does anyone have -- yeah,
5 Beverly?

6 Hold on, Beverly, we've got to un-mute you.

7 TRUSTEE FREUDENREICH: There.

8 GENERAL MANAGER SHEA: There you go.

9 TRUSTEE FREUDENREICH: The calender date
10 that you're thinking of February 23rd, do we have to
11 meet before the February 12th part that you're
12 providing? Is February --

13 PRESIDENT CLUFF: The February --

14 GENERAL MANAGER SHEA: I --

15 PRESIDENT CLUFF: The February --

16 TRUSTEE FREUDENREICH: -- the 23rd an
17 acceptable date?

18 PRESIDENT CLUFF: Yeah, the February 12th
19 date is when the document is sent out to -- um -- who is
20 it being sent to, Todd, the --

21 GENERAL MANAGER SHEA: All of the interested
22 parties. The Agencies --

23 TRUSTEE FREUDENREICH: Oh, yes. I saw that.
24 Okay.

25 PRESIDENT CLUFF: Yeah, so that's that date.

1 TRUSTEE FREUDENREICH: And so, we're okay to
2 meet after February 12th, on February 23rd; is that
3 correct?

4 PRESIDENT CLUFF: Right. Because then we --
5 we send the document off March 12th --

6 TRUSTEE FREUDENREICH: Okay.

7 PRESIDENT CLUFF: -- to FERC. So we need to
8 have it finalized at our next meeting on the 23rd. So,
9 that will be the last opportunity.

10 And, Todd, do you think we need to have our
11 attorney available for that meeting, or...

12 TRUSTEE DUCCHARME: Yeah, I should be around.
13 One question. If we're -- for the 23rd, will we have
14 enough time, from the 23rd to the 12th, if we want to
15 change anything on the document?

16 GENERAL MANAGER SHEA: Absolutely.

17 TRUSTEE DUCCHARME: Yeah, and the -- we might
18 need to meet between those two times for finalization?

19 GENERAL MANAGER SHEA: I don't -- I don't
20 see the need, but we may. There's always -- you know,
21 you never know when we have to have another meeting.

22 TRUSTEE DUCCHARME: Yeah, I just wanted to be
23 aware. I mean, the finalization might be more than what
24 we need want right now.

25 GENERAL MANAGER SHEA: Um-hmm.

1 PRESIDENT CLUFF: Right. That's why, if we
2 have our attorney available to answer any questions that
3 may come up, as he put this document together.

4 GENERAL MANAGER SHEA: I will - I'll
5 definitely make sure he's available for that meeting.

6 PRESIDENT CLUFF: All right.

7 Anyone else have any comments before we end
8 our meeting?

9 (No verbal response.)

10 PRESIDENT CLUFF: Okay. So, hearing no more
11 comments, thank you all for your time tonight. Thank
12 you, for the public's input, and we appreciate it and we
13 will talk to you on February 23rd if not before.

14 GENERAL MANAGER SHEA: Thank you, everybody.

15 PRESIDENT CLUFF: Thanks.

16 CLERK BARTILUCCI: Thank you.

17 VICE-PRESIDENT EMMONS: Thanks.

18 (Whereupon, the proceeding adjourned at 7:00 p.m.)

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C E R T I F I C A T E

I, Kathleen A. DE MARRE, do hereby certify that the foregoing is a true and accurate transcript of the Kennebunk Light & Power District Open Public Meeting heard on Tuesday, January 26, 2021.

I DO FURTHER STATE that this transcript was prepared to the best of my ability and I am neither a relative, nor attorney, nor counsel of any of the parties to this action, and that I am not financially interested in the action.

Kathleen A. De Marre

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