

1 KENNEBUNK LIGHT & POWER DISTRICT
2 COUNTY OF YORK
3 STATE OF MAINE

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TRANSCRIPT OF RECORDED PROCEEDINGS

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OPEN PUBLIC MEETING
KENNEBUNK TOWN HALL
ONE SUMMER STREET
ROOM 301
KENNEBUNK, MAINE 04043

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TUESDAY, MARCH 31, 2015
7:00 p.m.

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KENNEBUNK LIGHT & POWER BOARD OF TRUSTEES:

15

VICE-PRESIDENT: WAYNE E. BERRY

16

GENERAL MANAGER/TREASURER: TODD SHEA

17

CLERK: MICHAEL JORDAN

18

TRUSTEE: CRAIG MACDONALD

19

TRUSTEE: DAVID W. CLUFF

20

ALSO PRESENT:

21

SHARON A. STAZ, FORMER GENERAL

22

MANAGER/TREASURER

23

PATRICIA McILVAINE of WRIGHT-PIERCE

24

ENGINEERING

KENNEBUNK LIGHT & POWER DISTRICT ~ OPEN PUBLIC MEETING

Tuesday, March 31, 2015

1 TOWN OF KENNEBUNK BOARD OF SELECTMEN:

2 TOWN MANAGER: BARRY A. TIBBETTS

3 CHAIRMAN: KEVIN P. DONOVAN

4 VICE CHAIRMAN: RICHARD A. MORIN

5 SECRETARY: DEBORAH A. BEAL

6 SELECTMAN: ALBERT J. SEARLES

7 SELECTMAN: DAVID H. SPOFFORD

8 SELECTMAN: JOHN H. KOTSONIS

9 SELECTMAN: CHRISTOPHER L. CLUFF

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Tuesday, March 31, 2015

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1 A P P E A R A N C E S:

2 Gregory Mulcahy, Kennebunk

3 Curtis Mildner, Kennebunk

4 Terry Coldrick, Mousam River Condo

5 Association

6 Philip Parker, Kennebunk

7 Steve Heinz, Trout Unlimited, Sebago Chapter

8 Bob Gerard, Kennebunk

9 Theresa Willet, Coastal Maine Kayak

10 Kevin Flynn, Kennebunk

11 John Burrows, Mousam and Kennebunk River

12 Alliance

13 John Poletto, Kennebunk

14 Jim Santarre, Kennebunk

15 Patrice McCarron, Kennebunk

16 Bob Wuerthner, Maine Sierra Club

17 Joe Hardy, Wells

18 Peter Hoff, Kennebunk

19 Landis Hudson, Yarmouth, Maine Rivers

20 Merton Brown, Town Clerk, Town of Kennebunk

21 Monica Grabin, Kennebunk

22 Arline Poisson, Kennebunk Conservation and

23 Open Space Planning Commission

24 Ward Feurt, Rachel Carson National Wildlife

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1 A P P E A R A N C E S (continued):
2 Jacob Aman, Wells National Estuarine Research
3 Reserve
4 Shiloh Schulte, Kennebunk
5 Tim Somers, Kennebunk
6 Alex Mendelson, Kennebunk
7 Rick LaRiviere, Saco River Salmon Club &
8 Hatchery

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1 TRANSCRIPT OF RECORDED PROCEEDINGS

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3 THIS TRANSCRIPT is supplied to you on the
4 condition that receipt thereof will certify the
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Tuesday, March 31, 2015

1 MR. BERRY: Good evening,
2 everyone. How are you doing? I have one word for
3 this night: Wow. I am Wayne Berry. I am
4 Vice-President of the Board of Trustees for the
5 Kennebunk Light and Power District. We have a
6 meeting -- We have a meeting going on right now of
7 our board. We will be continuing that. The Board
8 of Selectmen will be -- will be joining us shortly.
9 If -- we do not have the ability to broadcast the
10 TV in the other room, so you guys are going to have
11 to crowd in; in the back, in the corners, and the
12 doors, wherever you want.

13 I thank you all for coming. This
14 is a pleasant surprise and as -- I guess we'll turn
15 it over to Kevin and let their board convene.

16 CHAIRMAN DONOVAN: Thank you,
17 Wayne. I'll call the special meeting of the
18 Kennebunk Board of Selectmen to order on the 31st
19 day of March. Would you please stand with me for
20 the Pledge of Allegiance.

21

- - -

22

FLAG SALUTE

23

- - -

24

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OPEN SESSION

3

CALLED TO ORDER AT 7:13 p.m.

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5

CHAIRMAN DONOVAN: Thank you. We

6

have a very large tonight so please bear with us.

7

If you can keep the conversations down, that way,

8

everyone will be able to hear a little bit better.

9

We have the folks here from the Kennebunk Light and

10

Power that are here to discuss the river modeling

11

report.

12

So to get on with that, I'll

13

introduce Todd Shea. The last time I saw Todd he

14

was the town manager over in Arundel. We've been

15

to a few meetings together. So, Todd, if you

16

would, introduce your folks and go ahead and start

17

your presentation.

18

MR. SHEA: Thank you very much,

19

everybody, for coming out tonight. I don't think

20

the microphone is going to cover the room, so I'm

21

just going to speak as loudly as possible. Can

22

everybody hear me?

23

(Inaudible response.)

24

MR. SHEA: All right. Thank you.

25 Good evening, ladies, gentlemen, boys and girls.

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1 Thank you very much for the turnout. I didn't
2 anticipate the need for the boys and girls, but
3 welcome.

4 On behalf of Kennebunk Light and
5 Power District, the Board of Trustees, I'd like to
6 thank the members of the Kennebunk Board of
7 Selectmen, our customers, community members, and
8 other interested parties for taking the time out of
9 their busy schedules to join us tonight for this
10 informational meeting.

11 My name is Todd Shea and I'm the
12 general manager of Kennebunk Light and Power
13 District. I'd like to thank the Board of Trustees
14 for selecting me to replace Sharon Staz, outgoing
15 general manager, who will be retiring in June after
16 17 years of dedicated service to the District, our
17 ratepayers, and the community. Thank you, Sharon,
18 for your assistance with my transition into this
19 position.

20 (Applause.)

21 MR. SHEA: Thank you very much,
22 Sharon.

23 MS. STAZ: Thank you.

24 MR. SHEA: I began this position

25 with the District two months ago and in that time,

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1 I've had the ability to come up to speed on many
2 different factors involved in the decisions that
3 the Board and our customers will have to face in
4 the years to come including the potential
5 re-licensing of our FERC license to operate. There
6 is a lot of information for the Board to process in
7 this decision and I can assure you that the Board
8 is performing their due diligence on each of the
9 options that they are faced with. No stone is
10 being left unturned and no assumptions will be made
11 that would lead to an uninformed choice.

12 My responsibility in this process
13 is not to make the decision for the Board of
14 Trustees or the District. It is to ensure that the
15 Board has the information that they need to make
16 the decision that addresses all the concerns
17 associated with that decision in the best interest
18 of the future of the District. It is the Board's
19 responsibility to guide the District through this
20 process and make the right choice for the future of
21 our ratepayers and the community.

22 I hope you all found the sign-up
23 sheets circulating around the room outside this
24 evening. I apologize. We did have handouts. We

25 didn't have nearly enough handouts. This

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1 information will be posted on the District's
2 website. You can e-mail me and I can send you an
3 electronic copy of the presentation that you are
4 going to see this evening. I apologize for not
5 anticipating this great of a turnout.

6 For those of you who have not
7 provided us with your e-mail address in the past,
8 please take a moment to fill in your information so
9 we can keep you abreast of news and information as
10 it is made available to the public.

11 This presentation is being
12 streamed live on the Town of Kennebunk website and
13 will also be broadcast on your local, public access
14 station, Channel 5.

15 Thank you to the Town of Kennebunk
16 for providing us with the service and for the use
17 of the room tonight. Also, be sure to check our
18 district's website, www.klpd.org for more
19 information on this process. We will upload a link
20 to this presentation, as well as a copy of the text
21 of this presentation as soon as it is available.
22 Meaning, when I get back to the office.

23 If you have friends, neighbors, or
24 know of other interested parties who were not able

25 to join us tonight, we ask that you please direct

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1 them to these sources. The Board of Trustees would
2 like this information to be distributed through as
3 many channels as possible for maximum public
4 engagement throughout this process.

5 In order to ensure that we have
6 the ability to get through the entire presentation
7 tonight, we ask that you hold all of your questions
8 and comments until the end of the presentation, and
9 I thank you in advance for being respectful of that
10 request.

11 The purpose of this evening's
12 meeting is to give you an overview of the process
13 that the District is working through in regards to
14 the three hydro generation sites along the Mousam
15 River. To date, no decisions have been made on any
16 of the different options and the Board has been
17 gathering and processing information that will
18 allow them to best decide on the future of the dams
19 in a manner that is in the best interest of the
20 District, its ratepayers, and the community.

21 The District continues to maintain
22 and operate the three hydro generation facilities
23 in a safe and efficient manner with approximately
24 one to five percent of our power generating our

25 power needs being provided by those renewable

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1 generation facilities. Our hydro sites are run of
2 the river so generation is at the mercy of Mother
3 Nature and what she sends to us.

4 Since the KLPD Board of Trustees
5 met with the community last in July of 2013, a lot
6 of research has been done. This evening we will be
7 sharing with you the results of the river modeling
8 and photo simulations that Wright-Pierce
9 Engineering has prepared for the District. In a
10 few minutes, I'll turn the presentation over to
11 Patricia McIlvaine of Wright-Pierce, who will help
12 to explain the results of the study to you.

13 I cannot over emphasize that there
14 have been no decisions made to date on any of the
15 options that the Board of Trustees and the District
16 are faced with. No decision has been made on
17 whether or not to remove the dams or to keep them
18 in place on the Mousam. The reason that this
19 report is available to us at this point is simply
20 timing.

21 Last fall, in conjunction with our
22 annual inspection of the dams and the replacement
23 of a floodgate at Kesslen, the District engaged the
24 services of Wright-Pierce to perform the river

25 modeling and photo simulation that we will present

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1 to you. Any time that the District is required to
2 drawdown the impoundment, which is the storage area
3 behind the dams, we have three of them, all
4 approximately 25 acres here in Kennebunk, any time
5 that we are required to draw them down, several
6 interested parties need to be informed at the
7 federal, state, and local levels. The Board of
8 Trustees felt that the drawdown last fall provided
9 the opportunity for Wright-Pierce to do the
10 necessary surveys and gather the necessary data to
11 try and gain a better understanding of what a free
12 flowing Mousam River from Kesslen to above Dane
13 Perkins, the District's furthest upstream
14 impoundment, would look like. Tonight we will
15 share those results with you.

16 As the Board of Trustees navigates
17 through this process, there are several
18 considerations that must be made. The main
19 question that is being considered as part of this
20 very involved process is what course of action is
21 the best -- in the best interest of all the
22 District's ratepayers. That decision will be made
23 based upon the best possible balance of the needs
24 of the District's customers, residents of the town

25 of Kennebunk, and the various interest groups that

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1 have expressed their interest in improving the
2 health of the Mousam River.

3 To date, the Mousam Kennebunk
4 River Alliance, Maine Rivers, and the Sierra Club -
5 Maine Chapter, have been very vocal in their
6 desired outcome. The Board of Trustees and I
7 appreciate the interest and passion of these groups
8 and would also like to hear the thoughts and
9 desires of other interested groups and members of
10 the community as we move forward.

11 Our license to generate power
12 expires seven years from today, March 31, 2022. By
13 March 31st of 2017, Kennebunk Light & Power
14 District is required to file a Notice of Intent
15 with the Federal Energy Regulatory Commission on
16 what course of action will be taken in regards to
17 our hydro sites.

18 Please check the District's
19 website for meeting dates and times. All District
20 meetings are open to the public, but, on occasion,
21 closed executive sessions will be held as sensitive
22 information is received. Please keep in mind that
23 no decisions are made in executive sessions.
24 Should the information discussed in executive

25 session need to be acted upon, the Board is

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1 required to motion, to come out of that executive
2 session to take action.

3 Examples of information that the
4 Board may consider during these sessions would be
5 legal advice from the District's attorney or
6 information that, if discussed publically, could
7 compromise the confidentiality of the information.
8 Executive sessions are not the norm but will be
9 used when needed.

10 The District will continue to work
11 with state and federal agencies as well as the
12 various non-governmental organizations who have
13 expressed interest in the process as we move
14 forward. The District will also hold future public
15 information sessions such as this one as
16 information comes available to disseminate to the
17 public.

18 Once again, please provide us with
19 your name and e-mail address on the sign-in sheet
20 provided this evening if you would like to be
21 informed of upcoming meetings and decisions. The
22 District's website is also a good place to seek
23 information and we will update it with new
24 information as soon as it is available.

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1 that the Board of Directors are considering in
2 regards to our hydro generation facilities on the
3 Mousam River. As stated previously, the District
4 has three facilities on the river: The Kesslen
5 Dam, which can be seen from the Route 1 bridge
6 near the Lafayette Center; Twine Mill Dam, which is
7 located adjacent to the former Twine factory off
8 Twine Mill Road in West Kennebunk; and Dane Perkins
9 Dam, which is located on Mill Street in West
10 Kennebunk.

11 By March 31, 2017, Kennebunk Light
12 and Power District is required to file a Notice of
13 Intent with the Federal Energy Regulatory
14 Commission as to the fate of the three sites.
15 Should the FERC retain jurisdiction over our
16 generation facilities, there are several different
17 paths that the District can take. In the event
18 that the District decides to continue generating at
19 the sites beyond March 31, 2022, some options that
20 will be considered and potentially mandated would
21 be environmental enhancements such as upstream and
22 downstream fish passage. Costs associated with
23 these environmental enhancements are being refined
24 as part of the Board of Trustees' due diligence in

25 this process. All three facilities, or any subset

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1 of the three, may be considered to remain in
2 operation.

3 Efficiencies to the current units
4 and enhancements to increase power generation at
5 the facilities are also being looked at with the
6 end result being what is in the best interest of
7 the ratepayers and the district as a whole. The
8 District may ultimately decide that it is not in
9 the best interest to continue operating at these
10 sites and costs associated with potential dam
11 removal or other environmental enhancements
12 necessary at the sites that no longer generate
13 power are also being compiled.

14 In a moment, we will touch upon
15 options to sell or lease the sites, which is
16 something that the Board saw interest in, in late
17 2014.

18 Our purpose -- one purpose of this
19 evening's meeting is to open up a conversation with
20 the public regarding the Mousam River. The Board
21 of Trustees is looking for an understanding of the
22 community value of our sites. Whether or not the
23 public sees these sites as having historical
24 significance in the town, what the recreational

25 value of the impoundments are as they exist, and

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1 what affects changes to those impoundments would
2 have on different groups in the community. The
3 Board of Trustees is also considering other sources
4 of renewable generation for the district such as a
5 potential distributed generation solar array within
6 our system, which would provide another source of
7 green power to our customers.

8 Once you have had a chance to
9 digest the results of the river modeling and photo
10 simulation presented this evening, I ask that you
11 please reach out to me by phone, 985-3311; e-mail,
12 at tshea@klpd.org, that's how you spell Shea; or
13 via U.S. mail at 4 Factory Pasture Lane in
14 Kennebunk to let us know your thoughts. Any
15 information and thoughts provided will be passed on
16 to the Board of Trustees and utilized in the
17 decision making process. Your opinion does matter
18 and I ask that you do not hesitate to provide it to
19 us.

20 In the summer of 2014 an RFP was
21 sent to interested parties to gauge if there was
22 any interest from independent firms in purchasing
23 or leasing our sites. Preliminary due diligence
24 documents were provided to the respondents and site

25 visits were performed by four companies. As of

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1 August 2014, none had expressed continued interest,
2 but in the event that a firm would surface that was
3 interested, the Board would more than likely
4 consider that option once again.

5 I will now turn the presentation
6 over to Pat McIlvaine of Wright-Pierce Engineering
7 for the results of the river modeling and photo
8 simulation that her firm performed.

9 Once again, we ask that you hold
10 all questions to the end of the presentation when
11 questions and comments will be permitted. Thank
12 you very much for your time, and your patience, and
13 once again, I apologize for the delay in starting
14 this meeting.

15

- - -

16 RIVER MODELING AND PHOTO SIMULATION PRESENTATION
17 BY PATRICIA McILVAINE, WRIGHT-PIERCE ENGINEERING

18

- - -

19 MS. McILVAINE: Okay. Now we're
20 set. Moving onto the next slide. As I said, my
21 name is Pat McIlvaine and I'm with Wright-Pierce.
22 We're an engineering firm that has been hired --

23

(INAUDIBLE.)

24

MS. McILVAINE: That has been

25 hired by KLPD to help them with a number of

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1 different studies. The particular study that we're
2 talking about tonight -- let me go back here -- is
3 the river modeling study that we did that would
4 help us understand what the river might look like
5 should the dams be removed.

6 When we did the river modeling,
7 and as Todd mentioned, we took advantage of the
8 lowering of the impoundment behind the Kesslen Dam
9 so that we can actually -- when we were doing our
10 survey, we actually took cross-sections, went out
11 and about with a survey line, we had a surveyor on
12 land, to take survey points, to understand the
13 contour of the river bottom.

14 We also used a series of contour
15 information from FEMA, but FEMA's data basically is
16 limited to what the shoreline looks like, but that
17 does help us understand the width of the river.
18 And the purpose of this modeling is that you can
19 then see, if the dams are removed, what the width
20 of the river may look like and what the depth of
21 the river would look like.

22 And when we did the modeling, we
23 actually looked at basically the July summer flows.
24 All this flow data was actually obtained from USGS

25 gauging station in West Kennebunk and it was a

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1 number of years starting in 1939 through 2013 that
2 we used to date it. And we elected to use the July
3 data because, if you want to think about it, it's
4 when the water is lowest. So it would show what it
5 would like in a most drawn down situation. During
6 spring flows, the streams would -- the river would
7 be wider and the river would be deeper.

8 So around the room we do have the
9 same information that I'll be showing on a slide
10 presentation that shows what each cross-section
11 looks like and what -- we did photo simulations at
12 specific locations of what it might look like with
13 -- it shows what it looks like with the dams there,
14 what it might look like shortly, a few weeks after
15 the dams would be removed, and then, perhaps, two
16 to three years later. Because as time goes by,
17 vegetation will naturally start coming in and
18 restoring the shoreline.

19 When we did the modeling, we
20 actually looked at three scenarios. One scenario
21 looked at removing all three dams. One scenario --
22 and then we looked at the other scenarios of
23 removing just Kesslen, then Twine Mill and Dane
24 Perkins.

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1 the folks who -- whose -- I'm blocking your view,
2 but it basically shows the example of a river
3 profile. Basically showing that right now behind
4 the dam you have deeper water. You have an
5 impoundment or some people refer to them as lakes.
6 However, once a dam is removed, you're then going
7 to be restored to a more normal river condition
8 where that level will be down, you know, even to
9 the -- to the river bottom.

10 The river modeling results, and as
11 I said, you know, we have this information posted
12 around the wall for those who cannot see this. The
13 river modeling results basically show what the
14 existing width is with all dams removed, Twine Mill
15 and Dane Perkins removed, and only Dane Perkins
16 removed. I realize that you cannot read the
17 numbers on the slide, but when you do receive a
18 copy of the handout, you will be able to see those.

19 I will tell you that results of
20 the modeling, when we looked at all dams removed or
21 removing just the Twine Mill and Dane Perkins, that
22 for the most part the results were the same.

23 The difference we had is when --
24 is only at Dane Perkins Dam. At Dane Perkins Dam,

25 if you remove both Twine Mill's and Dane Perkins',

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1 what would remain at the former location of the
2 Dane Perkins Dam would be different. It would
3 actually be a little bit deeper and a little bit
4 wider than if you removed just the Dane Perkins
5 Dam. And the difference would be -- it would be
6 roughly 18 feet wide and 1.8 feet deep if you
7 removed Twine Mill and Dane Perkins and 34 feet
8 wide and 4.4 feet deep if you removed just Dane
9 Perkins. And the reason is, is that once the Dane
10 Perkins dam is removed, but say you maintained the
11 Twine Mill dam, the impoundment behind there
12 actually stretches upstream beyond where the
13 current Dane Perkins dam is.

14 So what we did is, we went and
15 decided, you know, where can we do these photo
16 simulations. Certainly, we selected each of the
17 dam locations as one location to do the photo
18 simulation. We selected the other locations based
19 on where there's access to see a riverfront from
20 land. We did not do photo simulations as though
21 you were in a boat. So we -- using Google Earth we
22 went and looked along to see where people would
23 actually have riverfront views and from that we
24 selected Sayward Street, Partridge Lane, as I

25 mentioned, Kessler Dam, and Yankeeland Campground.

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1 We looked at Yankeeland Campground also because
2 they do have canoe access for campers from there,
3 so we also have a photo simulation of what it would
4 look like with -- if the dams were removed and how
5 that would impact Yankeeland Campground.

6 So, at the Kesslen Dam, and again
7 I'll just reiterate, all this information is posted
8 on the walls. So after the meeting, if you want to
9 take a look at that, you can see the same
10 information. At Kesslen Dam, with the dam, the
11 water is 14 feet. If all the dams are removed, the
12 water drops down to roughly 1.2 feet. And, again,
13 I'll remind you, this is during summer flows. This
14 is the month of July. So, again, after rainstorms,
15 during normal spring conditions when there's a lot
16 more water in the river, the river channel would be
17 wider and it will be deeper, but we elected to do
18 it using July flows so you get a sense of, I hate
19 to use worst-case situation, but it's -- it's where
20 there's the biggest change. And so there's a
21 change of 12.8 feet in the depth of the water.

22 In terms of the width of the
23 river, the width of the river with the dam is
24 approximately 128 feet wide. And when you remove

25 all the dams, the width of the river is reduced to

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1 about 40 feet.

2 We have a slide that shows the
3 existing Kesslen Dam that -- as you would see it as
4 you were walking across the bridge and then a few
5 weeks later we did a photo simulation of the dam
6 removed. It's a little bit of art and it's a
7 little bit of science. The science part is the
8 river modeling to say what kind of -- how depth --
9 you know, what depth of water might you expect and,
10 perhaps, how wide of the river might you expect.
11 But we show rocks in the river. We anticipate that
12 there are. Do we know that they are exactly there?
13 No, we don't. But if you look downstream of the
14 Kesslen Dam, you look at what the Mousam River
15 looks like, it gives you an impression of what it
16 would look like.

17 Also, when a dam is first removed,
18 there will be sediments left behind. We do not
19 know exactly how depth the sediments are behind the
20 dam. That's a natural occurrence when you have a
21 dam. As sediments move downstream, they do collect
22 behind the dam, so initially, a lot of those
23 sediments will be obvious during the first couple
24 of weeks and then, quite frankly, it's up to Mother

25 Nature how quickly those sediments might move.

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1 Now, if this option were selected
2 and any of these dams would -- were to be removed,
3 KLPD would be obligated to test the sediments to
4 see if, in fact, there is any contamination and
5 those sediments would have to be removed and
6 disposed of. Contaminated sediments are not
7 allowed to just flush downstream. Just -- it --
8 before anybody started to thinking about that, I
9 just thought I would add that.

10 Then two to four years out
11 different types of vegetation is going to grow up
12 where there was sediments and soil buildup.
13 Exactly what's going to grow there, we don't know.
14 Certainly, grasses are going to start and shrubby
15 vegetation will then take over. Whether or not it
16 will ever develop into trees, there's a good chance
17 it would not primarily because, you know, some of
18 that is going to, in high stream flows, would be
19 washed over and, you know, different types of trees
20 don't like that type of changing water condition.
21 Whereas, different vegetation more suitable to that
22 would grow in these areas.

23 At the Twine Mill location, and I
24 will tell you that we have more photo simulations

25 on the walls than I'm showing here tonight. At the

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1 Twine Mill right now with the dam the water is
2 roughly 18.8 feet deep and the river is about 196
3 feet wide. With all the dams removed, the depth of
4 the water goes down to about 1.9 feet, almost two
5 feet of water. So that's a change of almost 17
6 feet in water depth. The river width would be
7 reduced to about 33 feet from 196 feet and so,
8 therefore, the change is approximately 163 feet,
9 the change in the width of the river.

10 Again, the photo simulation of --
11 well, this actually isn't a photo -- this is an
12 actual photograph of the Twine Mill Dam, and I will
13 tell you that it was difficult for us to get a
14 location where the public could see what the area
15 would look like and the photo simulations are
16 important for how the public would view it. So we
17 selected this location as -- as a possible
18 location, recognizing that a lot of the area right
19 along the impoundment for security reasons is --
20 has fencing for KLPD's purposes so the public
21 really couldn't access it anyway.

22 Again, a few weeks later there
23 would be sediment left behind. Similar to Kessler,
24 we don't know how much sediment would be there but,

25 in fact, sediment would -- would remain.

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1 Certainly, as spring flows change, depending on,
2 you know -- and again, if the dams were to be
3 removed, we don't know what season it would happen,
4 but certainly, spring flows would start moving
5 those sediments downstream in a fashion -- in a
6 similar fashion that Mother Nature does.

7 And, again, two to three years out
8 you would have, you know, the rocky areas within
9 the river would remain and you would start getting
10 herbaceous and shrubby vegetation growing along the
11 shorelines.

12 Dane Perkins, with the dams the
13 depth of the water is 17.5 feet and the width is
14 133 feet. With the dams removed, that water drops
15 down to about 1.9 feet, which is a change in depth
16 of about 15.6 feet. In terms of the river width,
17 it drops to about 19.5 feet, which is a reduction
18 of about 113.5 feet.

19 Again, Dane Perkins as it stands
20 today, Dane Perkins a few weeks later, I'm sorry if
21 it's hard to see, and two to three years out. And
22 again, you'll -- we'll start getting that same type
23 of vegetation.

24 That's the end of the presentation

25 of the river modeling that we did and the photo

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1 simulations. As I mentioned, we also did these for
2 Sayward Street, Partridge Lane and Yankee
3 Campground and those are posted on the wall, the
4 same information. It shows the change in river
5 width and depth and the different stages of what it
6 may look like should the dams be removed. They're
7 posted on the wall.

8 Okay. I'm going to turn the
9 presentation back over to Todd. Thank you, very
10 much.

11 (Applause.)

12 UNIDENTIFIED SPEAKER: Are those
13 posted on the website, what we've just seen?

14 MR. SHEA: They are not yet posted
15 on our website. Tomorrow morning they will be
16 posted on the hydro page and if you sign up for the
17 e-mail alerts, I can e-mail PDF copies of that to
18 you, as well. But we will upload those and there
19 will be a video of this presentation on our website
20 in the morning.

21 Vice President Berry, at your
22 pleasure I would like to open this first up to
23 questions from the Board of Selectmen and then to
24 the public.

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1 Board of Selectmen?

2 VICE-PRESIDENT BERRY: Questions
3 or comments?

4 MR. SHEA: Or comments.

5 - - -

6 FORUM OPENED TO THE BOARD OF SELECTMEN

7 - - -

8 SELECTMEN SEARLES: Right off a
9 concern I have is the -- excuse me -- is the
10 sediment if -- if one or all of the dams were
11 removed. I think it's fair to guess that there's
12 quite a bit of sediment behind each one of those
13 dams because they've been there for a long time.
14 So what happens when you go in there with an
15 excavator, or dynamite, or whatever, and breach the
16 dam, the initial rush of water, of course, I'm sure
17 you're not going to let it all go at once, but it's
18 going to carry all that sediment away, all the
19 loose sediment, what is that sediment going to do,
20 and hopefully it's not polluted, but I kind of
21 doubt it, but what's that going to do to the rest
22 of the river between the bridge next to Duffy's and
23 the ocean? Is that going to wash all the way to
24 the ocean or is it going to disburse itself along

25 the river between here and there and, thus, hide

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1 some of the rocks that are there now? Do we know
2 what really happens?

3 MR. SHEA: Our understanding, it
4 could be a combination of both of the things you
5 just said, Selectmen Searles. Mother Nature sends
6 flow to the river in varying capacities. It's been
7 indicated that the -- the heavy events, such as
8 Mother's Day and Patriot's Day of 2006, caused
9 flushing events in the river itself. If the
10 decision were made to remove the dams, yes, we
11 would have to test the sediment because no
12 contaminated sediment would be allowed to filter
13 downstream.

14 SELECTMAN SEARLES: Would it be
15 tested prior to breaching the dam?

16 MR. SHEA: It would be tested
17 prior to breaching the dam and then, at that point,
18 further modeling would have to be done to determine
19 where that sediment is going to deposit itself and
20 what problems that's going to cause further down
21 the watershed.

22 SELECTMAN SEARLES: Thank you.

23 SELECTMAN SPOFFORD: Have there --
24 have there been any studies done regarding the type

25 and how many fish come up the Kennebunk River from

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1 the Kesslen Dam up through?

2 MR. SHEA: Selectman Spofford, the
3 fish don't go up the Kennebunk River to the Kesslen
4 -- to the Kesslen Dam. Sorry, I had to.

5 SELECTMAN SPOFFORD: I'm sorry.
6 The Mousam.

7 MR. SHEA: None of them go up the
8 Kennebec River -- the Kennebunk River.

9 SELECTMAN SPOFFORD: I live on the
10 Kennebunk River.

11 MR. SHEA: The Mousam River to the
12 dam there have been no definitive studies. We've
13 had preliminary meetings with different state
14 agencies such as the Department of Marine Resources
15 and Inland Fisheries and Wildlife, but until such
16 time as we file our Notice of Intent, full surveys
17 won't be done to determine whether -- what species
18 are trying to get where. The only thing that we
19 are aware of is that there are American Eel
20 throughout the entire watershed.

21 SELECTMAN SPOFFORD: So if we --
22 so if you, as a board, decided not to do anything,
23 I know -- and decided to ignore the re-licensing,
24 what are the consequences?

VICE-PRESIDENT BERRY: That's a

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1 rather broad question that we're really not going
2 to address this evening. We're really here to
3 address the river modeling and what it -- what
4 we've studied and what it shows. There's a
5 multiple of paths that we have been following, and
6 exploring, and trying to gather different
7 information on and each one of those leads,
8 perhaps, to different conclusions that we are not
9 prepared -- we don't have the -- any information
10 that we're going to share tonight on that question
11 you asked.

12 SELECTMAN MORIN: Would the --
13 would the District consider a, for lack of a better
14 term, dredging ahead of the breach of the dam and
15 removing some of the sediment beforehand or is that
16 going to be letting -- allowing -- you're going to
17 just allow Mother Nature to take its course?

18 MR. SHEA: That is an option that
19 has not been addressed. In some situations
20 dredging will be done ahead of time. In others,
21 Mother Nature takes her course.

22 SELECTMAN DONOVAN: Anyone else
23 from the board?

24 SELECTMAN KOTSONIS: First of all,

25 can people go to your website, the KLPD website and

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1 sign up for the e-mail?

2 MR. SHEA: Unfortunately, at this
3 time, they can't go to the KLPD website and sign up
4 for an e-mail alert. I'm working on getting that
5 taken care of. They can e-mail me directly and I'm
6 compiling a Mousam River distribution list,
7 updating that. I've been updating it daily so that
8 information will be sent that way.

9 SELECTMAN KOTSONIS: If -- if you
10 find the sediment behind any of the dams is
11 contaminated, who pays for the cleanup, who gets
12 the bill?

13 MR. SHEA: Those dams belong to
14 the District at this point in time.

15 SELECTMAN KOTSONIS: So it would
16 be passed onto the ratepayers --

17 MR. SHEA: Unless --

18 SELECTMAN KOTSONIS: -- fair to
19 say?

20 MR. SHEA: Unless options are
21 taken or available funding is -- funding is made
22 available to us through grant programs.

23 SELECTMAN KOTSONIS: Okay. In
24 this new leveling, Kennebunk Sewer uses a lot of

25 water in which to facilitate their operation, what

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1 does this do as far as Kennebunk Sewer; are they
2 still able to operate with the reduced flow?

3 MR. SHEA: It is our understanding
4 that they will be able to operate. I'm just
5 looking around the room because I thought Mike
6 Bolduc told me he was going to be here, but I don't
7 see him. They would be able to operate.

8 The District has an agreement with
9 the sewer district on minimum flows that we're
10 required to pass. That would be something that
11 would be on -- would be beyond our control should
12 the dams be removed and the sewer district has been
13 made aware of this and I do believe that they
14 indicated that they would still be able to operate
15 in their current manner.

16 SELECTMAN KOTSONIS: Okay. And
17 we're worried about -- or some people are worried
18 about fish downstream.

19 MR. SHEA: Yes.

20 SELECTMAN KOTSONIS: What about
21 the fish that are in the existing river now, what
22 does the new level or the lower level do to them?
23 Will they and can they still survive or now are we
24 affecting them beyond what they can --

MR. SHEA: Those are things that

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1 will have to be determined through Department of
2 Marine Resources and Inlet Fisheries and Wildlife
3 as we move forward in the process.

4 SELECTMAN KOTSONIS: Okay. Thank
5 you.

6 SELECTMAN DONOVAN: Chris?

7 SELECTMAN CLUFF: Can we talk
8 dollars and cents for a second?

9 MR. SHEA: Not really.

10 SELECTMAN CLUFF: Do you have any
11 estimates if we removed the dams what the costs
12 would be or if we had to keep them and re-license
13 them and bringing them up to the standards what the
14 costs would be?

15 MR. SHEA: Not solid enough to be
16 able to give to the public at this point. And I'll
17 tell you why: The first number that I throw out
18 there is the first number that people are going to
19 remember. The numbers are being refined and there
20 are so many different options that I really, at
21 this point, can't -- I can't put a number out there
22 that would be accurate or we could stand behind.

23 SELECTMAN CLUFF: Okay.

24 SECRETARY BEAL: This is an

25 extreme change to the topography of the entire

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1 area, so I can -- and I'm going to use the word
2 assume -- that it's not going to be conducive to
3 the herons that are there. Not only the fish but
4 the herons, as well. One of the things that I
5 enjoy watching is the waterfowl, but what about
6 those of us that live out in that area that draw
7 our water supply from there and our wells are part
8 of this, can you see this affecting our wells and
9 drying those out, as well?

10 MR. SHEA: Should the dams be
11 decide -- should the District decide to remove the
12 dams, that is something that will be determined
13 hydraulically. We don't know what the wells along
14 the river are associated with hydraulically. That
15 same question will arise with wetlands along --
16 associated with the river. So, at this point in
17 time, we -- we don't know if that would affect
18 wells or not. That will depend on whether those
19 wells are drilled into bedrock. A whole bunch of
20 different circumstances would be required to
21 research to be able to determine that.

22 CHAIRMAN DONOVAN: I just have a
23 couple of questions. Senator King came to your
24 offices, and I know the article in the Seacoast

25 talked about the cost of the paperwork, the

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1 re-licensing, and everything else, could you just
2 give a quick overview on that for -- for those that
3 may not have read it or -- some of us that did? It
4 seems as if there's a -- there is a process,
5 obviously, to go through, the set costs by the
6 federal government, and he was going to try and
7 address that with respect to monies.

8 MR. SHEA: In regard to that
9 article, those numbers are anecdotal numbers that
10 we've been told were experienced by other
11 re-licenses in the area and across the nation.

12 CHAIRMAN DONOVAN: Okay.

13 MR. SHEA: The numbers that have
14 been thrown out there for re-licensing costs in of
15 itself are somewhere between 850,000 and 1.3
16 million dollars. We have three facilities. The --
17 the return on that investment is difficult when you
18 have three facilities. Senator King indicated to
19 us that the one size fits all scenario for
20 re-licensing dams just doesn't necessarily seem to
21 fit, doesn't seem to work, and he indicated he
22 would go back to the energy committee and try to
23 work with the Federal Energy Regulatory Committee
24 and his energy committee to see if there's anything

25 they can do to change that.

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1 CHAIRMAN DONOVAN: And finally,
2 what is the process after tonight? We have an
3 informational meeting tonight with the Board of
4 Selectmen and the public, are there further public
5 hearings? Obviously, you folks will be meeting as
6 a board to make some determinations, but where do
7 -- where do we go from here and where do you go
8 from here?

9 MR. SHEA: We'll be meeting --
10 we've been meeting twice a month every month and
11 the Board has been doing that for quite some time.
12 I would anticipate that sometime early fall there
13 will be another public information meeting where
14 we'll have more solid figures and more information
15 available to share with the public. And, keeping
16 in mind, that all of our meetings are open to the
17 public.

18 CHAIRMAN DONOVAN: Barry, you --
19 you had a question or a comment?

20 MR. TIBBETTS: Todd, I had a
21 couple of questions for you.

22 MR. SHEA: Sure.

23 MR. TIBBETTS: What happens to the
24 14 dams beyond once our three dams are gone? Let's

25 say they remove -- I mean, it seems to me the

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1 argument I've heard is that the fish wanted to go
2 upstream but they're going to get to Sanford and
3 there's another 14 dams beyond that.

4 MR. SHEA: I believe there's 8. I
5 think there's 11 total. I could be wrong on
6 that --

7 MR. TIBBETTS: Okay.

8 MR. SHEA: -- Barry.

9 MR. TIBBETTS: Okay.

10 MR. SHEA: We have no control over
11 those dams above us.

12 MR. TIBBETTS: Okay.

13 MR. SHEA: And several of them are
14 in private ownership, so -- that do not generate
15 power and so that would be something that I believe
16 the NGO such as MKRA and Maine Rivers would work to
17 try to work with those dam owners to restore those
18 sections of the river, as well.

19 MR. TIBBETTS: The dams that are
20 beyond the Kennebunk borders do not have the
21 devices to actually release water. They're only
22 for overflow -- they're only for an overflow from
23 severe rain or from flooding that may occur.

24 MR. SHEA: Yes.

MR. TIBBETTS: Has -- knowing

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1 that, and are -- and if we take out our three dams
2 and we need a minimum of, I think it's 40 CFF's, if
3 I'm understanding this correctly, for -- in order
4 for the Sewer District to walk to -- to function.
5 If we -- has the study looked at a 50 or a hundred
6 year drought and what that impact would be with
7 those dams not being above us being able to release
8 the water and how -- and whether that would affect
9 our sewer district and what happens with that
10 capacity for that water to be released?

11 I don't expect you to have the
12 answer, but I would like to at least, if -- if it's
13 within the purview of your board to kind of explore
14 that. Because if you look at the climate that
15 we're currently having, we have gone to -- it's
16 particularly -- this year you can see it, a rather
17 extreme climate change coming through with
18 different kinds of events and I'm -- I'm just
19 concerned that, you know, five or six years out we
20 get a hundred year drought what -- there's not
21 enough water to put down there for the sewer -- for
22 the sewer system to function. We could have a
23 problem from that perspective.

24 Next question, and I don't -- I

25 just -- I'm not a fisherman so I don't really know

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1 the answer to this. I'm just curious. Is -- as
2 that water -- 'cause it shows the water going from,
3 in some cases, the 16 feet, or 12 feet, or 15 feet
4 down to 1.9 or 1.2 feet. At what -- at what amount
5 of water is necessary for a fish to survive?

6 I know, when you get the water
7 down to a much lower level, the water heats up and
8 fish don't like really warm water. At least that's
9 what I've always heard when I'm -- when I used to
10 go fishing. I did try fishing with my dad a couple
11 of times and I never caught anything, so I don't
12 know the answer, but I'm just curious as to what
13 kind of impact that has and -- and how that -- how
14 that flows through.

15 And -- and another question I had
16 and it's slightly different than that but also it's
17 really about the functional use of the river, is
18 that right now there are different places where
19 someone can put a canoe in and can -- can travel
20 from -- basically from, you might say, from dam to
21 dam. If that water drops down to 1.2 feet, down to
22 1.9, how can a canoe or a kayak -- will -- will a
23 canoe or kayak be able to navigate that waterway?

24 And, again, I don't know the

25 answer and -- and maybe we have to talk to some

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1 people who do a lot of, you know, that -- that do a
2 lot of different rivers, they could tell us, but I
3 think that would be important for the -- for the
4 public to understand what happens with the change
5 in the -- the actual use and functionality of -- of
6 the river.

7 The next question I have, and --
8 well --

9 MR. SHEA: You know I used to be a
10 town manager, don't you, Barry?

11 MR. TIBBETTS: I've got the
12 microphone. I've got the opportunity.

13 MR. SHEA: Hang on, yours are
14 written on. Hold on. So that question I will
15 address with Mike Bolduc in regards to the Sewer
16 District.

17 MR. TIBBETTS: Okay.

18 MR. SHEA: They had indicated to
19 us that there would be no problem in maintaining
20 their license if the river -- if this option is
21 selected. I will specifically ask him that
22 question about the 50 and 100 year drought flows
23 and how that will affect them.

24 MR. TIBBETTS: Thank you.

MR. SHEA: I believe that's a

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1 conversation that the sewer board district would
2 like to have, as well.

3 Fishing, I don't fish. I've heard
4 -- I heard you say that smaller -- smaller flows
5 create warmer water, which necessarily isn't the
6 case, because faster moving water has a tendency to
7 be --

8 MR. TIBBETTS: Okay.

9 MR. SHEA: -- colder. So as we're
10 impounding, it is our understanding the water is
11 warming up.

12 And I'm going to remember that
13 last question.

14 Oh, we don't know if there will be
15 a continuous -- continuous, navigable channel in
16 the river to canoe, kayak, bring boats on.
17 Preliminarily, you can see there may be some
18 rapids. It may be a hairy ride, but we're not sure
19 what kind of watercraft you're going to -- what
20 kind of watercraft -- I've been down rivers like
21 that in a canoe and I sent the canoe packing
22 because it didn't last any longer, but...

23 MR. TIBBETTS: Okay. Will you be
24 exploring options other than dam removal and/or

25 fish ladders? I've heard that there are some other

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1 options.

2 MR. SHEA: Such as trap and truck?

3 MR. TIBBETTS: Yup.

4 MR. SHEA: That's a temporary
5 measure. The definition of temporary, we don't
6 know. But that is -- we're considering all options
7 right now.

8 MR. TIBBETTS: Okay. Have you --
9 has the -- your board been able to get any
10 information on the economic effect, whether
11 positive or negative, to this kind of impact,
12 whether it to residential and/or commercial
13 business for what happens to a change in a river?

14 MR. SHEA: That's what we're
15 hoping to come from this meeting. This is the
16 first time we released these photo simulations.
17 I'm going to ask Vice-Chair Berry if they -- if
18 there have been conversations in the past. I had
19 heard Yankeeland had been involved in some
20 conversations. I'm not sure if that's the case.

21 Do you recall, Wayne?

22 VICE-PRESIDENT BERRY: I -- I
23 don't recall whether Yankeeland was involved in a
24 conversation. Certainly, I think tonight's

25 presentation will -- will bring out further

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1 conversations on -- on both sides and we look
2 forward to hearing comments from -- from the public
3 on what we've presented this evening.

4 MR. SHEA: Absolutely.

5 MR. TIBBETTS: Have any studies
6 been found in relation to where this has been done
7 in other communities around the country and what
8 that affect has had on those communities, do you
9 know of...

10 MR. SHEA: Pat, do you know of
11 any?

12 MS. McILVAINE: Actually, there
13 have been a number of studies --

14 CHAIRMAN DONOVAN: You have to
15 come up to the mic. Thank you.

16 MS. McILVAINE: There have been a
17 number of studies around the nation and it is a
18 change and many people don't like changes, but will
19 it -- you know, will it affect the economics?
20 Sometimes it improves the economics because it's a
21 change in the type of recreational use. Other
22 situations, they may actually have an economic loss
23 because their particular use of the river is not
24 going to be available. But to say is it always a

25 plus or a minus for everybody? That's hard -- hard

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1 to answer.

2 MR. TIBBETTS: In looking in those
3 other studies that have been done around the
4 nation, do they look at the valuation impact to the
5 waterfront homes that are affected?

6 MR. SHEA: I've heard -- I've
7 heard it said enough, I've often been told that
8 initially there may be an impact, but over time
9 those real estate values stabilize because of the
10 nature of the river that's flowing adjacent to the
11 properties.

12 MR. TIBBETTS: So --

13 MR. SHEA: There's no definitive
14 -- we haven't found any definitive information that
15 there is a negative or a positive impact on real
16 estate values.

17 MR. TIBBETTS: Okay. Thank you.
18 That's great.

19 SELECTMAN SEARLES: Mr. Chairman?

20 CHAIRMAN DONOVAN: Go ahead.

21 SELECTMAN SEARLES: On the same
22 topic, if the river goes way down, so it stands to
23 reason that a number of the property owners
24 alongside the river are going to see a growth in

25 their property because they'll own out to the

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1 water's edge.

2 MR. SHEA: That all depends on
3 their deed and it's -- I can preface that by saying
4 that I was formerly the city -- city manager in the
5 city of Hallowell --

6 CHAIRMAN DONOVAN: Uh-huh.

7 MR. SHEA: -- and we've dealt with
8 several deed related restrictions as to where that
9 point ends. Some say to the thread of the river.
10 Some say to the bank of the river. Some
11 specifically lay out footage. So it all depends on
12 how the deed is spelled out on those properties.

13 SELECTMAN SEARLES: Interesting.
14 I'm glad I don't have one.

15 SELECTMAN KOTSONIS: Todd, if a
16 property owner owns property on the river --

17 MR. SHEA: Yes.

18 SELECTMAN KOTSONIS: -- and you
19 lower the river --

20 MR. SHEA: Yes.

21 SELECTMAN KOTSONIS: -- and now my
22 embankment is sediment or contaminated, is that the
23 KLPD's responsibility, as well, or is it just in
24 front of the dams?

MR. SHEA: That, we haven't been

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1 given a determination of. That would be something
2 that the DEP, should we decide to remove the dams,
3 in working with the several governmental agencies,
4 the Department of Environmental Protection would
5 get involved and let us know where our limits end.

6 SELECTMAN KOTSONIS: Because water
7 holds -- can hide a multitude of sins from pass
8 property owners and once you lower the water,
9 that's all exposed.

10 MR. SHEA: Most certainly.

11 SELECTMAN KOTSONIS: I can see it
12 -- I can just envision it up and down the river.

13 MR. SHEA: Um-hum.

14 CHAIRMAN DONOVAN: Any further
15 questions from the Board?

16 (No verbal response.)

17 CHAIRMAN DONOVAN: Okay. We'll
18 open it up to the public. I would only ask just a
19 couple of things. Obviously, they are not prepared
20 to discuss rates, so there's no sense in asking
21 questions about that. I would ask that you ask
22 questions instead of make statements since this is
23 a preliminary meeting. There will be time to
24 express other views, but if you have specifically

25 questions for KLP's representatives to use that

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1 opportunity to ask a question. And if someone is
2 up in front of you and asks the question that you
3 were thinking of doing so, please don't repeat it.
4 We have a lot of people here tonight so we'd like
5 to take care of as many as possible.

6 So, with that, we will -- do we
7 have the signup sheet up there, Barry?

8 MR. TIBBETTS: Yes, we do.

9 CHAIRMAN DONOVAN: When you go up
10 to the microphone, you're going to have to speak at
11 the microphone, so that the people at home -- and
12 that -- this is being video'd -- will be able to
13 hear you. Would you please sign your name at the
14 sheet so that we can keep track for our notes and
15 the minutes of this meeting, which we'll have to
16 act on at a later date.

17 VICE-PRESIDENT BERRY: Kevin?

18 CHAIRMAN DONOVAN: Yes.

19 VICE-PRESIDENT BERRY: Could we
20 also ask that --

21 CHAIRMAN DONOVAN: You're off.

22 VICE-PRESIDENT BERRY: -- after
23 you do the signup sheet --

24 CHAIRMAN DONOVAN: You're off.

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1 you do the signup sheet, could you also state your
2 name, your place of residence, and any affiliation
3 you may have.

4 MR. SHEA: So please, come up
5 behind me. Come to the microphone. Speak into the
6 microphone. I'll answer all the questions that I
7 can. And before people start filtering out of the
8 room, I want to let everybody to know that the
9 Kennebunk Light and Power District is in the
10 process of hiring a business manager, an
11 accountant. We've got a captive audience here. Go
12 to our website. There is an employment opportunity
13 with the District. Pass it on to all of your
14 friends. Thank you.

15 UNIDENTIFIED SPEAKER: Can I ask
16 a couple of questions from here that you --

17 CHAIRMAN DONOVAN: No.

18 UNIDENTIFIED SPEAKER: -- That I
19 --

20 CHAIRMAN DONOVAN: Sir, no.
21 Questions will be only up here.

22 UNIDENTIFIED SPEAKER: I want to
23 know if the environmental --

24 CHAIRMAN DONOVAN: You have to go

25 to the mic --

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1 UNIDENTIFIED SPEAKER: -- study at
2 the Mousam River --

3 CHAIRMAN DONOVAN: At -- at --

4 UNIDENTIFIED SPEAKER: -- for
5 contamination.

6 CHAIRMAN DONOVAN: There will be
7 no questions taken from the floor. It will be only
8 at the podium.

9 UNIDENTIFIED SPEAKER: All right.

10 CHAIRMAN DONOVAN: Thank you.

11

12

- - -

13

PUBLIC FORUM

14

QUESTIONS AND COMMENTS

15

- - -

16

MR. MULCAHY: My name is Gregory

17

Mulcahy. I currently live in Biddeford Pool but

18

I'm from Shapleigh. I actually live on Square

19

Pond, which some people may know is the source of

20

the Mousam River, so I have some vested interests.

21

I also am an environmental steward at Rachel Carson

22

National Wildlife Refuge, serving in AmeriCorps

23

until November, so some vested interests in that,

24

as well.

I have kind of a two-fold

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1 question. Many people don't know that the
2 wastewater treatment plant in Sanford is also
3 affiliated with the Mousam River. I was wondering
4 to what extent there would be an affect on the
5 downstream water quality, especially since they
6 don't really test for a lot of the contaminants
7 that are associated with the prescription drugs and
8 that sort of thing? They don't filter out. If
9 anybody's interested in water quality analysis, I'd
10 consider looking into that because of the -- the
11 tertiary treatment facility in Sanford is state of
12 the art, but they don't -- you know, they might not
13 have the cutting edge science behind how they treat
14 all the water for the different -- different drugs,
15 so that could be an affect of removing the dams and
16 the sediment.

17 Also, I was wondering about the
18 beach dynamics, especially since the Mousam River
19 empties out into the Atlantic and has a dynamic
20 system at the end of it at the beach. I was
21 wondering how the dam removal would affect those --
22 the beach dynamics.

23 MR. SHEA: Wastewater -- am I on?

24 CHAIRMAN DONOVAN: Yes.

MR. SHEA: We really -- we really

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1 are at the mercy of the wastewater treatment plant
2 in Sanford, so any water quality studies that would
3 be done in conjunction with re-licensing or with
4 dam removal would have to take that into
5 consideration. Unfortunately, at that point in
6 time, it would be the responsibility of those
7 upstream facilities to clean up what it is they're
8 discharging into the river.

9 MR. MULCAHY: What relationship do
10 you folks have with Sanford, the town of Sanford?

11 MR. SHEA: We all -- all of us
12 within -- with dams along the river, we have a
13 chain of calls list where if someone upstream is to
14 discharge -- they need to reduce or release a
15 considerable amount of water in a quick manner --

16 MR. MULCAHY: Yes.

17 MR. SHEA: -- there's a call list
18 for everybody that needs to be informed.

19 MR. MULCAHY: Okay.

20 MR. SHEA: Of course, we're the
21 last three on the river. Sometimes that
22 information doesn't trickle down to us. No pun
23 intended.

24 MR. MULCAHY: Yeah.

MR. SHEA: So it is supposed to be

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1 a back and forth communication. We met about a
2 month ago with York County Emergency Management
3 Agency to try to reestablish those lines of
4 communication and verify the contacts that are
5 available and who should be calling who.

6 MR. MULCAHY: So you have no
7 control over the level of water? Because I know
8 that the town of Sanford owns the dam -- or the
9 locks on Square Pond.

10 MR. SHEA: Yeah, we have --

11 MR. MULCAHY: And they own -- so
12 you don't have any control over the flow above you?

13 MR. SHEA: Not at all.

14 MR. MULCAHY: Okay.

15 MR. SHEA: We're run of the --
16 we're runner -- run-of-river facilities. We are
17 not -- we're not flood control so we just have to
18 take what comes to us.

19 MR. MULCAHY: Okay. And do you
20 have any information about the change of beach
21 dynamics?

22 MR. SHEA: That, I do not.

23 MR. MULCAHY: Okay.

24 MR. SHEA: And that's something we

25 can discuss with the Board as we move forward as to

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1 further studies that could be done.

2 MR. MULCAHY: Because that would
3 affect waterfront Atlantic properties, as well?

4 MR. SHEA: Absolutely.

5 MR. MULCAHY: Okay. Thank you.

6 MR. MILDNER: Okay. My name is
7 Curtis Mildner and I've lived in Kennebunk now for
8 40 some years, so I guess you could say I haven't
9 lived here all my life. I am from away but I have
10 a pretty good background and my question is really
11 about the -- for you and for the Board, is what is
12 the economic value of the dams itself?

13 And by that, let me -- let me just
14 make a couple of points. One is, is that obviously
15 no one was willing to buy it so the commercial
16 value isn't very high, but the dams have some value
17 in that they generate certain dollars worth of
18 power, okay, and then they cost something to
19 maintain the dams.

20 Now, I've gone to two meetings on
21 the dams. I've looked at every trustees -- minutes
22 for every trustee minute. I've asked requests for
23 information and so far I've not yet heard what the
24 dams contribute net after maintenance to ratepayers

25 each year and -- and I guess I'd -- I'd kind of

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1 like to know because I have tried. I've sent
2 e-mails to the Board itself. I've sent e-mails to
3 the general manager, the past general manager, and
4 I've yet to have an answer to that question.

5 What are the dams producing net of
6 the maintenance costs?

7 MR. SHEA: I didn't bring that
8 information with me today -- tonight, Mr. -- is it
9 Mildner?

10 MR. MILDNER: Mildner.

11 MR. SHEA: -- Mildner, but I do
12 know -- Sharon cc'd me on that e-mail, and if she
13 got your e-mail address incorrect, I'll have to ask
14 you to fix that, but I did see, was it Thursday or
15 Friday, Sharon?

16 MS. STAZ: Thursday.

17 MR. SHEA: Thursday.

18 MR. MILDNER: Okay.

19 MR. SHEA: That information was
20 provided to you.

21 MR. MILDNER: That's a pretty
22 basic question, don't you think? I mean, if you're
23 concerned about ratepayers --

24 MR. SHEA: Um-hmm.

MR. MILDNER: It seems to me, the

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1 first thing you'd look at is how much power, what
2 does it cost to operate. And I think it's very
3 telling that information isn't readily available.
4 And I realize that the General Manager and the
5 Board have a lot of things to think about. This is
6 an extraordinarily expensive and complex decision,
7 but there's basic information that hasn't been
8 provided to the public when the public has asked.
9 And I know you're sincere about responding to
10 comments, but I've written to the Board, I've
11 written to the General Manager, and I still, almost
12 now -- it's been a full year I've been trying to
13 get that information and I think that it is very
14 important to be transparent and complete and that
15 has not yet occurred.

16 So I guess I have a question that
17 I don't feel has been answered and a comment about
18 transparency and fundamentals about evaluation of
19 the dam. That is, you really ought to look at what
20 it costs, what we get, and we ought to, perhaps,
21 delay that, delay things that are more complex
22 until that very basic question is answered. And I
23 think if it is answered, the public would soon
24 discover that the dams really don't generate a lot

25 of value. Thank you.

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1 MR. SHEA: Thank you.

2 (Applause.)

3 MS. COLDRICK: My name is Terry
4 Coldrick and I'm here representing the Mousam River
5 Condo Association, which is located at One Pleasant
6 Street.

7 CHAIRMAN DONOVAN: Slow down.

8 MS. COLDRICK: Sorry. My name is
9 Terry Coldrick and I'm here representing the Mousam
10 River Condo Association. It's four condos located
11 at One Pleasant Street. And my question is, is the
12 back of that building is three stories high and the
13 foundation is actually on the concrete barrier that
14 comes off of the dam. I'm not sure what you call
15 it, but it -- our foundation literally sits on that
16 concrete barrier and if you drop the river 13 feet,
17 12 feet, and if the sediment moves, what's that
18 going to do to the structural integrity of our
19 building? And if it does something, it's
20 determined, who pays for that, who's financially
21 responsible?

22 MR. SHEA: I honestly can't tell
23 you who is financially responsible, but I can tell
24 you that those are studies that would have to be

25 undertaken should the dams be decided to be removed

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1 because we do have a responsibility for the
2 infrastructure that we have and the lack of that
3 infrastructure that causes issues would more than
4 likely be borne by the District.

5 MS. COLDRICK: And the other
6 thing: Obviously, the financial impact of having
7 bought -- looking at the pictures, going from 14
8 feet to, what, 1.2 feet, and I have been there for
9 almost eight years and have watched the river go
10 down, to watch the bridge construction, maintenance
11 on the thing, and I have to tell you it's smells
12 unpleasant when it's down and if it's going to be
13 weeks, it's unpleasant.

14 And also, you know, again, back to
15 the property values, and I know that you said that
16 that's a future meeting, but looking at the photos,
17 two to four years and what that does to the
18 property values, particularly there a number of
19 people on Pleasant Street that are concerned.

20 Also, just an observation on the
21 folks that have mentioned the pollution. When they
22 have taken the river down, I have seen microwaves,
23 tires, radiators that -- there should be some
24 really interesting things as the sediment comes out

25 of there.

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1 And I also have another question
2 as -- if -- and looking at the pictures the mud
3 banks that are there, if the sediment is
4 contaminated, what are we looking at for vegetation
5 to fill in, which, obviously, is going to make it a
6 more pleasant looking environment; is there
7 concerns that it won't vegetate because of the
8 pollution?

9 MR. SHEA: That, we haven't been
10 able to determine yet. That's why we're having
11 this conversation, so we can take all these
12 considerations back and see what kind of
13 information we can bring forward to you.

14 It would be a natural in-filling
15 of the river potentially with natural vegetation.
16 Not too many invasive species would get in there,
17 but they have a tendency to be able to propagate
18 faster than other vegetation -- vegetative species,
19 but that really can't be determined at this point
20 yet.

21 MS. COLDRICK: Thank you.

22 MR. PARKER: My name is Phil --
23 Phil Parker, 125 Ross Road. I'm a member of Site
24 Review Planning, The former chairman of the

25 shellfish board, and a current member of shellfish.

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1 Something else to talk about: We
2 have clam flats on the Mousam River. As far as
3 site review, we're talking about future demand on
4 the sewer system. Route 1 south is now sewerred
5 [sic]. As the town grows, there's going to be a
6 greater need for sewerage and I know there's talk
7 about a seaward outfall. It's expensive but long
8 range it cleans up the river. Ogunquit does this
9 now quite -- quite successfully. The sewer --
10 their sewer pipe is about two miles offshore.

11 As far as the clam flats -- just a
12 little bit of history, real quick. Ten years ago
13 Kennebunk's clam flats had been closed for forty
14 years due to pollution. We successfully reopened
15 them running a winter program where the flats are
16 only open in the winter because we know in the
17 summertime, when the tourists are here and people
18 have their cottages, we have a certain amount of
19 overboard discharge and the river is polluted.

20 John Light (ph), I don't know if
21 he is here, has been doing testing, and I think our
22 board should talk with the -- the power company,
23 because we have a lot of data. There used to be a
24 flowmeter at the sewerage plant until the 2007

25 Patriot's storm that took it out. We used to

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1 measure the flow and it's interesting because,
2 according to our records, the ebb/flow in the
3 Mousam River is the third week in September in the
4 lower river. There is currently a flowmeter at
5 Witcher's Mills that was put in two or three years
6 ago where there is measurement of the flowage in
7 the river.

8 But the bottom line is that when
9 the current administration in Washington came to
10 power, they increased the water quality standards
11 in the country that right now we cannot put enough
12 water down the Mousam River over the clam flats to
13 operate our program, and removing the dams, that
14 might change that and/or having a seaward sewerage
15 outfall. But running the program -- I mean, this
16 is for Kennebunk residents.

17 We had a reseeding program. It
18 was pretty -- pretty dynamic and we would love to
19 bring that all back, but we have to put more water
20 down the river over those flats to meet federal
21 standards of water quality because we -- we have
22 the -- in our board, we have the -- the
23 infrastructure to do the water testing. We have
24 something like 36 stations that we test every month

25 between the Kennebunk River and the Mousam River

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1 all the way down to the Little River.

2 So we're -- clams, or mollusks, or
3 oysters are a pretty darn sensitive measure of what
4 the environment is doing and, obviously, we don't
5 want anyone to get sick from eating steamers and we
6 never have. But we're -- we're so concerned about
7 the water quality that right now we're between a
8 rock and a hard place because we -- with -- with
9 the dams and the river system as it now exists and
10 the standards that we're required to meet out of
11 Washington and the DEP, or Environmental
12 Protection, we cannot put enough water down the
13 river.

14 So -- but I would love to share
15 the data with the power -- we have a lot in writing
16 and with Department of Marine Resources.

17 MR. SHEA: I would greatly
18 appreciate --

19 (Inaudible.)

20 MR. SHEA: I'd greatly appreciate
21 any information that you can provide to us, 'cause
22 we will look at any sources of information that we
23 can get.

24 MR. PARKER: All right. Somebody

25 brought up about property values. I'm a retired

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1 appraiser, real estate appraiser, and that's
2 probably the best thing you can do is -- if -- if
3 these events occur, is have your property
4 appraised.

5 MR. SHEA: Um-hmm.

6 MR. PARKER: Thank you.

7 MR. SHEA: Thank you.

8 UNIDENTIFIED SPEAKER: What's the
9 question?

10 MR. PARKER: The question is, when
11 and if can we put enough water down the river to --

12 MR. SHEA: We can only send you as
13 much as Mother Nature sends us.

14 MR. HEINZ: I'm Steve Heinz. I
15 live in Cumberland. I'm with Trout Unlimited. We
16 have 45 of our members who live in the watershed.
17 I'd like to speak for them and I'd like to speak
18 for the trout.

19 Just, you know, a lot of the
20 concerns and questions that have come up so far. I
21 think you've set the tone for the meeting. I'd
22 just would like to kind of level that out a little
23 bit by saying they're have been huge by comparison
24 dam removals on the Kennebec, huge dam removals on

25 the Penobscot, and all of these things that are

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1 scaring us so badly did not cause adverse effects
2 in -- in those locations, so I just wanted to kind
3 of start off by saying that before I ask my
4 question.

5 A few months ago I went to a
6 meeting in Westbrook. It was about the Saccarappa
7 Dam, which S.D. Warren has decided to give up their
8 license on, and they're going to remove the dam.
9 They were looking at building a fishway to help
10 fish get up over a riffle in the situation there,
11 but now they're looking at a natural ramp to get
12 fish through there. But the meeting they had three
13 months ago had a whole -- had a whole different
14 tenor. They're -- they're farther, you know,
15 downstream so to speak and -- and it was
16 enthusiastic for what the potential of the river
17 was; for recreational fishing, for canoeing, for
18 kayaking.

19 We've talked about, you know, what
20 happens to the river? It's only going to be a
21 foot-and-a-half deep. They build these dams on
22 hard places, on natural riffles, and those are
23 going to be the shallowest parts there, but they're
24 -- there are still going to be deeper parts, you

25 know, in the river.

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1 One thing I can guarantee you is,
2 if you do take a canoe out under the present
3 circumstances, when you come to one of these three
4 dams, you're going to have to portage around it.
5 There's -- there's no -- no -- no doubt about that.
6 When those dams are gone, you're -- you're not
7 going to have to do that.

8 But, I guess, my questions is:
9 Are you in contact with S.D. Warren, are you in
10 contact with the town of Westbrook? And just, you
11 know, it seems like they've gone through the same
12 process and they would be able to provide you with
13 some help.

14 MR. SHEA: We will reach out to
15 the S.D. Warren folks. We have done a lot of
16 research on several different removals. I'm
17 familiar with the Edwards Dam removal because I
18 worked in that area while that was done, so we will
19 be gathering that type of information and -- and
20 reaching out to people that can -- have been
21 through what it is we're going through.

22 MR. HEINZ: That's great.

23 MR. SHEA: Yup.

24 MR. HEINZ: Thanks for having this

25 meeting tonight.

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1 MR. SHEA: Thank you, Mr. Heinz.

2 CHAIRMAN DONOVAN: Please sign in,
3 Mr. Heinz. Thank you.

4 (Mr. Heniz obliges.)

5 MR. GERARD: My leg is asleep.
6 I'll sign in. I'm Bob Gerard. I live at 21
7 Pleasant Street and my first question is: How long
8 is the license good for if we were to renew the
9 license?

10 MR. SHEA: 30 years.

11 MR. GERARD: 30 years.

12 And the cost of the license over
13 30 years, what I've heard, is the -- is 1.5?

14 MR. SHEA: That's a ballpark that
15 I threw out, yes.

16 MR. GERARD: That would be per
17 dam?

18 MR. SHEA: No.

19 MR. GERARD: Oh, for all three?

20 MR. SHEA: For all three.

21 MR. GERARD: \$38 per person for
22 one year, per customer, spread out over all of the
23 customers for -- for Kennebunk Light and Power, 38
24 bucks. I'll pay everyone on my street.

My next question is: What's the

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1 cost of the cleanup, has anybody got an estimate?

2 MR. SHEA: That, we do not have.

3 MR. GERARD: Okay. I've worked on
4 super-fund sites where we've had to go in and --
5 this was out west, but we've had to go in and
6 millions, upon millions, upon millions of dollars
7 have been spent cleaning up sediment. Train tracks
8 were brought in to clean up sediment and that's a
9 cost that I would encourage you to see. You know,
10 even if you don't renew the license, what's the
11 cleanup going to cost?

12 And then from a -- from a --

13 CHAIRMAN DONOVAN: Could you just
14 move in front of the microphone --

15 MR. GERARD: Oh, sure.

16 CHAIRMAN DONOVAN: -- so people at
17 home can see you?

18 MR. GERARD: Sure.

19 And from a -- another economic
20 perspective, I grew up on the Penobscot so I'm --
21 I'm compelled to stand up and tell you my
22 experience, which is: I watched the town where we
23 removed a dam disappear. People didn't come to
24 town to canoe. People didn't come to town to -- to

25 have a picnic. Old Towne Canoe shut down and they

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1 moved away from the water because there was no
2 longer access.

3 I have an engineering background.
4 I've seen a lot of dams retrofit with better
5 generators so have we explored that option? That's
6 a question.

7 MR. SHEA: Yes, we have.

8 MR. GERARD: Okay. Even if --
9 even if it's a small percentage, and we're talking
10 about habitat for fish and habitat -- and
11 ecosystems on both sides, and I believe in both,
12 but I also believe that there is a habitat for the
13 citizens of Kennebunk that needs to be supported
14 for those who enjoy it.

15 And I live on the water. I have
16 -- I know what it looks like when the water goes
17 down and there's not a gradual slope. Dynamite,
18 something, made a 10 to 12 foot ledge right at the
19 back of my house and I -- I know that that's not
20 going to be enjoyable spot -- an enjoyable spot for
21 my family. So I would implore anybody, not to just
22 look at these pictures, but go up where the --
23 where the dam isn't and see what these deep spots
24 reveal because there's an impact there and the

25 reality is, we have these dams now. The cost to

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1 keep them might be much less than taking them out,
2 and cleaning them up, and paying for the cleanup.
3 Even if the -- even if the financial impact of
4 keeping them or the benefit of keeping them is
5 minimal, it might be a lot less than having to
6 clean up what I have seen cleaned up in other areas
7 of the country.

8 So I can only speak from my own
9 experience, but once a town has -- I'll tell you,
10 the pavilion that went in this winter has brought
11 new life to the town of Kennebunk and I don't think
12 -- in the wintertime -- I don't think anybody would
13 like to see that disappear and I'm -- I'm afraid to
14 see what will happen if I don't watch people come
15 into the boat ramp and put their canoes in, if we
16 don't see people swimming in the Mousam River.

17 I can tell you what happened to
18 the Salmon Club up in Brewer. There used to be a
19 great -- a great boat ramp for the public to use
20 and now it's shut down, it's potholed, and the
21 windows are broken.

22 (Applause.)

23 MS. WILLET: Oops. Vertically
24 challenged. My name is Theresa. I have Coastal

25 Maine Kayak in Kennebunk Lower Village.

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1 UNIDENTIFIED FEMALE SPEAKER: We
2 can't hear you.

3 MS. WILLET: You can't hear me?
4 That's surprising.

5 My name is Theresa Willet. I have
6 the kayak shop in Kennebunkport, Coastal Maine
7 Kayak and Bike, and I use the Mousam quite a bit
8 for some of our tours, not all of them, and I know
9 paddle boards are coming in, and my question is:
10 On this study that was done, did it include the
11 tides that go up and down the river?

12 I know I depend greatly on the
13 tides and a lot of people that paddle depend on the
14 tides and take those into consideration and I was
15 wondering if this study included that.

16 MR. SHEA: I'll have to have Pat
17 answer that question. The extent of the tides up
18 the river, Pat?

19 MS. McILVAINE: The in streams
20 [sic], no. The tides were not factored in.

21 UNIDENTIFIED FEMALE SPEAKER: Pat,
22 I'm sorry. The microphone.

23 MS. WILLET: We'll share.

24 UNIDENTIFIED FEMALE SPEAKER:

25 Theresa, make sure you sign in.

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1 MS. WILLET: I will.

2 MS. McILVAINE: The -- no. The
3 tides were not considered because the -- the tides
4 do not -- the influence of the tides do not go up
5 as far as the Kennebunk River -- as the Kesslen
6 Dam.

7 MS. WILLET: Okay. They would,
8 right?

9 MS. McILVAINE: No. No. The --
10 the range of the tide is further downstream from
11 where the Kesslen Dam is, so removing the Kesslen
12 Dam would not affect how far upstream the tides go.
13 So, therefore, we did not have to factor in the
14 influence of the tides.

15 MS. WILLET: Okay. Oh. And to
16 answer your question, canoes and kayaks generally,
17 depending on how much weight are in them, only need
18 about six inches of water. And I have seen a lot
19 of wildlife up there, a lot more than what was
20 mentioned so they are coming back, which is
21 awesome.

22 Thank you. I couldn't sign in
23 because I couldn't find a pen.

24 CHAIRMAN DONOVAN: There's a pen

25 right at the top of the podium.

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1 MS. WILLET: Hmm, my glasses are
2 on my head. Thank you.

3 MR. FLYNN: Hi. My name is Kevin
4 Flynn. I'm a resident of Kennebunk and I've lived
5 here for about 30 years. I've spent a lot of time
6 canoeing and kayaking on -- and swimming in the
7 Mousam River and it's certainly one of the reasons
8 why I moved here or at least picked where I live
9 now.

10 And there's a couple of things I
11 wanted to ask. One is, right now those -- the
12 studies that you showed that showed the height of
13 the water, those were, I think, from approximately
14 at dam level?

15 MR. SHEA: Yes.

16 MR. FLYNN: So the 17 feet or
17 whatever is what it is, like, right at the
18 Lafayette Dam?

19 MR. SHEA: Yes.

20 MR. FLYNN: So what I want to know
21 is, does your study show how far upstream, until
22 you get to -- close to where the river would --
23 height is going to be when the dam is actually
24 gone, because there's -- I know, when you go from

25 Mill Street down to -- I've paddled from Mill

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1 Street down to Route 1, and the first section -- I
2 get on all the way down to below the turnpike and a
3 little ways below that is certainly wild running
4 river that's quite canoeable (ph). It's a lot of
5 fun. There's some really good rapids there and a
6 very lively river and then at some point down
7 there, depending on how high the water levels are,
8 it starts to back up. But, you know, do your
9 studies show, you know, yeah, there's more of an
10 impact right here on Route 1, but it doesn't really
11 show, you know, what's going on further up.

12 MR. SHEA: Pat, I'll have to have
13 you field that question.

14 She's going to step right in
15 behind you, Mr. Flynn.

16 MS. McILVAINE: No. Our study did
17 not look at that. Our study was limited to very
18 specific cross-sections where we actually spent the
19 effort of collecting the survey data that shows the
20 river bottom. We have not gone out and looked at
21 other sections of the river. We did, based on FEMA
22 data, identify the width of the river, but FEMA
23 data is used for floodplain mapping so it only
24 shows the shoreline, so it did not help us

25 understand the bottom of the river. But more

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1 surveys can be done to examine other sections of
2 the river. But right now we only did 16 surveyed
3 cross-sections.

4 MR. FLYNN: Okay. I suggest that
5 people take a look at that section up by the
6 turnpike and you can see what the river is going to
7 look like after many years or maybe not, maybe
8 three or four years after the dam is gone because
9 there's hasn't -- that's not affected by the dams.
10 It's real easy to get over there and take a look at
11 that.

12 And then, the other question is:
13 I think it's 2011, there was a study done by
14 Wright-Pierce on the safety of the dams, and the
15 age of the dams, and, you know, what kind of
16 condition they're actually in. I don't believe
17 that study has been released to the public and I'm
18 wondering why and -- or maybe it has been; where is
19 it? Because I think that's kind of key to this
20 whole discussion.

21 Are those dams safe? What kind of
22 maintenance is needed and, you know, why wouldn't
23 that be released to the public?

24 MR. SHEA: We do maintain those

25 dams in a safe and stable condition. FERC

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1 considers those documents critical energy
2 infrastructure and those are confidential, so we
3 don't release those.

4 MR. FLYNN: Sorry, why are those
5 confidential -- why are the issues about safety
6 confidential?

7 MR. SHEA: They -- they give us
8 the layout -- they give the layout, they give you
9 all of the tie-in points, and it's considered a
10 national security issue and FERC has determined --
11 you can -- you can petition FERC --

12 MR. FLYNN: Okay.

13 MR. SHEA: -- if you'd like --

14 MR. FLYNN: Uh-huh.

15 MR. SHEA: -- to try -- you can
16 petition --

17 MR. FLYNN: So FERC doesn't let
18 you release that; is that what you're saying?

19 MR. SHEA: FERC does not let us --
20 FERC does not let us release those.

21 MR. FLYNN: Okay. But as far as
22 just a summary of the safety of the dam, in terms
23 of longevity and that sort of thing, is that
24 information you can release --

MR. SHEA: I can let you know the

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1 --

2 MR. FLYNN: -- the summary of the
3 report?

4 MR. SHEA: The summary is that all

5 --

6 MR. FLYNN: We don't need the
7 survey data.

8 MR. SHEA: -- three dams are
9 stable.

10 MR. FLYNN: For how long, whatever

11 --

12 MR. SHEA: That, I can't tell you.

13 UNIDENTIFIED SPEAKER: Or he'd
14 have to kill you.

15 MR. SHEA: Thanks, Chris.

16 MR. FLYNN: Okay. Thank you.

17 MR. SHEA: You're welcome.

18 MR. BURROWS: Good evening. My
19 name is John Burrows and I'm here from the Mousam
20 and Kennebunk River Alliance. I first want to note
21 that there were so many questions earlier,
22 particularly from the Board of Selectmen, that
23 myself and probably ten other folks in the room
24 could answer, and so I think I'd recommend that at

25 some point having some kind of workshop, along with

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1 KLPD, to talk about things in -- from property
2 values to impacts on shore birds and herons, to the
3 different water levels. There were -- there were
4 so many questions that came up and we've got a lot
5 of expertise, not just locally, but in Maine on dam
6 removals and river restoration, that we should be
7 able to tap into those resources. We've had 40
8 dams removed in Maine, large and small, and I think
9 we've had that expertise and we've offered that
10 assistance --

11 (Applause.)

12 MR. BURROWS: Thank you. And
13 we'll continue to offer that assistance to -- to
14 KLPD and other folks in town.

15 A couple of questions I just
16 wanted to -- to ask, and one, actually, is just in
17 response to what Mr. Flynn just said. Any of those
18 documents in terms of dam safety, in terms of
19 critical energy infrastructure, those are allowed
20 to be released to the public. Basically what
21 happens is, a citizen will petition PERC --
22 petition FERC to ask for those. FERC will then ask
23 the dam owner if it's okay to release that
24 information. So, ultimately, it's up to KLPD to

25 say yes or no. So that information could be

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1 released to the public.

2 And I think the larger question
3 is, the Wright-Pierce report from four years ago
4 had a lot more beyond just, you know, integrity of
5 the dams. There was stuff related to long-term
6 cost of maintenance, operations. A lot of
7 questions which we've heard folks like Curt earlier
8 ask about in terms of the basic economics of these
9 dams. I think getting that information out in the
10 public in a timely manner is really, really
11 crucial.

12 The MKRA has analyzed all of the
13 publically available information, in terms of the
14 economics of the dams, going back for decades.
15 We'll release that information in the next couple
16 of days and give it first to KLPD, but in terms of
17 what we've seen, based on all the information, you
18 know, the dams in of -- in and of themselves,
19 economically, at this point in time, you know, are
20 barely breaking even.

21 If you need to do anything in
22 terms of re-licensing, fish-ways, or anything else,
23 the profitability is gone on those dams. That
24 doesn't mean that there's no reason you might want

25 to keep one or more of those dams for public or

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1 social reasons, but ultimately, you need to get to
2 the question of, does it make sense for the
3 ratepayer to maintain these dams given the little
4 bit of power that they generate?

5 And given that, given the fact
6 that the dams only generate between one and two
7 percent of our power, I'm wondering why there's
8 been no talk about this energy conservation and
9 energy efficiency. You know, if every customer in
10 town saves the one-and-a-half to two percent on
11 their power bill, there's no need for the dams.
12 That's one thing we'd like to see within the cost
13 benefit analysis that KLPD is going to be doing
14 with Wright-Pierce later this year.

15 Right now that analysis is looking
16 at a situation of dams versus no dams. We'd like
17 to see that be much broader and looking at energy
18 efficiency, energy conservation, the solar
19 initiative, and some other stuff.

20 And lastly, Todd made a comment
21 that, earlier, about FERC potentially choosing to
22 maintain jurisdiction over the dams, and so that
23 raises the question of the work that KLPD has been
24 doing to look at getting out of FERC jurisdiction.

25 I'm wondering if you're prepared to talk about that

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1 avenue which you guys have been working on with
2 your attorneys and that you're prepared to talk
3 about that? Because I think that's something the
4 public should be aware of, as well.

5 MR. SHEA: At this point, our
6 attorney has told us that that is not a
7 conversation that we have with the public until
8 such time as we have the information that we're
9 required to have.

10 MR. BURROWS: And do you have a
11 timeframe for that information?

12 MR. SHEA: I would hope within the
13 next few months.

14 MR. BURROWS: Okay. Well, I would
15 hope that once that information is available, it
16 will be released to the public and I would also
17 implore the Board of KLPD that this entire public
18 process go through to the end, until you get the
19 feedback, go through the next steps before taking
20 any action to petition FERC to get out of
21 jurisdiction. I think doing otherwise would sit
22 fairly badly with a lot of folks in the community.
23 I realize it's an option that would save a fraction
24 of the cost of the money available, or the

25 potential outlay, but I think it's very important

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1 to push that forward into the future and wait for
2 the public feedback, make a decision, and say,
3 okay, then we'll do that and not rush to judgement
4 on that. Thank you.

5 MR. SHEA: Thank you, John.

6 (Applause.)

7 MR. POLETTO: My name is John
8 Poletto. I live at 70 Fletcher Street. I live
9 upstream from the -- the Route 1 dam, between the
10 roundabout and the Kennebunk High School, and the
11 Mousam River flows right by our backyard.

12 I have a question for the
13 engineering -- the engineering firm. I've watched
14 the river during various storms, a lot of rain
15 coming down, and even though the river swells in
16 width, it seems like the current, like past my
17 house, doesn't seem to be made too much more swift
18 -- more swift. I was wondering, do the dams help
19 to contain water flow, water currents during a
20 storm?

21 My concern is, if the dams are
22 taken out, I realize we're going to have a much
23 smaller river, but during a very severe storm,
24 would there be a lot of water runoff into -- into

25 the river? And with the dams being removed, will a

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1 tremendous amount of current be generated, maybe
2 reconfiguring the shoreline causing some more
3 erosion, which I haven't really noticed with the
4 dams being in place.

5 My questions is: The removal of
6 dams, will it affect the -- the shoreline, the
7 configuration of the river during a severe storm?

8 MS. McILVAINE: We would actually
9 have to do a lot more study to be able to identify
10 that for different sections along the river. I
11 will tell you, in general, Mother Nature does
12 affect the streamline -- you know, the shoreline.
13 Exactly how much and where, you'd really have to do
14 some additional modeling to understand that.

15 These projects are run-of-river,
16 and what that basically means is, whatever Mother
17 Nature has throwing in the river, it has to be
18 passed downstream. They're not flood control.
19 Kennebunk does not lower the dam in order to -- to
20 hold back water, to reduce flows.

21 That being said, does the dam
22 affect the velocity? I really can't answer that
23 question. I'm not a hydrologist. Some additional
24 studies may be able to answer that question. But I

25 can tell you that in general more water moves

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1 faster, so the more water you have in the river,
2 there is going to be some pick up of velocity.
3 That's just sort of -- hydrology works that way.
4 But how it's going to affect different sections in
5 different areas, additional studies would have to
6 be done.

7 MR. POLETTO: Thank you.

8 MR. SHEA: Thank you, Mr. Poletto.

9 MR. SANTERRE: Jim Santerre. I
10 live in Kennebunk. I have canoed almost the entire
11 stretch of the Mousam River that we're talking
12 about and as far as how much water is going to be
13 flowing down through there, if you stand on the
14 Route 1 bridge and look down river at the rapids,
15 that will give you a real good indication.

16 Sometimes in the spring, when it's
17 really running, it's a real wild wide down through
18 there. Later on in the summer, when the water is
19 down, you can't walk down there and not get your
20 ankles wet.

21 My question is on the license
22 renewal. Is it a condition of the renewal that
23 fish ladders be put in or some way of passage?

24 MR. SHEA: We do believe that that

25 will be the case.

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1 MR. SANTERRE: Okay. So the cost
2 of a license renewal would not be \$38 dollars a
3 dam, it would be \$38 plus the cost of a fish
4 ladder?

5 MR. SHEA: Yes, sir.

6 MR. SANTERRE: Approximately, what
7 would the cost of a fish ladder be?

8 MR. SHEA: Wayne, do you want to
9 --

10 MR. SANTERRE: The reason I ask
11 that is that I have heard that if they are required
12 -- if you are required to put the fish ladders in,
13 it would be as much as 80 years before the payback
14 would equal out the cost.

15 MS. STAZ: It's one of the reasons
16 why we don't have numbers here tonight, but we have
17 been told by fisheries and wildlife that you can
18 count on approximately \$15,000 per linear feet for
19 the height. So if you have 15 feet of dam, 15
20 times 10 --

21 MR. SANTERRE: \$300,000.

22 MS. STAZ: -- if you --

23 MR. SANTERRE: Give or take.

24 MS. STAZ: But the problem with

25 that is, as some of this was addressed back in July

25 to see the dam removed. We love the river. We

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1 tube in the river. We swim in the river. We
2 pretty much only use it below the dam because it's
3 -- just seems a little dangerous to have the kids
4 in and out so I think it would be great.

5 From a professional perspective,
6 the Maine Lobstermen's Association has supported
7 dam removal state wide. We found that it really
8 does benefit the alewife run statewide. Alewife is
9 a very sought after source of bait. It's a local
10 bait so it's much safer for our fishermen to have
11 local alewife, local herring, fish like that,
12 rather than needing to import baits, which is
13 something that we need to do right now, so it would
14 be very beneficial for us.

15 (Applause.)

16 CHAIRMAN DONOVAN: Patrice, do you
17 know when the last time we saw an alewife in the
18 Mousam River?

19 MS. McCARRON: The only data that
20 I've seen is from the Maine Department of Marine
21 Resources. We had a real expert who has since
22 retired. His name was Lou Flagg and I know that
23 he's on the record in the mid '70s talking about
24 the Mousam as being really one of the most

25 strategic rivers in southern Maine to potentially

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1 bring a healthy alewife run back.

2 MR. WUERTHNER: Bob Wuerthner, a
3 Kennebunk native, the Maine Sierra Club, I'm
4 representing them.

5 Todd, a question: I understand
6 the public meetings and the public's role, but
7 after that the Board votes, does the public then
8 get a vote or how -- what's the process?

9 Now, let me just tell you, I read
10 your -- not "yours", but the -- the May 14
11 newsletter and it seemed to indicate that no matter
12 what the Board's decision is, it will go to a
13 public referendum; is that correct?

14 MR. SHEA: My understanding of the
15 process is the only necessary public referendum
16 vote would be if bonding is required for any of the
17 decisions that the Board makes.

18 MR. WUERTHNER: So there is --

19 TRUSTEE MACDONALD: If we chose to
20 sell, we would have to --

21 MR. SHEA: Or sell, yes. Sorry,
22 Craig. So that -- there's no statutory requirement
23 for any decisions other than money borrowing or, as
24 Craig said, disposing of any of our assets that are

25 required to go to a vote.

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1 MR. WUERTHNER: So the four or
2 five person board will make the decision?

3 MR. SHEA: Potentially.

4 MR. WUERTHNER: Potentially?

5 MR. SHEA: Well, they're -- people
6 elect those --

7 MR. WUERTHNER: What I'm trying to
8 point out is, what's the process? Is the role of
9 the public simply public meetings and sending you
10 e-mails or will it go to referendum? And it sounds
11 to me like it's -- will not, unless you have to --

12 MR. SHEA: Unless we have to
13 borrow or sell.

14 MR. WUERTHNER: Borrow or sell; is
15 that...

16 TRUSTEE MACDONALD: We are
17 extremely interested in your ideas, concerns, and
18 that is going to factor into any decision that the
19 Board makes. There are a litany of -- of
20 possibilities that we have to really understand and
21 see what -- what are the ratepayers and the
22 community going to be able to afford.

23 MR. WUERTHNER: Okay. And it
24 sounds to me very clearly that the five-person

25 board will make the ultimate decision unless you

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1 have to borrow money; is that...

2 (No verbal response.)

3 MR. WUERTHNER: Okay. Thank you.

4 SELECTMAN KOTSONIS: Craig, can
5 you afford to license the dam now without bonding?

6 TRUSTEE MACDONALD: I don't
7 understand the question yet.

8 SELECTMAN KOTSONIS: If you had to
9 come up with, or the Kennebunk Light and Power had
10 to come up with 850 to 1.5 million dollars, could
11 it do so without borrowing -- without bonding?

12 TRUSTEE MACDONALD: I will have to
13 ask somebody else to answer that question.

14 VICE-PRESIDENT BERRY: Yes on --

15 SELECTMAN KOTSONIS: I'm just
16 asking --

17 VICE-PRESIDENT BERRY: Yes on the
18 lower number no on the --

19 SELECTMAN KOTSONIS: On the upper
20 number.

21 VICE-PRESIDENT BERRY: -- upper
22 number.

23 SELECTMAN KOTSONIS: Okay. So
24 there's a chance that it would go to public vote

25 anyway, possibly?

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1 MR. SHEA: Correct.

2 SELECTMAN KOTSONIS: That's all --
3 that's all I was trying to establish, thank you.

4 MR. HARDY: Good evening. Joe
5 Hardy, Wells. I've paddled, biked -- not biked --
6 skated, swum, and -- and a number of things on the
7 Mousam, and written a couple of local histories of
8 Wells, which is, as I think you know, the Mousam
9 was in Wells for a century-and-a-half before we
10 gave it to you.

11 UNIDENTIFIED SPEAKER: They took
12 it.

13 MR. SHEA: They gave more than the
14 river.

15 MR. HARDY: But my question is, I
16 did a study for the state about 30 years ago on
17 rivers in Maine and I was a consultant for the
18 Department of Conservation, and at that time, I was
19 -- recommended multiple uses for rivers. I think
20 over the years I've changed my opinion on that. I
21 mean, hydroelectric power seems to be a --
22 certainly a renewable energy source and something
23 that has its place. But it would seem these days
24 there are a lot of drawbacks and I know you're

25 going to evaluate them, but I'm wondering, I've

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1 heard a rumor that you're seriously considering
2 solar energy. That's something I'm reasonably
3 knowledgeable about and wondering what the status
4 of your research is on solar installation and what
5 -- whatever the status is now, what additional work
6 do you plan to do to investigate that option?

7 MR. SHEA: We've spoken with
8 several different firms in regards to different
9 size solar arrays within our district. What --
10 what size we can handle, the land available to us
11 are things that we're -- that we are considering.
12 None of those options have been brought forth in a
13 manner that would be cost effective to the District
14 that we're aware of and those entities that we are
15 working we're trying to get those costs more in
16 line with what the District need to be able to use
17 it for replacement power. But it is something that
18 definitely the Board is looking at.

19 MR. HARDY: Good. I'm glad you're
20 looking at it, but I -- I would have to question
21 the preliminary results you've received because
22 from my understanding, and I'm a personal owner of
23 solar rays, and I've worked with the town of Wells
24 on several projects, that my guess is, is that

25 you'd find it's very cost effective and so I would

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1 encourage you to sort of continue your research and
2 expand your -- your information base.

3 MR. SHEA: If you don't mind, I'd
4 ask you to reach out to me and I'd like to further
5 this conversation with you if -- if you have that
6 experience.

7 MR. HARDY: Well, I'm not an
8 engineer or a solar expert, but I have some
9 information I'd be glad to share with you.

10 MR. SHEA: I would greatly
11 appreciate that.

12 MR. HOFF: Hi. I'm Peter Hoff. I
13 live on Storer Street and my property goes down to
14 the river. I moved here from Kennebunkport about
15 five years ago.

16 I spent a lot of time on the
17 Kennebunk River and since I've moved here, I've
18 spent a lot of time on the Mousam River. I find
19 that the Mousam River as it is, above the dam where
20 we are, has quite a variety in its ecosystem and
21 part of that spills over onto my land where there's
22 a little marshland that comes off the river that I
23 supposed would disappear if the river level were
24 dropped.

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1 plants that are living in that and what I would
2 like to know is, are there plans to study the
3 existing ecosystem upriver from the dams as well as
4 the hypothetical changes that would happen as a
5 result of removing the dams?

6 MR. SHEA: That's a matter that's
7 been discussed at the board level. I don't know if
8 the Board would be initiating any further
9 conversations in that regards. It sounds like the
10 MKRA folks could definitely help you with some of
11 that information, to answer some of those
12 questions, and maybe that is a greater conversation
13 that we would have to have in a workshop to find
14 out exactly what kind of information they have
15 available. And, ultimately, there are several --
16 there is a lot more information that we need to
17 gather and this is the -- the reason for this
18 meeting. And as we come from this meeting, that
19 will be a discussion we'll have to -- I'll have to
20 have with the Board, to see if there is a need to
21 do further studies on the existing ecosystem.

22 MR. HOFF: Thank you.

23 CHAIRMAN DONOVAN: Just for
24 timeliness, how many more people would like to

25

Speak?

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1 Just four -- so two, three?

2 UNIDENTIFIED SPEAKER: Four.

3 CHAIRMAN DONOVAN: Four?

4 UNIDENTIFIED SPEAKER: Four or
5 five.

6 CHAIRMAN DONOVAN: Okay. What I
7 would like to do, if at all possible, it will
8 probably be 9:15 to end this if it's possible. I
9 don't want to cut anybody off, but I just wanted an
10 estimate of it. Thank you.

11 MS. HUDSON: Good evening. My
12 name is Landis Hudson. I work for Maine Rivers and
13 I'm very happy to be here and happy to see so many
14 people interested in thinking about the future of
15 the Mousam River. It's been a pleasure and, I
16 guess, a certain challenge to get to know the --
17 the history of -- of this river and I would first
18 say that the challenges that you all are facing are
19 not unique to this river, quite familiar throughout
20 New England.

21 The river has a tremendous and
22 powerful history of rich ecology. It has the
23 challenges from its industrial past, and it's
24 really up to all of you, hopefully working

25 together, to decide what kind of future you want

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1 for the river. And I would say that you also have
2 an added responsibility because these three dams
3 really break the important ecological connection
4 from the ocean to our freshwater systems.

5 Having no form of fish passage and
6 knowing that this river does have a history of
7 diadromous species, species that need to move from
8 freshwater to the ocean, back and forth, to
9 complete their lifestyles. So, at this point, it
10 is a loss, an ecological loss, a social loss, and
11 something that I think needs to be evaluated. So
12 that's kind of the larger picture that I'm here to
13 tell you, that you have a beautiful history and
14 there's certainly a lot more ecological potential
15 for the future and I hope you'll take time to -- to
16 look into that.

17 A simple question: I know that a
18 lot of these river restoration questions involve a
19 great deal of time and energy to understand the
20 vast technical and permitting hydrologic and other
21 questions -- Todd, you've been on your job for two
22 months now, congratulations. You're looking good.
23 Glad to see it's going well -- how much time and
24 energy are you spending on this and what is the

25 budget for the next two years?

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1 I know that many costs are
2 difficult to put a number on, but I would think
3 that would be --

4 MR. SHEA: Time and energy --

5 CHAIRMAN DONOVAN: Turn the mike
6 on.

7 MR. SHEA: Oh, sorry.

8 Time and energy in the two months
9 that I've been here, I would say between 30 and 40
10 percent of the time is being brought up to speed,
11 learning different aspects of this whole process,
12 doing research historically into what's been done.

13 The two-year budget, I couldn't
14 give you at this time. I don't believe the Board
15 would have -- have the ability to -- to hedge that
16 guess either. That is a question that I am not
17 aware of at this point in time, but it is something
18 that we are working on as we look at long-term
19 budgets. This is going to be a big part of what we
20 do.

21 MR. BROWN: Hi. I'm Merton Brown,
22 the town clerk of Kennebunk. I feel compelled,
23 because we have such a captive audience, to let
24 everyone know that there is a -- there is an open

25 seat on the Board of Directors for Kennebunk Light

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1 and Power. You will be electing a trustee on June
2 9th, and if any of you are interested, and I hope
3 you are, it -- you would come and see me and get 25
4 signatures, not more than -- than a hundred, and
5 then you can have as much fun as these folks are
6 having over here. Thank you.

7 MR. TIBBETTS: Merton, you will be
8 holding --

9 UNIDENTIFIED SPEAKER: Thank you,
10 Merton.

11 MR. TIBBETTS: -- you will be
12 holding office hours at 9 o'clock tonight?

13 CHAIRMAN DONOVAN: That was a
14 public service announcement.

15 UNIDENTIFIED SPEAKER: Merton, I
16 have my papers right here.

17 MS. GRABIN: Tough act to follow.

18 (Inaudible.)

19 MS. GRABIN: My name is Monica
20 Grabin. I live in Kennebunk for the last 30 years
21 and I heard people expressing concern about
22 sediments, and I do understand where that would be
23 a real concern, but over the years, talking to
24 people at the Wells Reserve and in particular I am

25 just as concerned about the water quality in the

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1 Mousam right now. Yeah, there are fish in those
2 impoundments, but most of those are not native
3 fish. They're bass and, you know, warm water fish
4 that would not normally live in that river, and I'm
5 no expert on this, I just -- I use to fish all the
6 time. You know, bass are not what would normally
7 be in a free-flowing river, and to me, although,
8 yes, the -- the sediment is an issue that has to be
9 dealt with and the way the river would look, to me,
10 to have what are the natural species for that river
11 and also to improve water quality.

12 So my question is, what is your
13 understanding of what the quality -- the water
14 quality is in terms of, you know, dissolved oxygen
15 and just the health of the water in that river?

16 MR. SHEA: Pat, any -- have you
17 done any research on that, Pat as you go through
18 the process?

19 MS. McILVAINE: No.

20 MR. SHEA: So --

21 MS. GRABIN: Well, I would say a
22 good resource for that is the Wells Reserve --

23 MR. SHEA: Absolutely.

24 MS. GRABIN: -- who have done a

25 lot of water monitoring and water sampling for both

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1 that and the Kennebunk. And I just -- I went to a
2 presentation once by them on the Kennebunk River
3 and I was shocked. This place that everyone -- oh,
4 it's so beautiful. It is not a clean river, so I
5 know that the Mousam has -- I'm serious. I know
6 that the Mousam has similar issues and that is
7 another part of the puzzle and, you know, we want
8 to protect what we have, but I want what we have to
9 be worth protecting, too. Thank you.

10 MR. SHEA: Thank you, Mrs. Grabin.

11 MS. McILVAINE: I was just going
12 to add that studies -- if, in fact, the projects
13 were to be re-licensed, the -- significant water
14 quality studies would be required to be done.
15 We've already had some preliminary meetings with
16 the Department of Environmental Protection and
17 they've already identified what types of studies.
18 So, certainly, that would be something that would
19 be done.

20 MS. POISSON: Hi, Arline Poisson.
21 I'm also a member of the Conservation Commission.
22 I -- I just did a quick, you know, after listening
23 to a lot of these comments, I just did a quick --

24 UNIDENTIFIED SPEAKER: We can't

25 hear you.

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1 MS. POISSON: I did a quick
2 summary, you know, based on what I've heard tonight
3 about the value of keeping the dams versus removing
4 them, and just from what I've written here is, and
5 I'm certainly not a scientist on these things, but
6 my sense is that keeping the dams, the river, of
7 course, remains fairly constant. When -- if the
8 dams are removed, in heavy storms, rivers naturally
9 find new courses and that's -- that could impinge
10 on people's private property, you know, going down
11 river and at the beach. So that -- that would have
12 to be a possible anticipation of removing the dams.

13 Keeping them, there's no fish
14 passage right now and I believe there should be
15 fish passage for a healthy river and a healthier
16 ocean, which really needs all the help it can get.

17 My feeling is, there's probably
18 going to be an increased maintenance cost. Those
19 dams are over a hundred years old, most of them.
20 Gosh, I mean, I don't know what their lifespan is,
21 but at some point they'd have to be replaced if
22 there -- if there was an intention to keep them and
23 that's a significant cost on top of the
24 re-licensing expense. So keeping them, there's

25 increase maintenance costs. Removing them, no

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1 maintenance costs.

2 It is a renewable energy source
3 but a very small one compared to the total budget
4 and I wonder if we couldn't replace that existing
5 energy source with looking at tidal energy. There
6 are places researching tidal energy.

7 There's contaminated sediment
8 which likely won't be removed if we keep the dams
9 and if they are removed, a good part of that would
10 be removed. I'm certainly in favor of removing
11 contaminated sediment.

12 Currently, there's -- there is
13 canoeing and kayaking and -- and there would
14 continue to be some canoeing and kayaking. The
15 water quality just on -- based on anecdotal
16 evidence that I've heard at the Commission, the
17 water quality is not good in that river and I would
18 imagine there would be a healthy improvement with
19 removing the dams.

20 CHAIRMAN DONOVAN: Do you have a
21 question, Arline?

22 MS. POISSON: And -- what's that?

23 CHAIRMAN DONOVAN: Do you have a
24 question?

MS. POISSON: No. But I want to

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1 -- I want to state these comments.

2 CHAIRMAN DONOVAN: Well, I --
3 that's what we don't want. So you can ask a
4 question or let someone else ask a question.

5 MS. POISSON: All right. My final
6 note is, could we consider adding a river walk if
7 the dams are removed to improve --

8 UNIDENTIFIED SPEAKER:
9 (Inaudible.)

10 MS. POISSON: To improve enjoyment
11 of the rivers for -- for town citizens and a --
12 that's it.

13 CHAIRMAN DONOVAN: How many more
14 people wish to be heard?

15 One, two, three.

16 UNIDENTIFIED SPEAKER: I'd like to
17 go home tonight.

18 CHAIRMAN DONOVAN: Okay. Five
19 more and that will end it.

20 MR. FEURT: My name is Ward Feurt.
21 I work at the Rachel Carson National Wildlife --

22 CHAIRMAN DONOVAN: We can't hear
23 you.

24 MR. FEURT: My name is Ward Feurt.

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1 and I -- I came across this thing from the National
2 Fish and Wildlife Foundation that says that they
3 have requests for proposals to restore and sustain
4 healthy forest and rivers and they appear to have a
5 lot of money to do that. Here you go.

6 (Whereupon, document was handed to
7 Mr. Shea.)

8 MR. SHEA: Thank you, very much.

9 MR. AMAN: Good evening. My name
10 is Jacob Aman. I live in Wells and I also work for
11 the Wells National --

12 UNIDENTIFIED SPEAKER: Pull the
13 mic...

14 MR. AMAN: My name is Jake Aman.
15 I live in Wells and I also work for the Wells
16 National Estuarine Research Reserve. We were
17 mentioned earlier, so I thought I better come up
18 and just put in a couple of words.

19 First, thank you to the Board of
20 Selectmen and to the KLPD Board for holding this
21 meeting. I think that it's incredibly valuable to
22 your community and I think that, hopefully, you're
23 going to get a lot of good information out of it
24 and we look forward to hearing more about your

25 process as it moves forward.

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1 For those of you who don't know,
2 the Wells National Estuarine Research Reserve is
3 just down the road. We encourage you to come by
4 and see us any time. We are a scientific and
5 education organization. We are not an advocacy
6 group and I'm not here to advocate one way or the
7 other for your decisions. However, there are a
8 number of issues that have been brought up this
9 evening upon which we could provide information to
10 KLPD. And in 2013 we explored the possibility of
11 working together and, unfortunately, that didn't
12 work out, but if, during this process, you're
13 interested in reaching out to us and trying to get
14 some of the information that we have, we'd be happy
15 to share that and that's about all I have to say.
16 Thank you, very much.

17 MR. SHEA: Spell your last name
18 for me, please, Jake.

19 MR. AMAN: A-M-A-N.

20 MR. SHEA: Thank you.

21 MR. AMAN: Yup. Yup. I'd be
22 happy to ask a question if that's the requirement
23 for getting up to the microphone.

24 CHAIRMAN DONOVAN: This time it's

25 not for -- it's not a comment session. This is a

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1 question and answer --

2 MR. AMAN: Okay.

3 CHAIRMAN DONOVAN: -- period.

4 MR. AMAN: Here's a good question:

5 When is there going to be a comment section --

6 session?

7 (Laughter/Applause.)

8 CHAIRMAN DONOVAN: That's why he

9 has an evening.

10 MR. SHEA: E-mail me tomorrow

11 morning or give me a call --

12 CHAIRMAN DONOVAN: Absolutely.

13 MR. SHEA: -- in the morning and

14 you can do all the talking you want.

15 MR. AMAN: Okay. Sounds good.

16 Thank you, very much.

17 (Inaudible.)

18 CHAIRMAN DONOVAN: KLP will be

19 hosting that session at their building.

20 MR. SCHULTE: So my name is Shiloh

21 Schulte and I'm a Kennebunk resident. I was --

22 have a question. It has to do with the -- the

23 organizations or people you're working with to do

24 -- you mentioned earlier that the -- about fish

25 surveys of what fish are there now versus what fish

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1 would be there and so forth. Is anybody working,
2 looking at the -- the Kennebunk River or is that --
3 is a planned survey to be done in the Kennebunk
4 River compared to the Mousam River?

5 Because we have essentially a
6 side-by-side comparison. The things aren't going
7 to be exactly the same, but we have a relatively
8 free-flowing river in the Kennebunk and we have one
9 that's dammed in the Mousam, so you could do a
10 fairly, I would think, a fairly easy side-by-side
11 comparison.

12 I personally have, and speaking to
13 the issue of, you mentioned earlier, herons, in
14 front of your -- in front of your house and
15 watching those and how that might change. I mean,
16 I've -- I've kayaked the -- the Kennebunk from --
17 from Downing Road all the way up to the mouth of
18 the river and then over into the -- into the -- I
19 Mean, out of -- out to the mouth of the Kennebunk
20 River and then over into the Mousam and you can do
21 that if you do it at the right time of year.

22 And it's really quite interesting
23 because it is a free-flowing river. You do see
24 amazing wildlife back in there along that -- along

25 those channels and it's -- it is much like what we

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1 were just hearing described earlier. A -- you
2 know, a much narrower river is faster flowing. You
3 see, you know, your pools, herons, hawks,
4 kingfishers, everything all through there. It's a
5 really interesting -- interesting river.

6 But, as Monica had said earlier,
7 you know, it does have its own contamination
8 problems. If we can clean that up, as well as
9 cleaning the Mousam up -- or cleaning the Mousam up
10 would be a good start. You assume there's going to
11 be similar contaminants in both.

12 I guess I'm wondering is, who are
13 you working with to do those surveys to look at?
14 I'm a biologist myself. I work for a different
15 nonprofit, but I'd be curious to hear.

16 MR. SHEA: Thus far, the only
17 meetings that have been held, prior to my arrival,
18 is with Maine Department of Inland Fisheries and
19 Wildlife Department of Marine Services and the US
20 Fish Wildlife Services, Pat [sic]. We haven't
21 secured the services of any individual or private
22 biologists at this point in time.

23 MR. SCHULTE: Okay. Yeah, I know.
24 I think it will be interesting to see because

25 there's definitely a lot of talent out there in

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1 that particular -- I don't happen to work with fish
2 all that much, but there's -- I know people that
3 do.

4 So, anyway, thank you for your
5 time and attention. I appreciate that, the
6 meeting.

7 MR. SHEA: Thank you.

8 MR. SOMERS: Hi. My name is Tim
9 Somers. I'm a resident of Kennebunk and certainly
10 an advocate for a free-flowing river. I am also a
11 construction professional and understand sometimes
12 the first estimate is always the one that sticks in
13 everybody's mind so I can appreciate that. But I
14 would ask that the Board and Kennebunk Light and
15 Power, being an entity of the town, be open with
16 everything that they -- that they have, including
17 cost benefit analysis 'cause the information that
18 I've seen through my, you know, months of, you
19 know, following this issue, is that these dams are
20 just not economically viable, especially when you
21 need to license them and add the -- the fishways
22 that would need to be added even -- even if they
23 weren't, you know, required by some federal agency.

24 It's the right thing to do for the

25 town of Kennebunk 'cause in the end, and please

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1 correct me if I'm wrong, but, I mean, we are -- the
2 town of Kennebunk is Kennebunk Light and Power. It
3 is an entity of the town, so every -- everybody
4 that pays taxes in the town and everybody that pays
5 the rates is a -- is a entity.

6 So my question is, can some
7 financial information be available on your website
8 or via e-mail showing the information that you have
9 to date on cost benefit analysis? I know you know
10 how much, you know, power you produce. I know you
11 know what -- what it costs to sell that power, so
12 can that information be distributed to everybody in
13 town so that they can --

14 MR. SHEA: I can't give you a date
15 certain, but that is what we are working towards.

16 MR. SOMERS: Okay.

17 MR. SHEA: And keeping in mind
18 that the Board has been pretty diligent about what
19 they are doing, I came onboard two months ago,
20 that's something that we're working to get out
21 there to the public as we go through this process.
22 I understand it has been a long process, but we are
23 getting closer to information that could be
24 available to the public.

MR. SOMERS: Thank you. I'd also

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1 ask for some information on cost benefit analysis
2 with the solar or any other renewable energy that
3 might -- might be able to fill the shoes of this
4 dam. So I appreciate your time and thank you.

5 MR. SHEA: Thank you.

6 MR. MENDELSON: My name is Alex
7 Mendelson. I'm a resident of Kennebunk. I have a
8 background in human ecology, which is essentially,
9 in a nutshell, is we change the environment and
10 then, how does the environment change us.

11 We have an ecosystem that some
12 residents have mentioned which seem to me to be
13 very circumspect. They worried about some small
14 area of wetlands, perhaps, that they see on their
15 riverfront property, but we have to look at an
16 ecosystem that extends way beyond just the river.

17 We have a decaying Gulf of Maine.
18 There are a lot of serious ecological problems with
19 the Gulf of Maine and the river is an essential --
20 the rivers, not just the Mousam River, but all the
21 rivers are an essential part of that -- that
22 ecosystem.

23 My question is: You've mentioned
24 upstream fish passage but not all species, to my

25 understanding, prefer using fish ladders, only

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1 some. Some do not like fish ladders. They don't
2 like being trucked around dams and the more
3 important question I have for you is, what about
4 downstream fish passage, which is essential to the
5 ecosystem?

6 I'm not talking about a little
7 ecosystem in the Mousam River. I'm talking about a
8 global ecosystem that involves the Gulf of Maine
9 and our two rivers. It's larger than just the
10 small snapshot that we're talking about here. It's
11 a much more global problem.

12 I've noticed that at Libby Cove
13 the ocean acidification has caused an influx of
14 jellyfish and I'm talking to fishermen and
15 lobstermen, they can't get bait because the
16 alewives can't make it up. As far as the studies
17 that have been done, at Wells Reserve and the
18 volunteers who have done a lot of studies, they
19 have -- there's a tremendous amount of information
20 available, especially from people like Jacob Aman
21 and others at Wells Reserve, about what kind of
22 fish make it up to the Kesslen Dam and then are
23 frustrated because they can't go any further.

24 Okay. Enough statement. My

25 question is: What about downstream fish passage,

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1 how do you account for fish-fry, how do they get --
2 how do they avoid the turbines?

3 I know you call them "turbans"
4 (ph) here, but I'm from away so we call them
5 turbines. Turbans were always something we wore,
6 but how do -- how do the fish, the baiting fish,
7 the diadromous fish, how do they make it downstream
8 and -- without getting crushed in the dams?

9 MR. SHEA: My --

10 MR. MENDELSON: -- and if we
11 improve the dams, by -- by improving the hydropower
12 capacity of the dams, what does that do to the
13 downstream fish runs?

14 I beseech you to look at the
15 larger picture. I know it's easy to say, well, I'm
16 a property owner, and I have to worry about my
17 frontage, or my taxes, or my deeds, or you have to
18 look at, you know, oh, each one of us has specific
19 interests that are economic, and it's -- we're
20 dividing the pie into many different disparate
21 pieces that may or may not come together, but
22 sooner or later, we have to decide what to do. But
23 I ask you to look at the larger picture.

24 What we need is a vibrant, natural

25 river flowing through Kennebunk. You'll have more

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1 fishermen, they'll spend money at the hotels and
2 restaurants. You'll have a source of low cost bait
3 for the lobsterman, which they don't have now.
4 They have to import it from offshore. It's bad
5 enough that we import everything else from China,
6 but we have an opportunity here to create a
7 vibrant, robust river. But, please, you know, ask
8 -- I'd like to know what plans Kennebunk Light and
9 Power District has if you retain the dams for
10 downstream fish passage?

11 MR. SHEA: My -- my apologies for
12 the semantics, Mr. Mendelson. When we're
13 considering upstream passage, by default we're
14 considering downstream. I did fail to mention
15 that, so I do apologize for that.

16 Downstream fish passage is a
17 consideration that has been looked at. Many
18 different options, which would be overtop
19 spillways, possible mandatory times where we need
20 to shut down the turbines so that the fish can get
21 through. So I apologize for not mentioning that,
22 but that is --

23 MR. MENDELSON: Okay.

24 MR. SHEA: -- part of the

25 consideration that we have been -- one of the --

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1 the options we're looking at downstream, for me at
2 least, always goes hand-in-hand with upstream. I
3 apologize for not clarifying that.

4 MR. MENDELSON: Glad to hear it.
5 I -- take a look at Steven Hawley's book about some
6 of the river restoration in the pacific northwest.
7 Any place where river restoration has occurred
8 property values have gone up. I think we have two,
9 if not three, studies that we could present to
10 Kennebunk Light and Power that have been done in
11 Maine that show that the property values of
12 abutters who are on the river go up not down.
13 There are -- I think there are two, if not three,
14 studies that prove that.

15 And as far as the economic ripple
16 effect, fabulous ripple effect. So keep that all
17 in mind. But I appreciate that.

18 MR. SHEA: Thank you.

19 MR. MENDELSON: Thank you.

20 (Applause.)

21 CHAIRMAN DONOVAN: This will be --
22 this will be the last question.

23 MR. LaRIVIERE: My name is Rick
24 LaRiviere. I am currently serving as the

25 vice-president of the Saco River Salmon Club and

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1 Hatchery in -- based in Biddeford and we do a lot
2 of work with habitat all over the Saco watershed
3 and I just wanted to come up and to say that we've
4 witnessed firsthand the changes that happen in the
5 ecosystem when dams are removed or barriers are
6 removed and things happen very quickly as far as
7 the restoration of the habitat.

8 To follow up on what the gentleman
9 was just saying about fish passage systems, we're
10 currently involved in a shad passage study that
11 took place last year on the Saco in the -- at the
12 Springs and Bradbury dams, when they drew down the
13 head pond and opened the gates to try to let the
14 shad pass through. Of course, there are fish
15 passage systems at both of those dams and also at
16 the Cataract West Channel Dam there is a 500 foot
17 long Denil fish ladder that is not serving its
18 purpose.

19 So I just wanted to draw
20 everyone's attention to the fact that not all fish
21 passage systems are created equal and some of them
22 are not as efficient as they should be. And
23 sometimes, like is currently happening right now,
24 Brookfield Energy is having to look at constructing

25 yet more expensive fish passage systems because the

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1 systems they have at Springs and Bradbury are
2 inefficient to pass shad.

3 And not all species do use the
4 same fish ladder. Sometimes you have to have
5 multiple types of fish passage. So I'd just ask
6 you to consider that when you're making your
7 decision.

8 I was going to ask a question, but
9 somebody stole it from me, so -- but I just wanted
10 to come up and put that -- you know, add that to
11 that.

12 CHAIRMAN DONOVAN: Do you have
13 anything final, Todd, before we adjourn?

14 MR. SHEA: I do not. Just that I
15 welcome people to reach out to me. Once again, my
16 e-mail address is tshea@klpd.org. You can feel
17 free to call me at the District offices or call and
18 make an appointment and stop by and have this
19 conversation. Stay tuned to our website for more
20 information as it becomes available and more
21 meetings that we may -- we will hold in the future.

22 MR. LaRIVIERE: Could you provide
23 your phone number one more time? It was difficult
24 to catch it earlier.

MR. SHEA: It's 985-3311.

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1 MR. LaRIVIERE: Thank you.

2 CHAIRMAN DONOVAN: Wayne, do you
3 want to close your meeting and then I'll close
4 this.

5 VICE-PRESIDENT BERRY: A couple of
6 people asked about having a comment session, we
7 welcome comments at all times and you can e-mail
8 them or telephone calls through. So that would be
9 -- that would be the best way to get your comments
10 through to us.

11 Thank you all for coming tonight.
12 I appreciate the participation and the interest in
13 what we're working on. We will keep you informed
14 in the future as to what we are doing. Thanks
15 again.

16 CHAIRMAN DONOVAN: I'll make a
17 motion from the Board of Selectmen to adjourn.

18 UNIDENTIFIED SPEAKERS: (In
19 unison) so moved.

20 CHAIRMAN DONOVAN: Second -- all
21 those in favor?

22 (All hands raised in the
23 affirmative.)

24 CHAIRMAN DONOVAN: Opposed?

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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
meeting heard on Tuesday, March 31, 2015.

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.

Kathleen A. De Marre

Notary Public

My Commission Expires _____

Dated the 11th day of May, 2015

KENNEBUNK LIGHT & POWER DISTRICT ~ OPEN PUBLIC MEETING
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