

CDBG Public Hearing
Canton Community Building
June 15, 2010

Present: Advisory Committee - Mac Ray, Don Hutchins, Judy Hamilton, Polly Bussiere, and Scotty Kilbreth; and presenters Kevin Cooley (Kleinschmidt), Brian Beneski (DEP), Leon Bucher (MDIF&W), Amy Landry and Janet Cummings (AVCOG)
Public - Gayton and Joanne Bartlett, Biff Atwater, June Davis, Eliabeth Garcia-O'Keefe, Gary Dougherty, Bill Gray, Susan Gammon, Herb Harding, Ray Bussiere, Larry Giroux, Dian Mooar, Rusty Knight, Mark Blanchette, Tracy Wing, Grace Goodrow, Ralph Neer, Jeff Murray, Terry Hinkley, Lee Holman, Leslie Boness, Rick Ray, Tom & Jolene Adley, Tom Hamilton, Brian Foster, Geraldine & Rene LeBlanc, Eugene & Barbara Groleau, and Tom Standard (Sun Journal)

Kevin Cooley, Kleinschmidt Energy & Water Resource Consultants, Dam design

Project engineer described the preliminary design for a new dam with the aid of a drawing of the concrete dam with two or three gates (each 5' wide) to allow for control of flow, winter drawdown and management of summer water levels similar to that of the existing dam. A flashboard system of hemlock boards, approximately 4' high, would complete the 70' wide dam. Permitting for a new dam will require a channel and dam design adequate for passing 100-year flood waters. The new dam will be constructed upstream, just below the temporary dam, with less than a 6' head to maintain traditional water levels. The center piers and the blocked 5th gate of the existing dam will be removed to open the channel downstream. Flashboards will be held in place with steel pins or hinges and are designed to fail when 2' of water passes over the dam.

Flashboards are a commonly used design and the least costly. With operable gates, the flashboards would fail only in the most extreme conditions. Without a breach, maintenance of hemlock boards would require periodic replacement. Material replacement is estimated to cost \$2,000 for hemlock and \$2,000 for steel pins with volunteer labor. Frequency of replacement is difficult to project but could be every 5-10 years.

The number of gates used is expected to affect the use and life of flashboards. More gates add more operation and control of water levels. Gates cost more initially than flashboards but may cost less in long term maintenance. The flashboard system will need to be designed to prevent loose boards from causing flooding and damage downstream. Hinges, tethering, and spring-loaded systems have been suggested.

The State regulates minimum flow in waterways and the minimum flow in Whitney Brook must be met. Kleinschmidt has designed numerous dams and will address this issue.

Installation of a fish ladder and fish screen were also suggested. The former has been discouraged by IF&W biologists because of invasive species in the Androscoggin River. More research must be done regarding advisability of fish screens.

Flooding of Whitney Brook and the floodplain comes from the Androscoggin and seldom from the lake. Neither the old dam nor the new is designed for flood control. Flash flooding causes unavoidable damage. Historically, however, the natural reservoir of the lake when managed by a gated dam has helped to abate flooding on Whitney Brook. The Canton Water District has agreed to perform regular inspections, maintenance and operation of the new dam.

Brian Beneski, DEP Division of Regulation, Brownfields Assessment

Public use and development of the dam properties is complicated by the potential contaminants left behind by the tannery. The purpose of the Brownfields Program is to encourage re-development of potentially contaminated properties by assisting municipalities with conducting investigations and remediation where necessary to allow for productive re-use of "brownfields" sites. Under a grant from DEP, a Brownfields environmental assessment is underway exploring possible contamination of the two properties adjacent to the dam. MACTEC is under contract with DEP to perform a Phase I and II assessment. Phase I is complete and a copy of the final report is in the Canton and Hartford town offices. Phase I includes research of official records, anecdotal history of the use of the property, interview of town officials, and a "walk over" of the property.

Phase II involves digging test pits and geo-probes taking soil and ground water samples to analyze for current risks of contamination. Hemlock bark was used for many years as the tanning agent switching to chemicals in the later years. Coal ash is prominent but not as much of a risk as originally expected. Sampling was completed at the end of May, sent for analysis and preliminary data should soon be available. A Phase II draft report is expected two weeks later. This report will identify location and risk levels of contaminants found on the dam properties. The report will also indicate remediation requirements for specific kinds of activity or use of any contaminated areas.

Concern was raised about remediation and who would be responsible for costs associated with cleanup. DEP's Voluntary Response Action Program [VRAP] can help Canton determine if remediation is necessary and release the town of liability to the extent allowed in the VRAP Law by meeting program restrictions. The US Environmental Protection Agency has fund available to municipalities for cleanup and DEP has some funds as well; both by competitive grant applications.

Leon Bucher, Maine IF&W Federal Aid Coordinator/Planner, Public Boat Access

IF&W mission is to provide public access to Maine lakes for commonly used boats. Fisheries biologists, Jim Pellerin and Francis Brautigam, brought a "commonly" size sport fishing craft down Whitney Brook from the lake to the millpond and declared it adequate for public access. Many rock haards exist and channels need to be marked. IF&W funding for acquisition and construction of a trailer-launching boat ramp comes from US Fish & Wildlife Sport Fishing Restoration program which could pay for up to 75% of the costs for such a project. A municipal easement to IF&W for a real estate interest in the launch could satisfy the 25% in kind match for the federal funds.

The deteriorating boat ramp currently used is privately owned and has been satisfactory for IF&W fish stocking program. Smaller lakes with public access appear to be more heavily stocked. Concerns were raised regarding invasive Eurasian milfoil and the need for boat inspections. Mr. Bucher pointed out that public access on the outlet brook is a good location to minimize a threat of infestation. IF&W bears maintenance costs for their public access facilities and often partners with towns for the operation and maintenance.

When asked what Canton needs to do to enter into a partnering agreement with IF&W, Mr. Bucher stated that a public easement must be granted by the town, a "clean bill of health" must be determined (DEP Brownfields assessment completion) and a title review is needed. Conceptual engineering designs of the launch, construction bids process and actual construction would follow.

Amy Landry, AVCOG Economic Development Planner, Grant Administrator

Both Canton and Hartford are members of Androscoggin Valley Council of Governments [AVCOG]. AVCOG's assistance on the dam project resulted in a \$500,000 Community Development Block Grant [CDBG] to build a new dam on Whitney Brook. Amy Landry, grant administrator, introduced her colleague at AVCOG, Janet Cummings, who will be assisting her with oversight of the grant. These are federal funds and AVCOG will make sure that the project funding is released and all required paperwork is completed.

Once the Brownfields Phase II data analysis is available, AVCOG will begin a 60-day process to complete the required environmental review. A public notice and 15-day comment period for the dam is needed because of the Proposed Development in the Floodplain. Re-evaluation, based on comments received, will be followed by another public notice and 7-day comment period indicating no other practicable alternative location is available for the dam project. Then public notification of Finding of No Significant Impact [FONSI] and intent to release CDBG funds (the highest level of environmental review required by CDBG) is given with another 15-day comment period. AVCOG will write the FONSI report and make it available in the town office for review and comment. A final FONSI report, taking all comments received into account, is produced and is available for review with public notification. Another 15-day comment period is required before the environmental review clearance is given. Canton can then request the release of DCBG funds.

Judy Hamilton, Advisory Committee Secretary, Financial Report

The initial appropriation of funds from Canton and Hartford voters and donations given specifically for the emergency repair of the temporary dam totaled \$44,600. Expenses to date total \$42,618.65 leaving \$1,981.35 still available. Total cost a new dam is \$651,579 and includes the Kleinschmidt's preliminary estimated costs for construction of a new dam, final engineering designs, permitting, CDBG environmental review and grant administration. The bulk of the project costs will be covered by the \$500,000 from CDBG. The Canton Dam Fund was set up to take donations and the balance is \$10,072.

Biff Atwater, President of the Lake Anasagunticook Association [LAA] announced the launching of a Capital Campaign to raise the needed funds to bridge the gap between the CDBG grant and the total costs of a new dam. Displaying "Let's Give a Dam

Together" banner and balloons, he announced that donations and pledges received already amount to 35% of the \$151,579 needed to bridge-the-gap or \$53,000.

The amount still needing to be raised is a little over \$86,500 or 13% of the total project costs. Although the LAA campaign is designed for a 5-year period, Biff stated that they are hopeful that these fund can be raised over the next two years.

Polly Bussiere presented the prize drawings for the third Super Raffle with proceeds to benefit the LAA Dam Fund. Tickets are \$5 each or 6 for \$20 and each ticket indicates which prize drawing it is to enter. Six prizes, ranging in value from \$200 to \$700, to be drawn following the LAA annual meeting on Sunday, August 15th are:

1. King size quilt donated by Grammy's Choice Quilters of Canton (on display),
2. Weekend at the Intercontinental Hotel in Boston donated by Tim Kirwan,
3. \$200 LL Bean Gift Card donated by Liz & Gerald Rothrock,
4. Four Red Sox tickets to the August 1st game against Detroit including bus from Saco to Boston (prize to be drawn July 24th) donated by Priscilla Campbell & Ross Wyman,
5. Three structural intergration sessions by Elizabeth Garcia-O'Keefe and
6. Half-canoe bookcase crafted by Mike Swanick.

Anyone interested in tickets for themselves or is willing to try to sell tickets should contact either Polly or Judy Hamilton.

Dam Clean-up Day

Mac Ray announced the cleanup work day on Saturday, June 19th beginning at 9 a.m. Volunteers are needed to help with mowing, cutting brush, and general cleanup of the dam properties. It is rumored that refreshments will also be served to those who come out to help.

The two-hour hearing was adjourned about 8:30 p.m.

Respectfully submitted,
Judy Hamilton, Secretary