

CDBG Advisory Committee  
July 26, 2010

Present: Scotty Kilbreth, Polly Bussiere, Don Hutchins, Rob and Mitzie Turnbull, Judy Hamilton, Larry Giroux, Mary and Biff Atwater, Tom Standard (Sun Journal)

Scotty Kilbreth chaired the meeting in Mac Ray's absence.

**Phase II Brownfields draft**

Committee members received an electronic draft of MACTEC's Phase II Brownfields report dated July 9, 2010. Brian Beneski, DEP, asked that it not be distributed publicly yet and will attend our next meeting on August 9<sup>th</sup> to answer questions, help us understand how contamination risks will effect the dam project in practical terms, and give us more information about DEP's Voluntary Response Action Program. Poly aromatic hydrocarbons [PAHs], arsenic and lead were present in surface soil at concentrations above Park User RAGs [Remedial Action Guidelines]. Arsenic was found in subsurface soils at concentrations above Excavation or Construction Worker RAGs and future construction work will need to be completed under a Health and Safety Plan that addresses/limits the potential for direct contact exposure with contaminated soils. The report goes on to suggest that Canton "consider entering the Site into the MEDEP Voluntary Response Action Program once plans for the site development have been completed; this action will provide the property owner protection from future enforcement action."

The following questions were raised:

- Are PAHs airborne contaminants? At what levels, compared to normal/safe levels?
- What is the risk of exposure for those who have walked and/or worked on the site already?
- Is there any reason to block off the area to discourage/prohibit access until risks are addressed?
- What remediation of these risks is required for building a new dam, installing a boat ramp and general use of the property as a park as currently proposed? Are there different levels of remediation based on the amount of soil disturbance necessary for the project?
- If water that has infiltrated a contaminated area is found to be at low/no risk for park users, wouldn't it be better to avoid disturbing the soil? Are any of the contaminants found on this site at a level where disturbance of the soil would be prohibited?
- If remediation is required, what would the timeframe for action be? How would it impact construction plans? Could both occur simultaneously? What kind of costs could be expected and where might the funding come from?
- Is encapsulation of contaminants rather than removal a possibility?
- Are there standard treatments dictated for specific levels of contamination? For specific proposed use of the property?
- Are waivers possible at the levels of contamination in this report?
- Are types of treatment dependent upon the depth that contaminants are found?

AVCOG started their environmental review for CDBG upon receipt of the MACTEC draft. The Floodplain notice went into the SunJournal on the 22<sup>nd</sup> and is now

in a 15-day comment period. A second notice is expected the week of August 9<sup>th</sup>. This will be followed by public notification of Finding of No Significant Impact [FONSI] for the project, which is required to set the Environmental Clearance date after which Canton can request a release of the CDBG funds. Scotty Kilbreth stated that he has clipped these notices.

#### **Update from Kleinschmidt**

This status update came from Kevin Cooley:

1. We have started some of the preliminary design tasks including consideration of the flashboards and gate system. We will want to review this with you before finalizing.
2. We have been working with the surveyor to get the field work done. Schedules haven't allowed this to happen yet, but expect it in the next couple weeks.
3. Holly Mackenzie has talked to Eric Ham at DEP. He suggested having a pre-application meeting prior to going too far into design. Therefore she is going to start coordinating this for around mid-August.

#### **Notice of Violation**

As promised, Asst. Attorney General Amy Mills reported to Canton attorney Jack Conway that DEP is giving Canton time to get designs for the new dam and a restoration plan for the temporary dam together before any action on the NOV is taken.

#### **Maine Outdoor Heritage Fund application**

Larry Giroux has been working with IF&W as sponsors of Canton's application for a \$20,000 grant for the dam project due August 1<sup>st</sup>. Leon Bucher, with the assistance of fisheries biologists Jim Pellerin and Frances Brautigam, is writing a letter of intent to partner with Canton for public boat access to the lake in support of the application. The CDBG budget is being used with an updated figure of \$46,881 for cash in hand. Action notices are expected within 90 days of the application deadline. This committee thanks Larry for all he is and has done for this project.

#### **Odds & Ends**

Priscilla Campbell-Wyman, donor of the Red Sox tickets, doubled their donation to include two sets of four tickets to the August 1<sup>st</sup> Red Sox v. Detroit including transportation from Saco to Fenway. The two winners are Lesa Tompkins and Michael Hornbach. Drawing of the winning tickets for the other five super raffle prizes will follow the lake association's annual meeting on Sunday, August 15<sup>th</sup>.

Biff Atwater, LAA President, stated that just over half of the amount needed to cover the gap between the CDBG funds and the total estimated costs has been raised.

**Next Meeting** is scheduled for 6:30 p.m. Monday, August 9<sup>th</sup> at the Canton town office.

Respectfully submitted,  
Judy Hamilton, Secretary