



## **Board of Selectmen**

Francis E. Pulsoni, Chair  
David A. Field, Vice Chair  
Chad E. Poitras  
Thomas J. Peters  
Mark J. Blier

---

*Sent via email*

June 29, 2023

Mr. Andy Qua  
Principle Consultant/Regulatory Advisor  
Kleinschmidt Associates

Dear Andy:

The Buxton Board of Selectmen is submitting the following comments concerning the Draft Study Plan for the Decommissioning of the Bar Mills Hydroelectric Project (FERC No. 2194). The basis of the comments are the selectboard's responsibility to "protect the health, safety, and welfare of the Town's residents."

Further, the provisions of the Town's Zoning Ordinance govern all land and structures within the boundaries of the Town of Buxton, Maine. Two articles provide performance standards for structures projecting into water bodies.

- 11.13.C. The facility shall be located so as to minimize adverse effects on fisheries.
- 11.13.D. The facility shall be no larger in dimension than necessary to carry on the activity; and be consistent with existing conditions, use, and character of the area.

Brookfield White Pine Hydro's (BWPH) proposal to partially breach the spillway dam leaves a structure that will no longer fulfill its intended activity nor be consistent with the new conditions, use, and character of the river. The remaining spillway dam and powerhouse will be a liability and safety hazard for decades.

### **Risk Assessment of Brookfield Properties and Remaining Structures**

Section 5.2 explains that future maintenance and safety of the remaining structures will be addressed in the decommissioning plan. So that our first responders are aware of potential hazards, please include a list of hazardous materials or equipment that will be stored at the powerhouse in the decommissioning plan.

### **Conduct Studies with Flashboards Down**

The Board of Selectmen understand that lowering the flashboards is the only feasible approach for conducting the field investigations. Please schedule the drawdown described in 6.9 so residents with property on the Saco River can enjoy full pond water levels particularly during the Independence Day and Labor Day weekends. The Town of Buxton can assist with publicizing the drawdown by posting the schedule on its website.

## **Geology and Soils**

In 7.1.1.3, BWPH indicates it will review existing, publicly available information pertaining to the property containing the former Rogers Fibre Mill. In support of the review, the Town of Buxton holds a copy of the EPA's Removal Action Administrative File and its Addendum; and subsequent Pollution Report #6 and the After-Action Report. These two documents were the basis of the study objectives discussed in 5.1 and 5.2 of the Draft Study Plan that were not adopted. The documents are available for your review at the town office or by contacting the EPA.

As part of the methodology outlined in 7.1.1.6, the Board of Selectmen strongly recommends that BWPH:

1. Conduct a thorough review of EPA and Maine Department of Environmental Protection (DEP) records pertaining to the Rogers Fibre Mill that will inform access and full removal of the spillway dam.
2. Consult directly with EPA personnel and representatives from the Town of Buxton to determine how full removal of the spillway dam can be accomplished without disturbing contaminated sediments that may exist.
3. Document the review and consultations in the Draft Study Report.

In 7.1.2.6, BWPH limits sediment testing for contaminants to the area immediately upstream of the spillway dam and canal headworks that are proposed for removal. In the interest of protecting the public from contacting contaminants, the Board of Selectmen request that the testing area include the sediments on the east side of the river immediately upstream of the spillway dam and the water retaining foundation of the Rogers Fibre Mill. Three questions need to be investigated.

1. Is there a significant volume of sediment with contaminant concentrations that will put people at risk of exposure if they are working to remove the dam or recreating in the river?
2. Do the sediments meet DEP beneficial use criteria to be used as construction fill in the canal?

The third question relates to shoreline erosion (7.1.3) in the area described above.

3. Are there contaminated sediments that will be exposed or eroded because of changing river flows?

In the Final Study Plan, please show the proposed locations of the sediment samples on a map.

## **Water Quality and Quantity**

Please provide the criteria that will be used in 7.2.6 to assess the effects of lower normal water level on the Depot Street dry hydrant. Contact the Buxton Fire Chief, Nathan Schools, if pumping on the dry hydrant during the drawdown will be part of the assessment.

It will be helpful to the Town of Buxton if the Draft Study Report includes the following items from the dry hydrant assessment.

1. A plan and profile illustrating:
  - a. The location and distance of the existing intake from the shoreline and riser pipe.
  - b. The intake's diameter and obvert elevation.
  - c. Calculated river elevations and water depths at the intake for 300, 400, and 2,600 cubic feet per second flows.
  - d. The predicted post-removal riverbed profiles along the length of the intake pipe.
2. A summary of the consultations with the Town of Buxton.
3. Recommendations for appropriate mitigative measures.

The EPA Pollution Reports point out that one of two "12-inch diameter pipes passing through the dam/foundation of the building" was modified to "allow for a limited flow of water into the reconfigured channel" on the downstream side of the dam. The modification, recommended by the U.S. Fish and Wildlife Service, was implemented to "minimize the migration of contamination and re-contour the channel to a narrower stream of flowing water [to] improve the DO [dissolved oxygen] content."

The Board of Selectmen strongly recommends the addition of three items in the methodology discussed in 7.2.6.

1. BWPH will consult with the EPA to determine whether flow through the 12-inch diameter pipe remains necessary.
2. If continued flow is deemed necessary by the EPA, BWPH will determine whether calculated river elevations and water depths at the intake of the 12-inch diameter pipe will produce adequate flows at 300, 400, and 2,600 cubic feet per second.
3. BWPH will document its findings in the Draft Study Report.

## **Fish and Aquatics**

Please add Stony Brook to the Zone of Passage Field Assessment described in the Methodology (7.3.6). Located in Buxton, the Stony Brook sub-drainage is designated by the Maine Department of Inland Fisheries and Wildlife as having wild eastern brook trout habitat. Its HUC 12 code is 010600021103.

## **Wildlife and Botanical Resource**

As the wildlife observations discussed in 7.4.4 are conducted, please be aware that bald eagles have been sighted in the vicinity of the Bar Mills dam since the 2001-2002 surveys for the

Project re-licensing. Although outside the Project area, residents have observed a bald eagle nest at Pleasant Point Park, Buxton.

In 7.4.7, the proposed wetland field surveys and wildlife and botanical species and habitat observations are scheduled only during the drawdown. In the Final Study Plan, please explain how species that occur or frequent the Project area at other times of the year will be counted.

### **Recreation**

BWPH proposes to remove only the headworks and the western portions of the spillway dam and the submerged timber crib dam. The Board of Selectmen are concerned about the safety hazards of the remaining spillway, its concrete sluice (in the middle of the river), timber crib dam, powerhouse, and powerhouse dam. The Draft Study Plan Methodology (7.5.6) needs to answer the following questions.

1. What are the hazards if a particular structure is not removed?
2. Will the hazards of the remaining structures become more serious over time?
3. Are safe, navigable routes for canoes, kayaks, and float tubes limited by removing only the east portion of the spillway dam?
4. Will the river conditions of the proposed partial breach or the remaining structures create choke points for trees and branches that will create safety hazards?

During the drawdown period of the study, please locate potential hand carry boat launches upriver from the former railroad trestle. The goal is to provide a safe boat launch if the post-removal river conditions make the existing launch difficult to access when getting out of the river.

### **Land Use**

The Board of Selectmen have no comments at this time about the Land Use section of the Draft Study Plan.

### **Aesthetics**

The powerhouse and Rogers Fibre Mill are within the Project area as described in the 2008 FERC License. Therefore, they must be part of the study area discussed in 7.7.3.

The proposed methodology to assess aesthetics (7.7.6) will not fully address the concerns of local property owners and the communities of Hollis and Buxton. Figure 1 shows the weathering concrete on the downstream side of the powerhouse. Figure 2 shows the powerhouse as viewed from private property in Buxton. A winter view of the abandoned Rogers Fibre Mill from the Bar Mills Bridge (Figures 3) shows

its deteriorating foundation.

The methodology used to study aesthetics of post-removal conditions will need to answer four questions.

1. What will be the aesthetics of the Project area from vantage points on private or public properties in addition to the boat launch and Bar Mills Bridge?
2. How will the aesthetics change as the remaining structures degrade over time?
3. What will be the aesthetics of the Project area in winter versus summer?
4. What will be the cumulative effect of the remains of two bridges, the spillway dam and its sluice, the timber crib dam, the mill, the powerhouse dam, and the powerhouse on aesthetics?

Figure 1

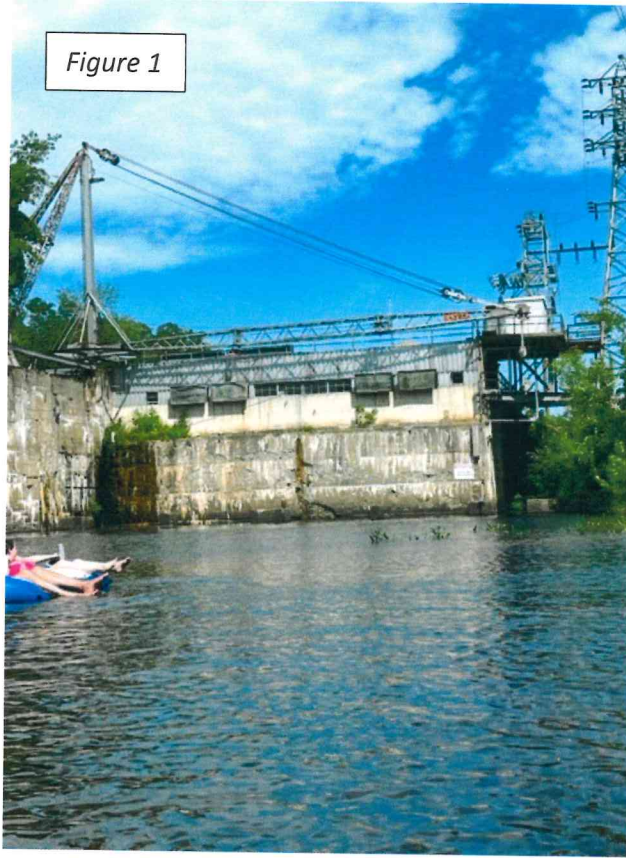
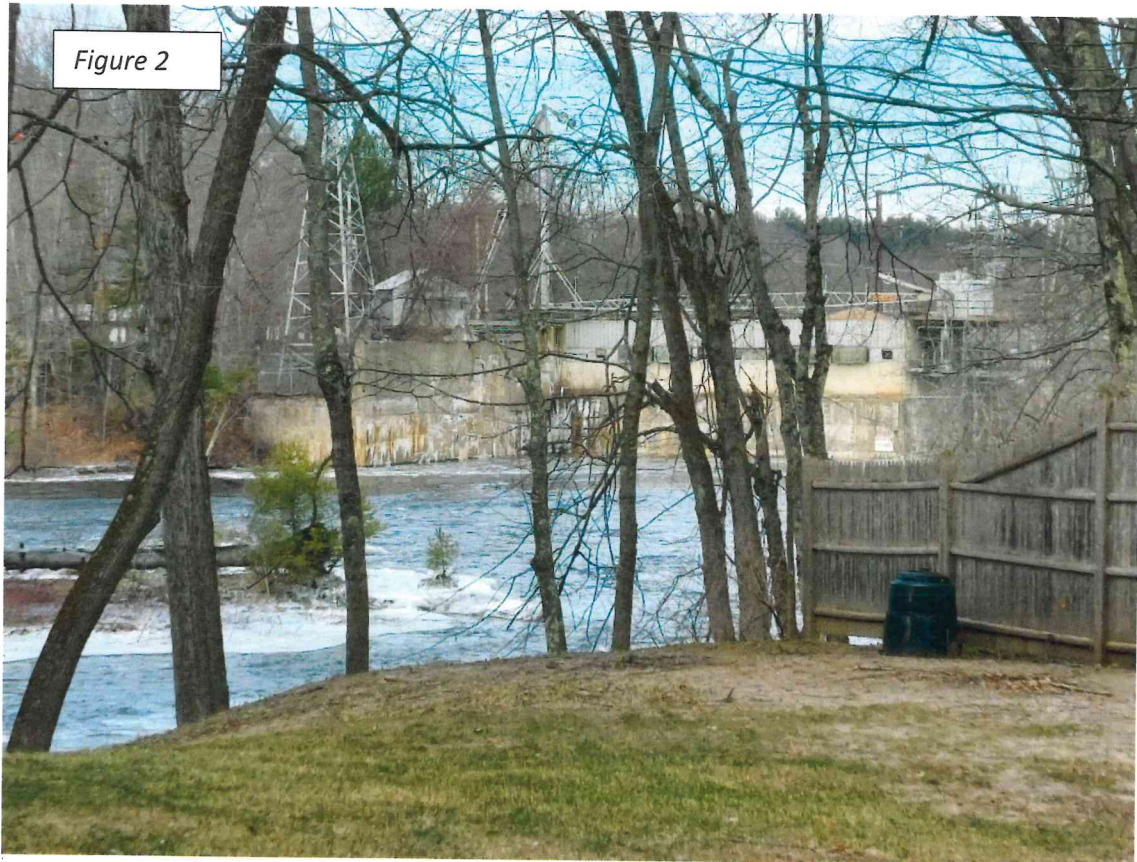
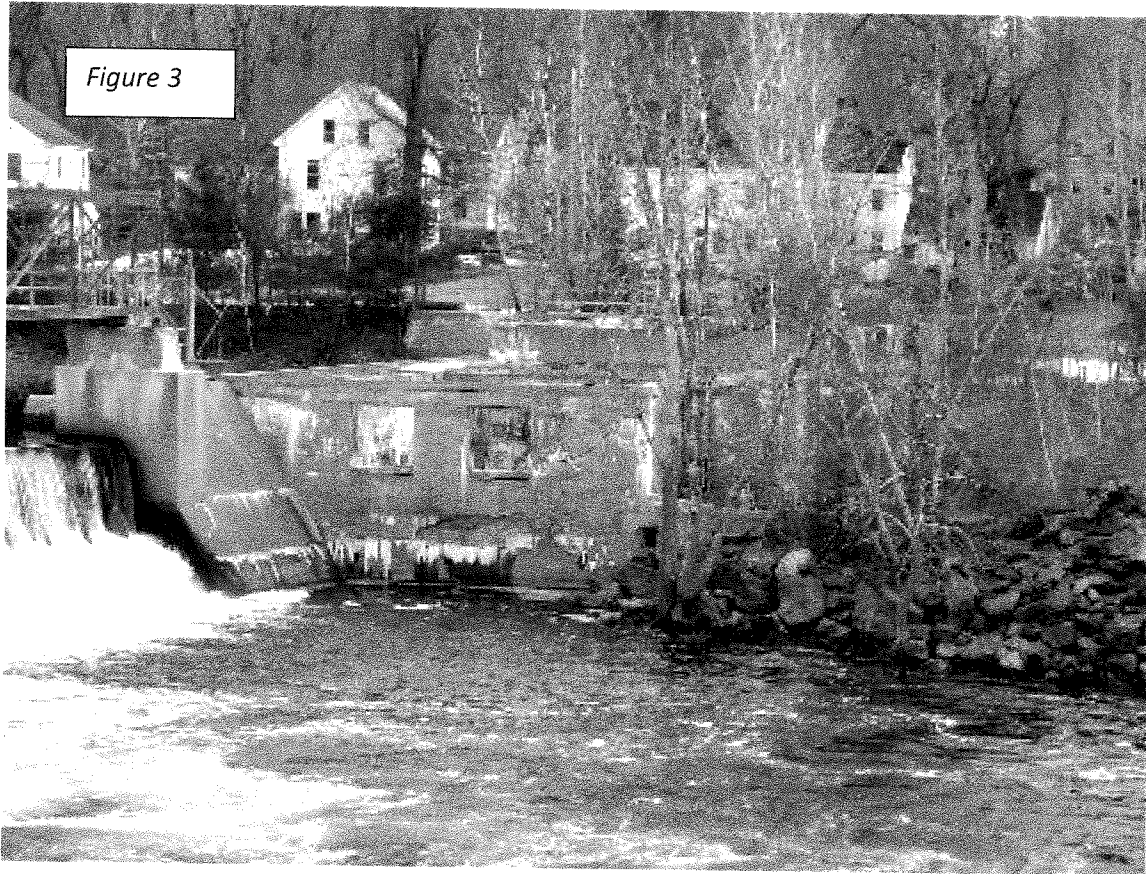


Figure 2





### **Cultural/Historic Resources**

Please be aware that there is a small monument commemorating the local citizens who worked at the Rogers Fibre Mill.

In closing, the Board of Selectmen has heard from numerous residents. Most would like to see the dam rebuilt for the clean energy it can provide. Those with property on the Saco River are discouraged by the loss of the environment they have enjoyed. Some have pointed out the loss of tax revenue. While others want the dam removed because it does not produce electricity. Setting aside these differences, if the Project must be decommissioned, the common sentiment is that it be done to protect the health and safety of the residents and respect the aesthetics of the communities of Hollis and Buxton.

Sincerely,

Regards,

Francis E. Pulsoni,

Chair, Buxton Selectboard

