

Town of Hollis
Office of the Select Board
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Phone: (207) 929-8552 Fax: (207) 929-3686
Web Address: www.hollismaine.org

David McCubrey

John Rogala

Mary Hoffman

June 30, 2023

Andy Qua, Principal Consultant/Senior Regulatory Advisor
Kleinschmidt Associates
141 Main Street
Pittsfield, ME 04967

Dear Mr. Qua:

The Hollis Select Board fully supports the comments that were submitted by the Town of Buxton concerning the Draft Study Plan for Decommissioning of the Bar Mills Hydroelectric Project (FERC No. 2194. We have utilized their draft and added the Select Board's comments.

Brookfield White Pine Hydro's ("BWPH") proposal did not incorporate several items noted in the Select Board's comments to the company.

In addition, the Hollis Select Board has the following comments. The basis of the comments is the Select Board's responsibility to "protect the health, safety, and welfare of the Town's residents."

The provisions of the Town's Zoning Ordinance govern all land and structures within the boundaries of the Town of Hollis, Maine.

- 3.7.5 a. In considering The Planning Board shall evaluate the immediate and long-range effects of the proposed use.
- 3.7.5 b. The use will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat.

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 (specific Hollis Select Board input)

Section 5.2 explains that future maintenance and safety of the remaining structures will be addressed in the decommissioning plan. As machinery has been operated on the site for decades, appropriate environmental testing and documentation of equipment (including potential hazardous materials) should be provided, including hazardous materials and equipment that have been used in the past and those that will be stored at the powerhouse in the future. It is critical that our first responders in both towns (Hollis and Buxton) are aware of potential hazards.

The following studies are requested:

Environmental Phase I, and Phase II or additional testing recommended based on the results of the Phase I for at minimum the Powerhouse and Spillway portions of the property.

This study will identify potential releases of hazardous substances, as well as determining the scope of any testing required to confirm the releases identified in the Phase I. The public has a clear interest in the results of this study as the property abuts residential properties with wells as well as a sensitive river and associated wetlands. There is limited public information regarding hazardous substances present on the Powerhouse or Spillway portions of the property, whether in soil or groundwater, and the scope of and threat posed by any potential releases of hazardous substances should be adequately identified. Due to the age of the dam and associated structures, there is significant potential for hazardous substances to be present on the property, including lead, asbestos, petroleum products, VOCs, and PCBs. The Phase I should be conducted in accordance with ASTM Standard E-1527-13, which is generally accepted practice. Phase I studies are non-invasive, and comparatively low cost. Further investigations would be informed and tailored based on the results of the Phase I. To date, we are unaware of alternative studies that would meet this information need.

Structural condition report on the Powerhouse structure

An assessment of the current conditions of all structures, including evaluation of the structural integrity of the Powerhouse structure and its fitness for the purpose currently be proposed by Brookfield. The public has an interest in the physical condition of the structure as it appears dilapidated and potentially poses a threat to public safety. Brookfield has not to date allowed any municipal agencies or representatives to inspect the structure, and there has been no evaluation of the viability of continuing to use the Powerhouse or if it is more appropriate to remove the structure. The structure was constructed many years ago and was not designed to serve the purpose proposed by Brookfield. Further, the structure likely does not meet current safety standards for structures occupied by people. The report should include an inventory of improvements and equipment including list of obsolete or unused equipment that should be removed prior to conversion of the Powerhouse. The report should be done in accordance with ASTM Standard E 2018-5, which is industry standard. This study is non-invasive, and comparatively low-cost. To date, we are unaware of alternative studies that would meet this information need.

The Hollis Select Board specifically notes that future use of the powerhouse is subject to the zoning and land use codes of the municipality, including those of the Shoreland Zone, and all required review and approvals of the Hollis Planning Board.

Aesthetics and Safety:

The current aesthetics of the site are not acceptable and it is an attractive nuisance from a liability and safety perspective. BWPH's assertion that the powerhouse can only be seen in a transient, distant, and limited vantage point is not correct. **Figures 1-4 illustrate the current view from Hollis and from the Saco River, including the poor condition of the defunct machinery and structures.**



Figure 1



Figure 2

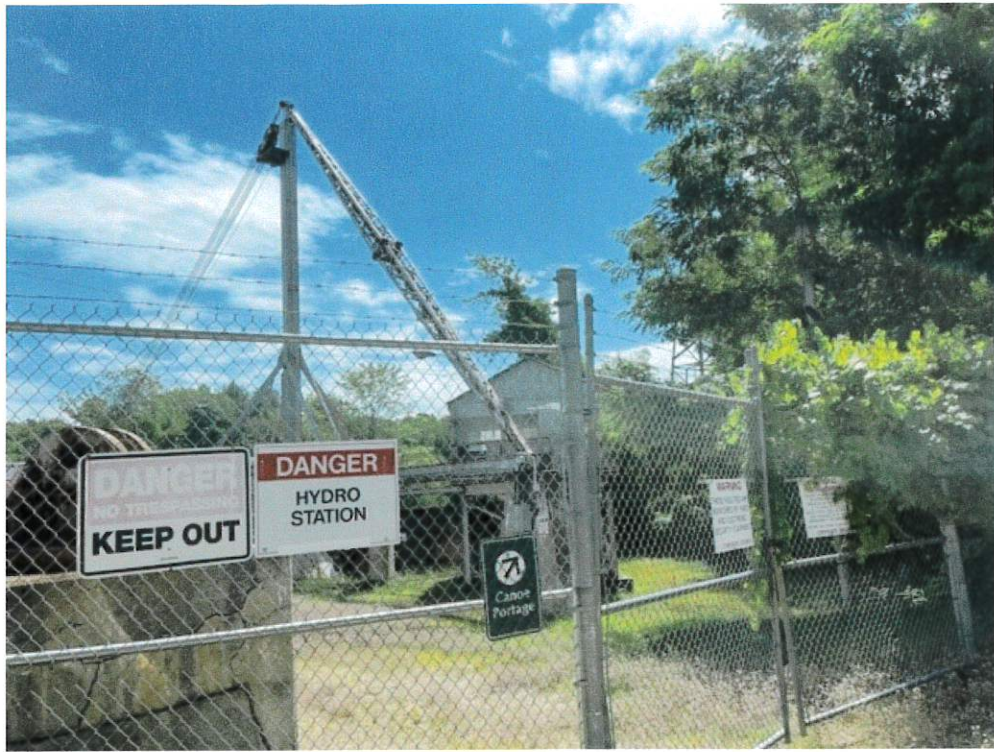


Figure 3



Figure 4

As noted, 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. Additional vantage points should be considered as should future degradation. Further, maintenance of the current aesthetic is not an adequate standard as noted from the condition recorded above.

The Hollis Select Board also requests that a written assessment be provided to the Town of the current conditions of all structures and improvements and maintenance work that are needed. The Select Board also requests that an Operation and Maintenance Plan, including a schedule of ongoing maintenance and repair, is provided to the Town outlining obligations of BWPH to maintain the property and any remaining structures.

Conduct Studies with Flashboards Down

The Select Board of Hollis understands that lowering the flashboards is the only feasible approach for conducting the field investigations. As noted by Buxton, the Town of Hollis would ask that you 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. As with the Town of Buxton, the Town of Hollis would need advance notice so that we can assist with publicizing the drawdown by posting the schedule on its website.

Geology and Soils

As the Town of Buxton indicates in section 7.1.1.3, BWPH indicates that they will review existing, publicly available information pertaining to the property containing the former Rogers Fibre Mill.

The Hollis Select Board fully support the recommendations made by Buxton for a thorough and complete evaluation of the Roger Fibre Mill site to include the effect of total spillway dam removal and what issues might be identified.

Of specific concern to the Hollis Select Board is whether there is contamination presently of the river either upstream or downstream from the Roger Fibre Mill and whether any disturbance of the Dam will cause contamination of additional areas of the river.

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 Canal Street dry hydrant in Hollis. Please contact the Hollis Fire-Rescue Chief, Chris Young, if pumping involving the dry hydrant during the drawdown will be part of the assessment.

It will be helpful to the Town of Hollis 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 2600 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 Hollis.
3. Recommendations for appropriate mitigated measures.

The Select Board of Hollis agrees with 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 of 300, 400, and 2,600 cubic feet per second.
3. BWPH will document its findings in the draft Study Report.

Fish and Aquatics

It has been reported that there are many tributaries that go into the Saco River that have wild eastern brook trout. Please have the Maine Department of Inland Fisheries and Wildlife provide an in-depth report of all tributaries that will be affected and how they are going to maintain habitat.

Wildlife and Botanical Resource

As the wildlife observations discussed in 7.4.4 are conducted, please be aware that there are many sightings of many varieties of both wildlife and botanical species along the river. The Select Board of Hollis is very concerned about the loss of wetland and agree with the need to not only look at what is affected during the drawdown but throughout the year. The Select Board is also concerned about the proliferation of invasive species which is occurring at current BWHP properties in the area (e.g. the West Buxton “angler stand”). Assessment of invasive species and development of an ongoing Operations and Maintenance Plan outlining obligations of BWHP for continued maintenance should be provided to the towns.

In 7.4.7, please include all seasons and species that will be affected by the change not just during the drawdown but throughout the year.

Recreation

The Hollis Select Board is also very concerned about the structures that will remain submerged and remaining after the removal of the headworks and the western portions of the spillway dam and submerged timber crib dam.

This includes the safety hazards of the remaining spillway, its concrete sluice (in the middle of the river), timber crib dam, powerhouse, and powerhouse dam. As noted in the Buxton report, 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 tress and branches that will create safety hazards?

Land Use

The Select Board of Hollis has no comments currently about the Land Use section.

In closing, both the Board of Selectmen from Buxton and the Select Board from Hollis have heard from numerous residents.

As Buxton noted, many 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 agree with the dam being removed because it does not produce electricity but sincerely believe that the whole dam and related structures should be removed to not be an eyesore and danger that town residents must clean up if the site is abandoned.

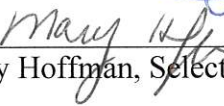
As Buxton stated, the common sentiment of all the residents is that Brookfield White Pine Hydro (**BWPH**) should not be allowed to take the cheapest way out and should respect the opinions of both the communities of Hollis and Buxton. The Decommissioning needs to be done in a manner to protect the health and safety of the residents and respect the aesthetics of both communities not only for today but for future generations.

Sincerely,



David McCubrey, Select Board Chair

John Rogala, Select Board



Mary Hoffman, Select Board

- cc: Town of Buxton - Board of Selectmen
- Kyle Olcott, Maine DEP
- Steve Mallory, MEMA
- Julianne Rosset, USFWS
- Diana Shannon, FERC
- U.S. Senator Angus King
- U.S. Senator Susan Collins

adminsecretary@hollismaine.org

From: adminsecretary@hollismaine.org
Sent: Friday, June 30, 2023 12:35 PM
To: 'julianne_rosset@fws.gov'; 'karen_fox@king.senate.gov'
Subject: FW: Comments from the Hollis Select Board re: Bar Mills Hydroelectric Project draft study plan (FERC No. 2194)
Attachments: Hollis Select Board ltr to Kleinschmidt Assoc re draft study plan Bar Mills Dam. FERC 2194.pdf

From: adminsecretary@hollismaine.org [mailto:adminsecretary@hollismaine.org]
Sent: Friday, June 30, 2023 12:33 PM
To: 'Andy Qua' <Andy.Qua@KleinschmidtGroup.com>
Cc: 'kyle.olcott@maine.gov' <kyle.olcott@maine.gov>; 'steven.mallory@maine.gov' <steven.mallory@maine.gov>; 'julianne_rosset@fws.gov' <julianne_rosset@fws.gov>; 'karen_fox@king.senator.gov' <karen_fox@king.senator.gov>; 'diana.shannon@FERC.gov' <diana.shannon@FERC.gov>; 'hcox@buxton.me.us' <hcox@buxton.me.us>; 'Nathan.Carlow@legislature.maine.gov' <Nathan.Carlow@legislature.maine.gov>; 'mark.blier@legislature.maine.gov' <mark.blier@legislature.maine.gov>; 'Trevor_Hustus@collins.senate.gov' <Trevor_Hustus@collins.senate.gov>; 'BarMills' <BarMills@kleinschmidtgroup.com>; dmccubrey@hollismaine.org; Jack Rogala <jrogala@hollismaine.org>; Mhoffman@hollismaine.org
Subject: Comments from the Hollis Select Board re: Bar Mills Hydroelectric Project draft study plan (FERC No. 2194)

Good afternoon Andy,

Attached for your review is correspondence from the Hollis Select Board commenting on the draft study plan for the Bar Mills Hydroelectric Project (FERC No. 2194).

Sincerely,

Bennet S. Flinger

*Select Board Office Assistant
IT Coordinator, Website & Mail Server Mgr.*
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