

Lake Auburn Watershed Protection Commission

Meeting Minutes

Wednesday June 26, 2013

Location: Androscoggin Valley Council of Governments

Time: Meeting began at 3:35PM

Commissioners Present: Lee Upton, John Butler, Dave Jones (arrived at 4:04PM), Bethel Shields, Dick Thibodeau, Joe Grube, Steve French, John Bonneau, Bob Thompson

Commissioners Absent: None

Others Present: John Storer, Mary Jane Dillingham, Sid Hazelton, Scott Hatch, Heather Hunter, Lynne Richard, Tizz Crowley, KC Geiger

Commissioner Grube called the meeting to order at 3:35 PM

Agenda Item 1: Approve Minutes of Regular Meeting of April 24, 2013

Vote 1– Motion by Commissioner Butler and seconded by Commissioner French to accept the minutes of the regular meeting on 4/24/13, and place on file.

Passed 8 -0 (Commissioner Jones absent)

Agenda Item 2: Quarterly Financial Update – Heather Hunter

Revenues have been static since the last report. On the expenditure side, we have made some boat repairs, purchased buoys under operational supplies. We also paid our share of the GIS update which was \$5,130.00.

A sheet was distributed that outlined sinking fund cash flows. Under “2013 Cash Balance – Estimated”, the amount has changed from the original budget. The Commission approved a \$9,500 Swimmability Study from CEI. We were billed \$1,262 for CEI to attend a presentation. The bill for Spectrum Analytical (\$7,175.60), and Water Resources (\$22,901.90) are also coming from current year allotment. After the proposed algaecide order (\$50,000) is subtracted, we have a balance of \$130,000 left for the rest of the year for all sinking fund expenditures, land purchases, additional diagnostics, etc.

Commissioner Upton asked if the CEI presentation bill was part of their original contract. John Storer answered the presentation was above and beyond their original contract. The presentation was necessary to close the loop on the study.

Vote 2– Motion by Commissioner Bonneau and seconded by Commissioner Butler to accept the quarterly financial update.

Passed 8 -0 (Commissioner Jones Absent)

Agenda Item 3: Update on Lake Auburn & Algaecide Application– John Storer & Sid Hazelton

Sid reported we received the final algaecide application permit from the DEP on May 28, 2013. We are now working with Ray Lussier from Life Safety Specialists to prepare for the event using the National Incident Management System (NIMS). We will be conducting a table top exercise on July 11 with all participants.

Commissioners French and Shields identified additional residents who may be withdrawing water from the Lake. We will contact these individuals.

Commissioner Thibodeau asked how long the algaecide – copper sulfate pentahydrate would remain in the water. John Storer answered the dose is very low, and should dissipate within minutes of application. For drinking water quality we need to test for copper residual to a hundredth of a milligram/liter, and the DEP wants us to test down to one thousandths of a milligram/liter to see the effect on zooplankton.

John explained that Dr. Ken Wagner in consultation with Mary Jane is correlating turbidity with algae counts, and will determine if and when a treatment is necessary.

Sid explained we must notify the DEP five days prior to the planned application. The algaecide contractor is able to respond within 48 hours of notification.

Commissioner Bonneau suggested contacting the DEP to gage their willingness to shorten the five day notification requirement if necessary. We will do that.

Agenda Item 4: Approve Order Authorizing Commission Clerks to execute algaecide contract with Aquatic Control Technology, Inc.

John Storer requested the Commission to approve the Algaecide Contract with ACT, Inc.

Vote 3– Motion by Commissioner Butler and seconded by Commissioner Shields to Approve an Order Authorizing Commission Clerks to execute algaecide contract with Aquatic Control Technology.

Passed 8 -0 (Commissioner Jones absent)

Agenda Item 5: Update on Status of Lake Auburn Diagnostic Study

John Storer explained there are three parts to the Study; CEI is looking at the land-based remediation, and their work is done and in draft form. CDM is looking at the in-Lake impact with Ken Wagner from Water Resources. Ken has been working with Mary Jane to look for triggers for when to apply algaecide.

CDM is overseeing the data collection, and this is being funded through AWD/LWD operational funds. Approximately \$150,000 is budgeted for data collection.

Mary Jane explained we are currently collecting large sets of data in conjunction with Bates College. We are focusing on nutrient inputs to the Lake such as phosphorus and nitrates, rather than bacteria. We are also tracking algae populations and location. Since we do not have the staff or equipment, we have to send out for most of the tests results.

Although it is very early, John asked CDM/CEI to give budget numbers for future remediation. CDM gave a worst case in-Lake aluminum sulfate treatment program costing 3.3 million dollars. The alum would bind the bottom sediments so phosphorus could not be released. It could be effective for 3 times the flushing rate of the Lake. Since our flushing rate is 4 years, one treatment could be good for 10-12 years. Auburn and Lewiston would likely fund this out of operations. CEI has estimated a preliminary land based budget of 3-4 million over a ten year period. The land based remediation would likely be funded through the watershed.

Agenda Item 6: Open Session – Public Comments

Scott Hatch: LACC built a volleyball court. It is currently only open to members; however they are looking to open it to the public.

He also handed out a document “Relationship vs. Regulationship”

He is looking to organize a wide variety of groups to solicit volunteers to work on soil and water conservation projects. He was hoping to use water bills to provide people with information where they could register to volunteer.

Tizz Crowley raised concern that restrictions in the municipal budget may lead the City Manager to look to the Water District or the Commission for funding for Lake Grove Park and the

Municipal Beach. She is hopeful the Beach will not be shut down, and believes the testing restrictions imposed by the City are excessive. She would like to see MDOT step up to help improve water quality since Rt. 4 contributes runoff. She is concerned with the brush the District and Commission are being painted with.

John would like to see the Commission lend support to the ATRC project to improve Rt. 4.

Bob Thompson noted that the reallocation of funds has allowed the Rt. 4 striping/turn lane project to go forward this fall. There will also be \$150,000 to go towards design of a roundabout at the Fair/Martin/Boat Launch. The storm water issues may be addressed through this design. Construction estimates are in the 2.1 million dollar range, and will not be built until 2016/17. In conjunction with this, another roundabout will be designed in the Lake Shore Drive area. Bob distributed a legal notice that outlined amendments to the ATRC FY 2012-2015 Transportation Improvement Program.

John asked if the Commission could offer support to the project.

Bob answered that the issue was brought up at ATRC 30 days ago, and June 26 (today) is the last day to receive public comment.

Commissioner Bonneau asked Tizz if the Commission was being chastised for the outlet being shut down? He has not received complaints or heard from other Commissioners that there was an issue.

John answered we have not seen widespread complaints. Once people realize the land is owned by us, and leased to the city, they seem to understand. We are testing the water, and trying to support their efforts. If the City wants to run the beach, it is their decision to do so.

Tizz mentioned there was CDBG money allocated for the park that has not been spent. At the last Council meeting they were hopeful that the Commission or other organization could step up and run the beach. If the alternative is to gate it, she feels that it would reflect poorly upon the Commission.

Commissioner Jones responded that the land belongs to the Commission, and it is offered to the City if they want it to use it. If they don't, that is their decision. Commissioner Butler agreed.

Commissioner Thompson added that the Commission needs be mindful of funding recreational activities to be funded by water rates. There must be a balance. We can make certain things available, but need to justify to the expenditures.

Scott Hatch mentioned he had worked with a recreational club that used a new model that outperformed the Portland Water District in 2010 and 2011 with regards to soil conservation. He believed that model could be brought to this organization, and expanded.

Commissioner Thompson agreed there are several models out there for trail maintenance, and we will take a look at them. We need to see some details, and we will take the information under advisement.

Commissioner Thibodeau mentioned the Little Wilson Pond Lake Association Annual Meeting will be held on July 20 at 1:30PM at the Turner Town Office. The Town Manager will be in attendance. He also mentioned that IFW will be having a public hearing at some in the future to consider opening Little Wilson Pond to ice fishing, and open the Pond for smelting.

Vote 4– Motion by Commissioner Shields and seconded by Commissioner Jones to support the proposed ATRC funding for Rt. 4 Improvements.

Passed 9 -0

Agenda Item 7: Water Quality Update & Activity Report – Mary Jane Dillingham

- Forestry

We had a forestry operation off Lake Shore Drive across from Maple Hill Road that we ceased 1-1/2 days after it started. Given the proximity to the Lake, and the predicted rains, we felt it best to do it at another time. We stabilized the area after the equipment was removed. We will try to harvest the area this winter under better circumstances.

We are looking to harvest another property on the Basin this winter.

Chip Love is our Forester, and is updating our Forestry Management Plan. It should be done by August 1, 2013.

We are members of the American Tree Farm System. Mary Jane received a question if we have been audited by them this year. We have been audited by them for awards in the past, but we have not been audited this year.

- Boat Inspections

We have three students performing boat inspections on Friday, Saturday, and Sunday.

- Milfoil Management

Benthic barriers are being placed in the Basin. We have not moved forward with a suction harvester at this time.

- Grants

We are working with a DEP employee who is taking a course in grant writing. She is writing a grant application for work on the RT. 4 corridor.

- Re-location of Geese

IFW and USDA will be relocating geese tomorrow from the outlet. A Game Warden will be assisting in the effort. The event may be filmed for the TV program North Woods Law.

The goose roundup has the support of the owners of Tabors (Hargreaves), and abutting neighbors.

- Lake Study

Scott Williams from the VLMP has not seen Gloeotrichia this year in the lakes that he monitored last year. There is some in Lake Auburn, but it is not currently in a high growth phase. The numbers for all algae are low right now.

A Bates College intern is working with us on algae. She will also be collecting data on stream inflow. Twenty hours/week is paid by us, and 20 hours is volunteer time. She will be helping us to graph some of the CDM data as well.

We are working with Linda Bacon from the DEP. We will be collecting and freezing samples taken during the algaecide treatment for later analysis.

MJ participated in a panel discussion at the Northeast Lake Management Society. She met with University professors who discussed the relationship between inorganics and phosphorus release. We will look at some of the soil deltas to determine phosphorus contribution.

MJ presented and shared some of the data that has been graphed to date.

Agenda Item 8: Education & Outreach Update – Lynne Richard

- Trail Monitoring

A Bates College student is walking the watershed trails to determine location and monitor usage. He is hoping to correlate the value of forest trails on adjacent properties.

- Review new website

Lynne showed a powerpoint slideshow of our new website. The new web address will be lakeauburnwater.org. She will edit and update the website when changes need to be made.

- Watershed Newsletter

The final draft of the inaugural newsletter is ready. The final version will be mailed early next week to watershed residents. Commissioners, Councils, City buildings, etc. will receive a copy. It will also be available on the website.

A Lake brochure has been made that will be handed out by the boat inspectors.

- Grant Updates

We received approval of the \$10,000 Drinking Water Program grant. Release of the money is pending legislative action. The grant is for septic system pump out coupons, riparian buffer assistance, and nutrient management plans for small farms. The grant does not have to be matched.

The DEP will be issuing 319 RFP's on July 16 for lake protection projects. They are due six weeks later. Grant amounts are in the 75K to 100K ballpark. They require a 40% match; however, AVSWCD wants to contribute to the match, and the \$10,000 DWP grant would count towards the match as well. We may target some projects on Townsend Brook. Sue Gammon from the AVSWCD is available to assist us with the grant writing. Lynne will find out if the expenses for the on-going Lake monitoring program will be eligible for the grant.

Vote 5 – Motion by Commissioner Thibodeau, and seconded by Commissioner Upton to approve the expenditure of up to \$2,000 to hire Sue Gammon to assist with the writing of a grant, to be funded through “miscellaneous”, or other surplus funds as they become available.

Passed 9 - 0

- Land Access Permit Process

Lynne introduced a draft Land Access Permit as a mechanism for documenting and tracking larger groups who wish to access and utilize watershed land. It is not intended to restrict recreational opportunities, or stop individuals from using the property.

John Storer added that this is not something to adopt right away. Prior to adoption, we would most likely refine the document, schedule a public hearing, and vote for approval sometime in 2014.

Lynne will provide the document to Commissioners as a word document. Suggested revisions should be brought forward to be discussed at the next meeting.

Scott Hatch appreciated engaging the stewardship of users. He suggested the title be changed because it turned people in the wrong direction. He would like to see engineering considerations taken into account prior to the permit being submitted. LACC (Lake Auburn Community Center) would like to be a primary trail management group for all trails, including trails on LAWPC property.

Dave Jones stated LAWPC would not turn over infrastructure management of any LAWPC properties; issues like this would be addressed outside of this document.

Steve French felt this permit process would help to quantify the many uses and recreational opportunities that LAWPC gives the public.

Agenda Item 9: New Business

- Community Forest Board Discussions

Commissioner Jones recounted a meeting that was held last week with Auburn Mayor Labonte, members of the Community Forest Board, LAWPC Commissioners, and Staff. We met to discuss how we could help each other and work together with common goals.

John Storer added that we talked about having a public stakeholder process to gain input. At the meeting Dave Griswold from the Community Forest Board offered to outline a process for gaining public input.

Mr. Griswold forwarded John a two page document on how to manage community property for educational benefit. John will forward this to the Commissioners. Another meeting will be planned for some time in September.

Agenda Item 10: Potential Land Issues – Executive Session regarding negotiations of potential land transaction in accordance with 1 M.R.S.A. § 405 (6) (C)

Vote 6 – Motion by Commissioner Bonneau, and seconded by Commissioner Butler to enter into executive session regarding negotiations of potential land transaction in accordance with 1 M.R.S.A. § 405 (6) (C).

Passed 9 – 0

Entered executive session at 5:54PM

Vote 7 – Motion by Commissioner Thibodeau, and seconded by Commissioner Shields to come out of executive session.

Passed 9-0

Came out of executive session at 6:20PM

Agenda Item 11: Adjourn Meeting

Vote 8 - Motion by Commissioner French, and seconded by Commissioner Thibodeau to adjourn the meeting.

Passed 9 - 0

The meeting was adjourned at 6:20 PM

A true record, Attest: _____

Robert Thompson,
Secretary of the LAWPC