
Fish passage in Yarmouth (Yarmouth Town Council)

1 message

Alan Stearns <alan@rrct.org>

Mon, Jun 20, 2016 at 1:30 PM

To: rbates@yarmouth.me.us, David Craig <dcraig@yarmouth.me.us>, tbickford_hamrock@yarmouth.me.us, jmacleod@yarmouth.me.us, pthompson@yarmouth.me.us, rwaeldner@yarmouth.me.us, akittredge@yarmouth.me.us, Nat Tupper <ntupper@yarmouth.me.us>
Bcc: Alan Stearns <alan@rrct.org>

Dear Chairman Bates and Members of the Town Council:

Thank you for your hard work and commitment to public service in Yarmouth.

I'm writing in response to Town Manager Nat Tupper's memorandum to you dated February 5, 2016. This memorandum followed February 1, 2016, email correspondence from RRCT. These documents are attached, and are also posted here: rrct.org/water-quality-royal-estuary-bay-and-tributaries/

Consistently, the Royal River Conservation Trust (RRCT) has communicated its firm commitment to restoration of fish passage in Yarmouth. In February, RRCT asked the Town to commit to the same.

Nat has recently updated me that a potential hydropower developer continues to be actively interested in the Bridge Street dam, and that the developer's interest could require public Council action. This hydropower interest was also reported by the Press Herald on February 20, 2016.

I'm writing today for three reasons:

First, I'm writing to restate RRCT's February 1, 2016, request for a Council commitment to open public dialog, and to request that the Council adopt goals on fish passage especially in the context of any emerging hydro power investment. In any scenario, restored fish passage at both dams owned by the Town of Yarmouth is a bottom line issue for the board of directors of the Royal River Conservation Trust. I am encouraged by Nat's advice to the Council: "I think the Town Council should welcome the inquiry and the implicit invitation to work in collaboration with RRCT and others to find ways to improve the health of the river, restore fish passage and general habitat conditions." Our invitation is genuine and remains on the table.

Second, I'm writing to clarify, despite Nat's well-intended characterizations, that RRCT seeks to explore the full range of alternatives for the future of the Royal River with no scenarios off the table. We continue to work with our networks to bring to the table more factual and science-based analysis of alternatives regarding restoration of fish passage to allow best-possible decision-making.

Third, I'm writing to raise our considerable concerns regarding open questions of jurisdiction and performance related to fish passage at Bridge Street. The simple fact is that most species of fish cannot today navigate the town-owned dams, despite numerous laws and documents that seemingly require fish passage. These documents especially govern the Bridge Street dam. My observation after consultation with others is that Nat's memorandum in numerous ways understates potential state and federal jurisdiction at Bridge Street, and understates accountability for responsibilities assumed by or assigned to agencies, the dam owner, and hydro power operators. While we may need to map out these various jurisdictional opportunities in the future, today there is a clear leadership role for the owner of the dams -- the Town of Yarmouth.

Both of the dams present clear opportunities for restored fish passage. It would greatly simplify our path forward toward a healthy river if the Town of Yarmouth, as the owner of the dams, were to make a clear and

unequivocal statement aiming for safe, effective, and timely fish passage.

I look forward to meeting soon to discuss these issues, and to working together closely toward common goals.

Thank you for your work.

Alan Stearns



**Royal River
Conservation Trust**

Alan Stearns, Executive Director

Royal River Conservation Trust

P.O. Box 90, 325 Main Street | Yarmouth, ME 04096

www.RRCT.org | Alan@RRCT.org | (207) 215-8315 (c); (207) 847-9399 (desk)

[Royal River Conservation Trust on Facebook](#)



Feb 2016 Tupper response on fish passage and sediment.pdf

274K