

LSJ Lower Andro Public Hearing 2/28/22

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## Legislators hear arguments for, against upgrading Androscoggin River classification

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By [Vanessa Paolella](#) Sun Journal



The Androscoggin River, below Worumbo Dam in Lisbon Falls, bottom, may soon be reclassified. *Russ Dillingham/Sun Journal file*

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AUGUSTA — A legislative committee heard nearly two hours of testimony Monday on a bill which seeks to upgrade the classification of the lower Androscoggin River, among 50 other sections of rivers and streams.

If approved by the legislature, the section from the Worumbo dam in Lisbon Falls down to Merrymeeting Bay would be upgraded from Class C, the lowest grade, to Class B.

Proponents of the upgrade argue this section of the Androscoggin meets the necessary qualifications for Class B virtually all of the time and, as such, the state is required to reclassify it. Many said upgrading the classification of the river during the 50th anniversary of the federal Clean Water Act would honor the legacy of the late U.S. Sen. Edmund Muskie, who grew up along its banks in Rumford.

Those in opposition said upping the classification could negatively impact upstream mills while doing little to improve the water quality of the river. They also questioned whether there was sufficient data to prove the section of river consistently met Class B standards.

Upgrading the river would mean raising the minimum water quality standards the state is required to maintain by law, which could impact discharge licenses for mills and wastewater treatment facilities, additionally making it more difficult to relicense hydroelectric dams on the river.

No legislative action was taken during the [public hearing Monday](#). The Environment and Natural Resources Committee will consider approving and amending the bill during a future workshop session, which has yet to be scheduled.

In December, the Board of Environmental Protection recommended 4-0 that the lowest section of the Androscoggin be upgraded after listening to extensive testimony during its review, a move which stood in [opposition to the Maine Department of Environmental Protection's position](#).

However, Brian Kavanah, director of the Bureau of Water Quality at the Department of Environmental Protection, spoke in support of the bill and the Androscoggin's reclassification Monday.

Previous bids to improve the water quality classification of the lowest section of the Androscoggin have included 19 extra miles of the river, up to the Gulf Island Dam in Lewiston. The state previously determined that upgrading the classification for this section of river would require reduction in license discharge limits, negatively impacting operations at upstream mills and water treatment facilities.

### **[State may upgrade water quality rating for lower section of the Androscoggin River](#)**

“The smaller segment recommended by the board does not, in the department's judgment, require reductions in licensed limits,” Kavanah said.

License limits dictate how much waste mills and treatment facilities can release into the river.

Living on the banks of the Androscoggin upstream in Greene, Gregory D'Augustine spoke in support of the change as both a physician and a board member of Maine Rivers.

“As a physician I understand that there is solid scientific support for the concept that a cleaner environment leads to improved physical and emotional health for our citizens,” D’Augustine said. “Such benefits are almost certain to generate “downstream” financial advantages as well.

“It is high time that the Androscoggin, and those who have worked so hard to restore her, get the recognition they deserve,” he added. “The upgrade proposed in this legislation represents a major step in that direction.”

Still, many shared concerns that the upgrade would negatively impact upstream mills.

Chuck Kraske, manager of environmental services at the Androscoggin Mill in Jay, remained skeptical of the state’s judgment that license limits would not be reduced if the river were to be upgraded.

“If that changes, or if it’s challenged, then all of a sudden we’re going to be faced with potentially even lower limits than what we have right now,” Kraske said. “And right now, (the Jay mill) is operating at or near its limits ... So now all of a sudden, we’re going to have to further reduce limits, which will require additional capital expenditure at a time when the facility is trying to: A. survive, to be blunt, trying to survive and B. trying to position ourselves so that we can be successful in continuing to operate and improving the products or the production efficiencies.”

Rumford Economic Development Director George O’Keefe shared similar concerns,

“We do not believe (the upgrade) is viable or attainable, and therefore we are actually concerned it’s potentially illegal,” O’Keefe said. “And then it’s going to be subject to revision later on.”

### **[Upstream towns worry they’ll pay the price for a cleaner Androscoggin River](#)**

Peter Rubins, chairman of Grow L+A’s river working group, expressed disappointment that the proposed upgrade did not stretch up to the Gulf Island Dam.

Rubins said the group — a coalition comprised of parties, including the cities of Lewiston and Auburn, the Androscoggin River Water Council, Friends of Merrymeeting Bay, and LA Metro Chamber of Commerce — aims to collect more water quality data to bring before the state in a couple years for the next triennial review.

The federal Clean Water Act and Maine statute requires the state to review water classifications and propose modifications at least every three years.

Legislators additionally heard similar statements of support and critique for a proposed upgrade to the Presumpscot River, which promised to be just as controversial as the Androscoggin.

The Preumpscot River is the outlet of Sebago Lake in Cumberland County and runs through Westbrook and Falmouth.