

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 986

7 H.P. 680

House of Representatives, March 12, 1985

8 Speaker laid before the House and on Motion of Representative Carter
9 of Winslow, referred to the Committee on Appropriations and Financial
10 Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative of Davis Monmouth.

11 Cosponsored by Senator Dow of Kennebec and Representative Nickerson
of Turner.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Providing for Repair, Maintenance and
18 Operation of State-owned Dam on Dead
19 River, Androscoggin County.
20

21 Be it enacted by the People of the State of Maine as
22 follows:

23 Sec. 1. State-owned dam on Dead River; repair,
24 maintenance and operation. The State shall maintain,
25 repair and operate the state-owned dam on Dead River
26 in the Town of Leeds, Androscoggin County, and the
27 Department of Environmental Protection shall act as
28 the representative of the State to oversee the dam.
29 The dam shall be maintained and operated to provide
30 an optimum water level of Androscoggin Lake so as to
31 provide for the protection of property, water quality,
32 flood control and wildlife. The Department of
33 Environmental Protection shall contract with the
34 Androscoggin Lake Improvement Corporation for the ac-
35 tual work of repair, maintenance and control of the
36 dam and shall reimburse that corporation for expenses
37 accrued.

1 Sec. 2. Appropriation. The following funds are
2 appropriated from the General Fund to carry out the
3 purposes of this Act. This appropriation shall re-
4 main a continuous carrying account to be used for the
5 same purposes.

6		<u>1985-86</u>	<u>1986-87</u>
7	<u>ENVIRONMENTAL PROTECTION,</u>		
8	<u>DEPARTMENT OF</u>	\$500	\$600

9 Funds appropriated will be
10 matched by funds from the
11 Town of Wayne and from
12 private sources.

13 STATEMENT OF FACT

14 The state-owned dam on Dead River, located in the
15 Town of Leeds, was constructed in 1932. The sole
16 purpose of the dam has been to protect Androscoggin
17 Lake from being fouled by the sewage and paper indus-
18 try contaminants in the Androscoggin River. Since
19 its construction, the State has held the dam in con-
20 tinuous ownership. Since 1971, responsibility for
21 repair, maintenance and operations of the state-
22 owned dam on Dead River has been assigned to the De-
23 partment of Agriculture, Food and Rural Resources,
24 State Soil and Water Conservation Commission. In
25 1984, the Department of Agriculture, Food and Rural
26 Resources decided that responsibility for this dam
27 should not lie within their agency. They actively
28 sought another owner for the dam and, having failed
29 to find one, the department introduced legislation to
30 abandon the state-owned dam on Dead River. It is
31 the intent of this bill to transfer custody of the
32 dam from the Department of Agriculture, Food and Ru-
33 ral Resources to the Department of Environmental Pro-
34 tection and to provide funds for continued operation.
35 The 10-year average cost for maintenance of the dam
36 is approximately \$600 annually. In the past, the
37 State Soil and Water Conservation Commission has con-
38 tracted with the Androscoggin Lake Improvement Corpo-
39 ration to oversee and accomplish any needed mainte-
40 nance.

1 The Department of Environmental Protection has
2 rated the water quality of the Androscoggin Lake at
3 14 parts phosphorus per million, while the
4 Androscoggin River tests at 90-100 parts phosphorus
5 per million. Algae bloom occurs at approximately 20
6 parts per million.

7 Historically, pollution control and establishment
8 of water quality standards for Maine rivers and lakes
9 have been a state responsibility. The State has rec-
10 ognized its responsibility for the past 50 years to
11 retain ownership of the state-owned dam on Dead Riv-
12 er. Although no state agency wants the responsibili-
13 ty for this dam, the structure is unique in prevent-
14 ing the polluted waters of the Androscoggin River to
15 enter a great pond. This dam must not be destroyed
16 or abandoned until such time as the water quality of
17 the Androscoggin River at least equals or exceeds
18 that of Androscoggin Lake.

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