

State says it won't intervene in Tripp Pond water flow issues unless more property damage occurs

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An aerial view of Tripp Pond in Poland looking north. The body of water covers 768 acres with a maximum depth of 36 feet. *Aerial Photographx*

POLAND — It was another summer of discontent for residents of Tripp Pond that is stretching into winter.

But unlike the summers of 2022 and 2023, when the water level was so high it caused severe flooding and \$100,000 or more in estimated and real property damage, there was little to no flow this past summer.

It's partly due to a lack of rain in June, July and August, down 7 inches from the same period in 2023, which contributed to a lack of water flow through the pond. The other factor — the beavers are back, or at least they were.

Now there are questions about whether humans may have enhanced the beaver dam by creating a beaver dam analog in order to artificially raise the water level in the pond.

Resident and Tripp Pond advocate Shellie Howe and her partner, Jeff Hughes, discovered a new structure in early July, when new drone photos revealed what appeared to be a beaver dam.

“Most of the stuff was really old,” Hughes said after inspecting the outlet. “If it had beaver chews most of it was just real old material.” Hughes said he didn’t know it at the time but learned that beavers can build with rocks.



Rocks, some of them large and weighing an estimated 30-35 pounds, line the top of debris July 3, blocking the outlet at Tripp Pond and reducing water flow. *Submitted photo*

“These rocks that I was looking at — two of them in particular — were like 30 and 35 pounds and a whole bunch of them weighed more than 10 pounds, and they were in a perfectly straight line going across the creek on top of a bunch of debris.”

According to his research, Hughes said the biggest beavers can move rocks that weigh 8.5-10 pounds. Most adult beavers weigh between 40 and 60 pounds.

But he added that trying to convince the Maine Department of Environmental Protection and the Maine Department of Inland Fisheries and Wildlife that it may not actually be beavers building up the dam has been a challenge.

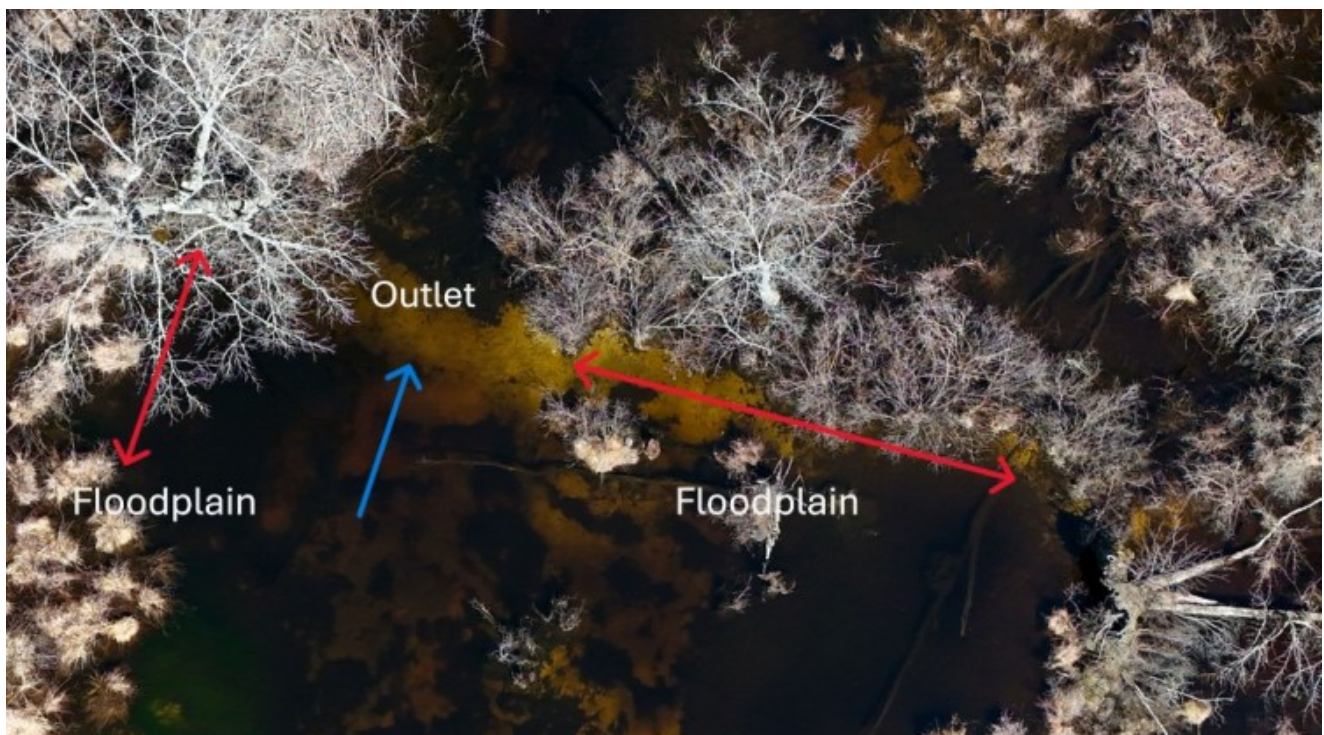
“When they’ve gone out there they look at the top of the dam and they see real beaver activity,” he said. “The problem is they don’t probe, they don’t look, they don’t take apart anything, so they haven’t looked. In my opinion, they don’t want to.”

Hughes points out that regardless of whether it is beavers or human activity, the end result is the same — either flooding or reduced flow and restricted access for spawning and migratory fish.

Howe and Hughes said the lack of water flow has negatively affected the health of the pond and its water quality. Algae blooms degraded and discolored the water, blocking the sunlight and eventually consuming oxygen as the algae decomposed. Howe has long argued that without sufficient flow to flush out the dead algae, it will grow back even stronger next year.

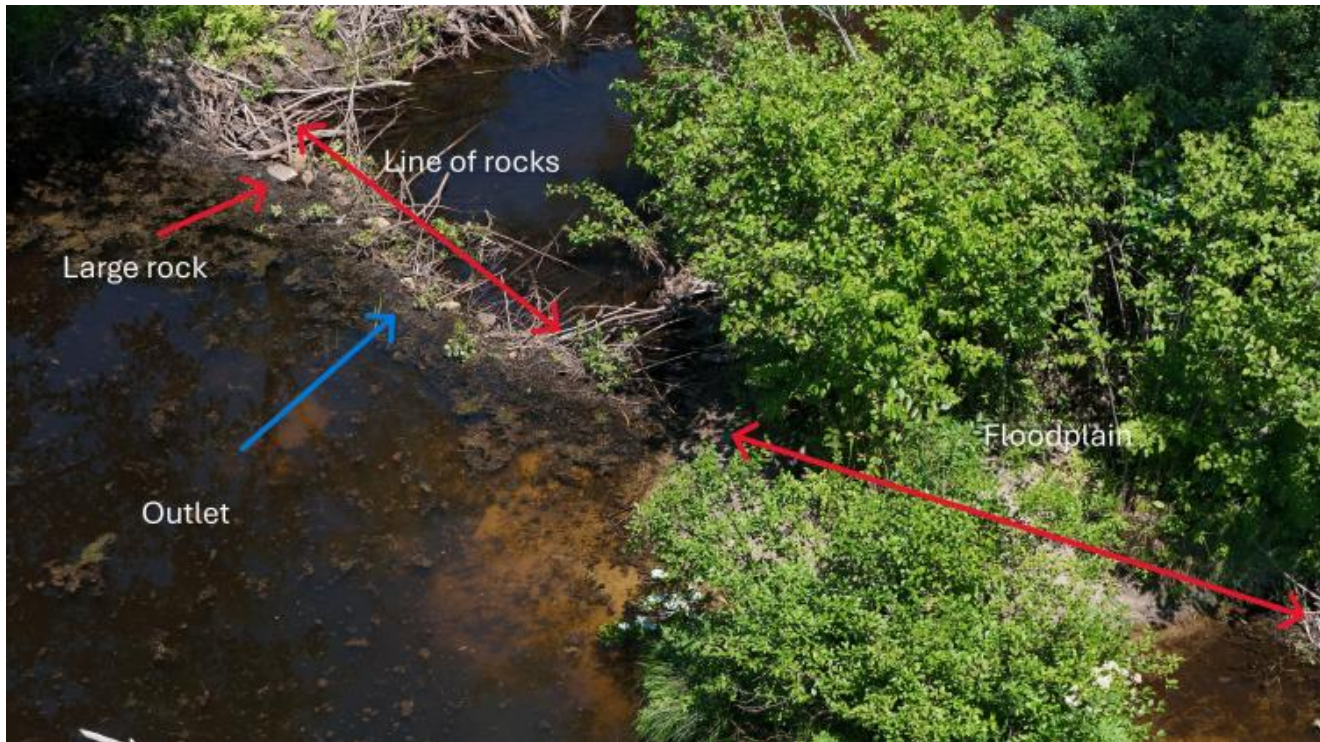
There is, once again, division on the cause of the low flow through the pond’s only outlet at Winterbrook Stream.

RETURN OF THE BEAVERS IN 2024



An aerial photo of the Tripp Pond outlet at Winterbrook Stream is seen April 9 showing it is all clear and flowing. *Submitted photo*

Aerial photos of the only outlet on Tripp Pond — also known as Tripp Lake — from April show a free-flowing and clear outlet. The water level was considered in a natural flow state.



An aerial view of the Tripp Pond outlet is seen July 2, showing the outlet is blocked by brush, rocks and debris and the flow of water is minimal. *Submitted photo*

A few months later it was a very different scenario. Quarterly aerial photos, taken July 2, showed a new beaver dam across the outlet in the same spot they had built years before, leading to the removal and dismantling of the dam in late 2022 under Maine Inland Fisheries and Wildlife supervision.

In June 2023, months after a group of beavers was removed under the supervision of state wildlife biologists, members of the Tripp Lake Improvement Association installed bright yellow bladders, the largest being 12 feet long, 20 inches wide and 12 inches high, at the outlet. The installation required permission from the landowner, Kruger Energy Inc., based in Montreal, Quebec, which the lake association did not have.

After the Maine Department of Environmental Protection learned that information the group provided to them was erroneous and that installation of the bladders by the Tripp Lake Improvement Association was in violation of the Natural Resources Protection Act, the DEP ordered the bladders removed.



A 12-foot-long bladder blocks the only outlet to Tripp Pond in Poland in mid-July 2023, helping to keep the lake's water level high. The state ordered the Tripp Lake Improvement Association to remove the bladders for violating Maine's Natural Resources Protection Act. *Submitted photo*

In September 2022, the Maine Department of the Secretary of State administratively dissolved the group's incorporation for not filing its annual report or paying associated fees in 2020 and 2022. It was reinstated in July. The Tripp Lake Improvement Association is listed as a Maine nonprofit corporation.

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HOGAN AND WHITNEY PONDS ARE PART OF THE EQUATION

Just north of Tripp Pond lie Hogan and Whitney ponds, which have a registered 501(c)(3) nonprofit organization financed and run by residents. Like many bodies of water in Maine, they are interconnected — in this case with Tripp Pond — and rely on water flow from Tripp Pond to keep water levels stable in both ponds.

The Hogan-Whitney Pond Association's stated mission is "to protect the water quality in Hogan and Whitney ponds for use by future generations through education, monitoring, community engagement, and problem remediation."

The association takes a proactive approach to protecting the bodies of water through water quality data collection, removal of milfoil, identification of invasive plants and fundraising to address soil erosion. They have a number of projects that are ongoing.



A rebuilt beaver dam is seen Nov. 7 at a culvert under Rabbit Valley Road in Oxford. The culvert connects a stream from Tripp Pond in Poland to Hogan Pond in Oxford. *Russ Dillingham/Sun Journal*
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But Hogan and Whitney ponds also have beavers and blockages in Winterbrook Stream affecting the water flow and water quality. This year's lack of flow from Tripp Pond is keeping Hogan and Whitney water levels below where they should be, too.

The town of Oxford just wrapped up a \$500,000 grade control project to stabilize water levels and eliminate the need for the Welchville Dam on the Little Androscoggin River. The structure has been deteriorating and ineffective for years. The grade controls were funded with a \$800,000 federal grant obtained through the help of U.S. Sen. Susan Collins' office.



Gradient rock ledges, seen Nov. 7, were installed to allow a continuous flow of water throughout the year, but beaver dams have stopped nearly all the water flowing from Hogan and Whitney ponds into the Little Androscoggin River in Oxford. *Russ Dillingham/Sun Journal*
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If successful, the additional \$300,000 would go toward removal of the Welchville Dam next to Route 26. But low water levels appear to render the grade control project ineffective for now.

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There are actually two dams connected to Hogan and Whitney ponds, both owned and controlled by Oxford. Tom Donovan is president of the Hogan-Whitney Pond Association and Bruce Wilson is vice president. In an interview Nov. 5, the pair explained the dynamics of dealing with two dams that create separate water level issues for the ponds.



Tom Donovan, president of Hogan-Whitney Pond Association, removes sticks from a beaver dam Nov. 7 in Oxford at one of the gradient rock ledges that should allow a continuous flow of water throughout the year. However, beaver dams have stopped nearly all the water coming from Hogan and Whitney Ponds from flowing into the Little Androscoggin River in Oxford. *Russ Dillingham/Sun Journal*
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Thompson Lake is connected to Hogan and Whitney ponds through the Little Androscoggin River. During periods of heavy rain, a dam at Thompson Lake releases large volumes of water which backflows into the adjacent ponds and contributes to flooding.

“This is predominantly why our water level goes way up even with the gates open,” Donovan said, “and the dam there, it can’t keep up with the amount of flow.” That flow elevated the ponds by up to 8 feet last December, flooding portions of the lakeside and making the road impassable for months.

“So, that’s why ideally we have the grade controls in now,” Donovan added, noting they will be monitored for the next three years. “If they’re working, ideally they’re going to take the dam out, so that will eliminate that backflow. We should really never see that again.”

Donovan and Wilson point to one of their biggest successes as an organization has been working with other groups and agencies and communicating with association members.

That means local lake associations, watershed experts and statewide organizations such as Lake Stewards of Maine, Maine Lakes and Ecological Instincts, as well as governmental agencies such as the Maine Department of Environmental Protection and the Oxford County Soil and Water Conservation District.

Related

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An aerial view Nov. 7 looking south to Tripp Pond in Poland from Hogan Pond in Oxford. Water flows from Tripp Pond to Winterbrook Stream, seen at left. *Russ Dillingham/Sun Journal*
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Since last summer, they've been working closely with Shellie Howe who reached out to them to collaborate and learn. Howe started a private Facebook group called Friends of Tripp Lake, which has 135 members. She's been trying to educate residents on Tripp Pond about

issues like water flow and water quality, erosion and algae blooms and what causes them.

Asked why she and residents of Tripp Pond should care about Hogan and Whitney ponds, her response was straightforward. “Because they are our neighbors. There is an entire ecosystem between us that relies on the natural flow of water. Hogan depends on our water to help replenish their pond the same way we depend on Meadowbrook and our other inlets to help replenish ours.”

Wilson, who has lived on Whitney Pond for 22 years, said he applauds Howe for her efforts, offering up his advice. “And that’s to educate people and continue. It’s a hard, uphill battle. It’s a battle for us just to educate the people on our two ponds about the need to stop raking all the pine needles that fall on the ground. People rake them and throw them in the trash. They should be leaving them because they help absorb the water” from running into the ponds.

TWO STATE AGENCIES WEIGH IN VIA AN OPEN LETTER

Howe and Jeff Hughes have also been communicating with officials at the Maine Department of Environmental Protection and Maine Department of Inland Fisheries and Wildlife asking for assistance dealing with the beavers and what they suspect is human interference to artificially build up the beaver dam to restrict the flow of water out of Tripp Pond.

Both state agencies issued a rare joint statement Oct. 25 on Tripp Pond, stating the purpose is “to clarify permitting requirements for activities that may be occurring in the outlet stream of Tripp Lake; and to provide guidance on potentially permissible solutions to control water levels at Tripp Lake.”

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The letter goes on to state, “MDIFW is not prepared to authorize preemptive removal of beavers in the outlet stream, unless beavers or their dam are causing property damage or, based on a professional assessment by our staff, are likely to do so in the future.”

The statement seems to conflict with damage to properties that occurred in 2022 and 2023, partly as a result of allowing artificial bladders to be placed in the outlet. About a dozen camp owners on Tripp Pond reported damage from flooding, some of it so severe it rendered the camps unusable.



A camp on the northern end of Tripp Pond in Poland is seen Aug. 9, 2023. It was repeatedly flooded in 2022 and 2023 by high water levels. *Submitted photo*

Camp owner Don Lee remains concerned about flooding inundating his septic system and polluting the lake.

Patrick Kneeland was among those with the worst damage.

Other camp owners are also worried about more flooding, but don't want to speak out for fear of being ostracized.

Some said the possibility of a lawsuit remains an option.

The letter from the MDOT and MDIFW offers a possible solution, but there's a catch: "If lake residents come to consensus on the appropriate water level for the lake, a third option may be to propose a modest amount of contained fill — for example, a row of rocks 1-2 feet high — in the outlet stream. Such a proposal would help prevent the lowest water levels in Tripp Lake."

It does not define consensus, nor does it state how it will monitor water levels, as there are no known flow meters installed anywhere in the lake or the outlet.

Reaction to the letter from Howe is both complimentary and blunt. She said it's helpful information regarding the permitting process, "but it doesn't address the needs of the lake."

Howe said, "We know after several years of experience that when our water flow is restricted by any means, our water quality declines rapidly regardless of water level. DEP and IFW could easily unite this community by providing education on why natural state and natural water flow is most beneficial for the health of the lake."

The Sun Journal reached out to the owner of the property which includes the outlet — Kruger Energy Inc., based in Montreal, Quebec — for comment on finding a solution to the water level issue, reaction to the DEP/IFW letter, and the beaver issues.

JJ Davis, vice president of operations and asset management at Kruger Energy, issued the following statement:

"Kruger Energy is always committed to being a responsible corporate citizen and partner within the communities in which it operates, while respecting the environment and the regulatory agencies that oversee this responsibility.

We are aware that there are differing perspectives on the desired water levels for Tripp Lake. As such, Kruger would like to see a solution that meets the needs of all surrounding landowners and follows the guidance of the Maine Department of Inland Fisheries and Wildlife."

Kruger acquired the property and associated flow rights in a 2009 purchase of the Mechanic Falls hydroelectric dam.

Finally, there is historical perspective on Tripp Pond water levels, as written by West Poland resident and Bates graduate Dwight E. Libby in a March 4, 1922, article in the Lewiston Journal Illustrated Magazine.

It reads, in part, "The influence of man on the geology of this beautiful body of water is as yet relatively insignificant. No attempt has ever been made to alter the drainage, and the lake of the water continues to rise and fall subject to the influence of climate as it has been doing for time immemorial."

The article continues, "There is a certain peculiarity about the location of the lake that makes it unique from a geological standpoint. How many other lakes are there in Maine that do not have any outlet when the lake is too high or too low?"

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