

May 26, 2011

Comments on the April 11, 2011 Draft Lamprey River Water Management Plan Report (NHDES-R-WD-11-9)

Dear Mr. Ives: As someone who has read DES's near-final Water Management Plan Report for the Lamprey River and attended the public hearing on May 11, 2011 in Durham, I've had a chance to consider and discuss the 327-page proposed plan, as well as hear from you directly. In addition, I participated in the Lamprey River Watershed Association's meeting in West Epping on May 24, 2011 to ask further questions of you and Mr. Couture on the specifics (or in many cases, the lack of specifics) in this plan as they relate to watershed impacts.

My opinion is that the Draft Lamprey River Water Management Plan Report (LRWMPR) is full of inaccuracies, undocumented and unstudied assumptions, and dangerous conclusions.

Comment 1

Table 1 indicates that an overwinter flow rate (12/8 to 2/28) should be 265% of the previous period's flow rate. This undocumented assumption forces inaccurate calculations for the overwinter period. During the public hearing on May 11, you indicated that there was difficulty measuring winter flows because the gages used frequently froze and access to them was limited as well. Due to this difficulty, the information for the overwinter period has not been adequately studied and the assumptions and calculations are in error.

Comment 2

The higher water level proposed for the overwinter period is also in error. The report states that the amount of additional water needed for this period is 1.53 feet. However, the amount of water actually necessary, using the report's own data, is only 0.66 feet. I have attached a spreadsheet to these comments that calculates the additional impoundment necessary to achieve the reported flows.

In a discussion after the meeting, you indicated that there were no boards remaining in the Dolloff Dam in the overwinter period, so extraordinary measures would be needed to ensure adequate impoundment, necessitating the increased impoundment (more than double the necessary amount?). The information about all boards being removed during the winter may not be correct because I've heard otherwise from someone who lives on the lake near the dam. If that's the case, no extraordinary measures would be needed.

At the Lamprey River Watershed Association's meeting in West Epping on 5/24, you indicated the lake level change due to overwinter releases of 0.33 may be in error. What else is wrong in the report?

Comment 3

In the public hearing and subsequent meeting I attended you indicated that the lake level would only decrease by about 2 inches in the summer months. This is incorrect. The potential decrease due to releases is about 11 inches. I have attached the calculations in the same spreadsheet as in comment 2. During the meeting in West Epping you said DES would adjust the report to show the maximum allowable lake reduction and that this number would be less than 11 inches. Even at this late stage of the planning process, you did not know what number this would be. The report is incomplete if this number is not disclosed. There would also be no public comment on this change in the report as required by law.

Due to the inaccuracies and incorrect calculations in this one part of the report I doubt the accuracy of the complete report. Furthermore, why should average citizens need to do calculations in order to find what the effect would be on all watershed resources? This was the job of the experts DES hired for the task.

Comment 4

The report assumes there will be negligible effects on Pawtuckaway Lake, despite the fact that the dam has been managed solely for recreation for more than 50 years. Although the plan states that summer releases and overwinter increases will not significantly alter recreation or water quality in the lake, there is no evidence provided to back that up. DES, the Fish and Game Department, and the Department of Resources and Economic Development have invested a great deal of money and staff effort on the protection of Pawtuckaway Lake and Pawtuckaway State Park. The risks of making a hasty decision are serious because the lake would lose much of its current value if water quality and recreation were impaired.

Part of the mandate for this report was to study the effect on water users, not just the river. I understand that in water management studies the term “water users” refers just to water supplies and companies that withdraw water from the watershed, but a meaningful report would have included the detailed impacts on other “users” of the water that’s released from the lakes for downstream purposes. The fact that no study or recent survey of residents was done on the lake and its associated ecosystems means that DES has based the LRWMPR on incomplete information. Without complete information on likely watershed impacts above the dams, manipulating water levels to achieve downstream goals could damage the lake environment if implemented, even for a test or pilot period.

Some effects on the lake would be:

1. Decreased spring and summer lake levels would threaten loon habitat during the spring and summer nesting season. That season extended from late May until July 28 in 2010 (the date of the last hatch on Pawtuckaway). One of the pairs on Pawtuckaway nests on an island not far from Dolloff Dam. The lowering of water over a 48-hour period, even by a few inches, could strand loon nests and prevent incubating and hatching.

2. Decreased lake levels will affect water quality within the lake. The lowering of lake levels will have a measureable effect on the water quality in Pawtuckaway Lake. The lake already experiences algal blooms and E. coli and cyanobacteria outbreaks in the summer months. To lower water levels without any study of the potential impact is dangerous to both wildlife and public health. The state park beach on Pawtuckaway is already subject to beach advisories and closures due to fecal coliform in the summer. Shallower, warmer water from the summer drawdowns proposed in the LRWMPR will only increase the likelihood of beach advisories.

3. Decrease in lake levels would create a dangerous situation for boaters. Recreational use of this lake would suffer if the water level is lowered. This is a shallow lake with many rock outcroppings.

4. Increased overwinter levels will cause damage to property along the shore. Improvements to property and docks on the lake would be destroyed by ice if this plan is implemented, even on a test or pilot basis.

5. Increased overwinter levels have the potential to promote the spread of invasive weeds. The overwinter lowering of lake levels protects this lake from weed infestation. Any weed infestation would ruin the fisheries in this lake and the lake as a general recreation resource.

None of the above items seem to have been considered in the report. These items need to be addressed before anything is finalized.

Comment 5

The report is so narrow in scope that it doesn't consider the effect the actions it proposes will have on anything outside its limited view. In answering questions on the report at the public hearing, the consultant hired stated that things were "outside the scope of this study" even when the questions asked concerned the water resources they were proposing be reallocated. The scope that the consultant used was only a segment of the stream. He didn't seem familiar with Pawtuckaway Lake and didn't consider the upstream effect of the increased or decreased flows on Pawtuckaway Lake or its environs. Any conclusions in this report that have been drawn without the benefit of an environmental impact study are irresponsible. This study did not achieve its goal and should therefore be scrapped.

Comment 6

The public hearing on this plan, which was held in Durham, was not well publicized. The abutters on Pawtuckaway Lake were not notified. The town of Nottingham Board of Selectman and the Nottingham Recreation Director were unaware that the hearing would involve changes to the water level at Pawtuckaway Lake and Mendum's Pond because the hearing notice did not mention either water body. None of the neighborhood associations on Mendum's Pond were notified, nor were the people in charge of the University of New Hampshire's 200-acre Recreation Center on Mendum's Pond in Barrington. The UNH facilities include a brand new boat house for sailing and the

university's crew team, a beach, and a summer day camp. It also appears that various state agency advisory committees and environmental organizations with a stake in the outcome of the plan were not asked to provide input.

During the 5/24 meeting Wayne Ives stated that "they could not find any lake associations on Mendum's Pond". In one afternoon we were able to identify three neighborhood associations (Holiday Shores, Mendum's Landing, and McDaniel Shore), as well as the UNH people responsible for the facilities on Mendum's Pond. Draw your own conclusions here, but in my view this is an attempt to do just the minimum to pass the legal hearing requirements. Could it be that the report is so flawed the authors didn't want it to be subject to public scrutiny?

Conclusions

The report uses inaccurate assumptions.

The report contains miscalculations.

The report considers only effects on the river environment and downstream water users with only minimal consideration given to the watershed as a whole and Pawtuckaway Lake and Mendum's Pond in particular.

The report is incomplete.

Public comments were not solicited from all stakeholders as required.

For these reasons I respectfully request that this plan not go forward.

Furthermore I ask that the recommendations contained in this report to adjust the water flows out of Pawtuckaway Lake be studied fully before anything is implemented.

Sincerely,

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