

22 August, 2011

To:

Wayne Ives

New Hampshire Department of Environmental Services  
PO Box 95  
Concord, NH 03302-0095

From:

John Rosenfelder

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Dear Mr. Ives,

This weekend, I discussed with my wife Sharon, the possibility of upgrading our driveway. Her opinion was that we should *not* invest any more money in our home because of the DES plan to flood our property, thus rendering it worthless. The main attraction of our property is that abuts and underlies dam site #35 and a substantial part of its pond. Our land is very flat and only slightly above the mean water level of the pond.

Apparently the DES has plans to end the long agreed upon *use* of dam site #35, changing it from *flood control* to *providing water for sport fishing and golf course irrigation* in the town of Milford. Water would be held back in large volumes in New Ipswich, thus inundating our land and that of our neighbors, and then releasing it as required to benefit Milford.

Presently the water is simply held back during snow melt, and released over a period of a few weeks in the spring. Most of the year, the pond is at a consistent level plus or minus a foot or so.

There have been many times when the state neglected to manage the dam at all, either letting the outlet get plugged with debris, or leaving the water level very high or very low for many weeks at a time.

At the WPA planted red pine grove near the shore on our property, recent excessively high water levels have floated a twelve inch deep layer of decomposing pine needles off the land, leaving mostly gravel behind. This organic material, built up for sixty years material is now gone, presumably deposited downstream somewhere..

When we bought our property in 1980, it was with the knowledge that certain flowage rights had previously been deeded to the state for the purpose of *flood control*. Since we were aware of the once-a-year cyclical nature of the water level, this was an acceptable easement.

We have scrimped and saved for over thirty years to buy our land and build a modest house. We have been good stewards of the land, improving timber, removing dead trees, cleaning branches out of small in-feeding brooks, lopping knots from potentially commercially valuable pine trees, encouraging the best trees, building trails, cleaning up dead falls, removing weeds, tires, discarded furniture, stumps and broken glass from the water. We do not restrict access to fishermen, walkers, swimmers, or equestrians, and have allowed hunters, who have used the land since long before we owned it to hunt responsibly.

The state does not have a good record of managing dam site #35. When a huge clear-cut was made on Locke Road in New Ipswich, which made one brook feeding the pond run chocolate-brown with silt for eighteen months, reducing its depth and accumulating 6-12" of silt on the bottom, the state did nothing.

The state doesn't seem to be able to manage landslide risks along the Souhegan in Greenville or Wilton. An earthen dam holding back tons of water, poorly managed during deluges, similar to what we have had in recent years would be at risk of catastrophic failure.

If dam site #35 is used as a toilet tank for the benefit of the residents of Milford, raised water levels will kill thousands of trees and destroy a large wildlife habitat. As the water level drops to irrigate Milford golf courses, stinking mud flats covered in dead fish, dead reptiles and dead aquatic plants will be exposed, and the sterile higher ground, freed of its organic matter will be subject to erosion. Forestland trees are not tolerant of standing in deep water for extended periods of time. During periods of neglected management we have already seen this happen. We can smell the decay from hundreds of yards away.

A pond with water levels that fluctuates wildly will not be hospitable to the resident pond fish and water creatures, as water temperatures will swing just as wildly. Now there is a healthy population of bass, pickerel, hornpout, perch, sunfish, frogs and turtles.

The beauty of the site will be destroyed when the water level fluctuates from acres of flooded woods when high, to low levels exposing black muck and stumps left from the original dam construction. In spite of the attractive mountain views, fishermen will not want to cast their lines from amongst a flooded forest, or to wade waist deep through muck to get to the water.

We are told that there are no protected or endangered species anywhere in the vicinity of dam site #35, but no study was conducted. Just because no one looked, does not mean these plants and animals do not exist. We know that some wild flowers, plants, and fauna only appear for a few weeks or days at certain times of the year.

Hearings to disseminate information about this property flooding project were not well publicized, and were held *not* in New Ipswich, which would be dramatically affected, but in Milford the town that would reap the benefits of the project. If a neighbor wants to make a subdivision, or change the use of their land, we receive a registered letter, and read published notices, with an invitation to voice our concerns, if any. In the case of changing the long ago agreed upon use of dam site #35, great effort was made to avoid informing the abutters. We find that most of our neighbors knew nothing about the DES plans. Certainly no one from the DES has extended the courtesy of meeting with my family and explaining how ruining our beloved land will benefit us.

1. The State of New Hampshire does not have a great financial surplus to spend to benefit some towns at the detriment of others.
2. The existing dam has created a pond that has existed since 1965, and served its purpose well. It has become part of the landscape of New Ipswich. Its beauty and character will be lost forever.
3. This would be a significant change in the flood control easement agreement with land owners, which we would not agree to.
4. So far the publicity of this project has been done in a secretive way to keep impacted land owners in the dark. It has not been done on the up-and-up. Opportunities to voice concerns have been curtailed and limited, to favor the DES point of view, not the land owners.
5. No studies of the effect on our property and the environment have been conducted.
6. The state's past history of managing this dam site is poor at best.
7. The setting of our home will be ruined and rendered un-livable for us. We did not sacrifice for decades to buy this property, and invest much of our lives, to see it become a wasteland of flooded trees, or rotting mud flats.

Sincerely,



John Rosenfelder