



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 18, 2022

The Honorable Andrew Renzullo
Chairman, House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 1532 – An Act permitting a dam to be constructed on Big Pea Porridge Pond

Dear Chairman Renzullo and Members of the Committee:

Thank you for the opportunity to testify on this bill, which would allow the Pea Porridge Pond Association to construct a dam at the outlet of Big Pea Porridge Pond, a great pond with a surface area of approximately 157 acres in Madison, NH. RSA 482:7 requires both legislative authorization and a dam permit from the Department of Environmental Services (NHDES) for construction of a dam at this site because it will be a new dam on a great pond.

As shown in the attached figure, Big Pea Porridge Pond is one of three water bodies in the system of Pea Porridge Ponds. Big Pea Porridge Pond is the largest and most upstream of the three ponds. The outflow from Big Pea Porridge Pond flows into Middle Pea Porridge Pond, which, in turn, discharges into Little Pea Porridge Pond. There is a dam at the outlet of Little Pea Porridge Pond that was built to control the water level of Little and Middle Pea Porridge Ponds, which is owned and operated by the Village District of Eidelweiss. The land around Big Pea Porridge Pond and the abutters to the Pond are part of the Village District.

Operation of the dam at the outlet of Little Pea Porridge Dam can cause a drop in the water level of Big Pea Porridge Pond, which can be particularly severe during the summer and under dry conditions like those experienced during the recent drought. It has been reported that past dam operations have caused significant drops in the water level of Big Pea Porridge Pond resulting in considerable ecological damage to the pond and impacting the use and enjoyment of the pond for recreation. The most direct solution for stabilizing and maintaining the levels in Big Pea Porridge Pond, regardless of the operation of the existing dam at the outlet of Lower Pea Porridge Pond, is to construct a dam at the outlet from Big Pea Porridge Pond. The Pea Porridge Pond Association, an organization of property owners on the ponds, proposes to construct and operate a dam for this purpose, at their own cost.

Preliminary discussions between the Pea Porridge Pond Association and the staff at NHDES' Dam Bureau indicate that the new structure will consist of a concrete sill across the outlet channel of the pond with an elevation at or near the current channel invert elevation. On top of the concrete sill, a stoplog bay or bays would be constructed and equipped with removable wooden logs or planks to maintain the level of the pond at the desired level. During high inflow events, the wooden logs or planks can be removed to increase the discharge from the pond and reduce in-lake flooding.

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Should the Legislature enact this bill and authorize the construction of the dam in accordance with RSA 482:7, the private Pea Porridge Pond Association will need to obtain appropriate permits from NHDES for dam construction and wetland disturbance. The Association will incur and bear all costs associated with the design, permitting, construction and maintenance of the structure. As such, there will be no fiscal impact to any state, county or local government if the bill were to pass. The cost for NHDES to permit the structure will be offset by the permit application fees to be paid to the NHDES by the Pea Porridge Pond Association. In addition, because of its small size, the dam is likely to be classified as a non-menace dam, and non-menace dams are not subject to Annual Dam Registration Fees imposed by NHDES.

Thank you again for the opportunity to comment on HB 1532. Should you have questions or would like additional information, please contact either Steve Doyon at (603) 271-1966 or Steve.N.Doyon@des.nh.gov or Jim Gallagher at (603) 271-1961 or James.W.Gallagher@des.nh.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott", with a long horizontal flourish extending to the right.

Robert R. Scott
Commissioner

Attachment

ec: Sponsor of HB 1532: Representative McConkey

Legend

- Parcels
 - Parcel Polygons
 - Attributes for Additional Lines
- State
- County
- City/Town



Map Scale
1: 2,793

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Notes

