

# APPENDIX F

- Written Testimony January 24, 2017, to present

## Testimony for Newfound Lake

Date Wrtn	Corres Type	email	Name
	photo	1950s photo Grey Rock Hebron Beach	
1/24/2017	email	20170124 pm 0348 R	Alex Bonner
8/30/2018	email	20180830 am 0740 R	Nancy Cipriano
9/5/2018	email	20180905 pm 0637 R	Rick Van De Poll
9/7/2018	email	20180907 am 1107 R	John & Cindy Hilson
9/7/2018	email	20180907 am 1122 R	John & Cincy Hilson
9/7/2018	email	20180907 pm 0142 R	Jeff Frost
9/10/2018	email	20180910 am 0800 R	Todd Armstong
9/14/2018	email	20180914 am 0849 R	Miles Nogelo
9/14/2018	email	20180914 am 1035 R	Miles Nogelo
9/14/2018	email	20180914 am 1147 R	James H Hand
9/14/2018	email	20180914 am 1156 R	Brian Stickney
9/15/2018	email/letter	20180915 pm 0547 R	Helen C Hanecak Noel, Raymond P Noel
9/16/2018	email	20180916 am 1021 R	Dotti Balon-Frost
9/17/2018	letter	20180917 Beebe Letter R	Jean & Bill Beebe
9/18/2018	email	20180918 pm 0408 R	Nancy Cipriano
9/18/2018	email	20180918 pm 0410 2 R	Dotti Balon-Frost
9/18/2018	email	20180918 pm 0410 R	Helenka Hanecak
9/19/2018	email	20180919 am 0924 R	Gary Frost
9/19/2018	email	20180919 am 0937 R	Rebecca Moreau
9/19/2018	email	20180919 am 1029 R	Michael Heenan
9/21/2018	email	20180921 am 0835 R	Robert & Laura Pearson
9/21/2018	email	20180921 pm 0318 R	Boyd Smith
9/22/2018	email	20180922 pm 0749 R	Catherine Parker
9/23/2018	email	20180923 pm 0827 R	Bruce Curtis-McLane
9/24/2018	email	20180924 pm 0811 R	Frank DiPietro
9/25/2018	email	20180925 am 0909 R	Douglas McLane
9/25/2018	email	20180925 pm 1209 R	Julie Converse
9/25/2018	email	20180925 pm 1228 R	Frank DiPietro
9/25/2018	letter	20180925 Thayer letter R	Pamela & Michael Thayer
9/26/2018	email	20180926 am 1045 R	Sierra McLane
9/26/2018	email	20180926 am 1108 R	Sierra McLane
9/26/2018	email	20180926 pm 0220	Karen Corliss, Hebron Town Admin

9/26/2018	email	20180926 pm 0706 R	Sandra Symonds
9/26/2018	email	20180926 pm 0719 R	Sue McLane
9/26/2018	email	20180926 pm 0950 R	Ryman McLane
9/27/2018	email	20180927 pm 1121 R	Laurie Derynioski
9/27/2018	email	20180927 pm 1204 R	Jennifer Dumark & William Robertie
9/28/2018	email	20180928 am 1116 R	Steve Maloney
10/1/2018	email	20181001 pm 0218 R	Andy McLane
10/11/2018	email	20181011 am 1106 R	Rick Van De Poll
11/25/2018	email	20181125 pm 0713 R	Rick Van De Poll
11/26/2018	email	20181126 pm 0417 R	Boyd Smith
12/20/2018	email	20181231 am 1045 R	Alex Bonner
12/31/2018	email	20181231 pm 0218 R	Rick Van De Poll
1/4/2019	email	20190104 am 0926 R	Alex Bonner
2/23/2019	email	20190223 am 1141 R	Tim Jones
2/26/2019	ltr	20190226 Ecosystem ltr	Rick Van De Poll
2/27/2019	email	20190227 am 0820 R	Fred Damore
2/27/2019	email	20190227 am 1045 R	Steve Gunn
5/3/2019	email	20190503 pm 0630 R	Tom Lincoln
5/6/2019	email	20190506 am 0808 R	Todd Buck, Pres Paradise Lodge Condo Assoc
5/7/2019	email	20190507 am 1055 R	Rick Van De Poll
5/7/2019	email	20190507 pm 0817 R	Bruce Traumuller
5/17/2019	email	20190517 pm 0330 R	Boyd Smith
6/2/2019	email	20190602 pm 0937 R	Bruce Traumuller
6/13/2019	email	20190613 pm 0436	Steve Maloney
7/25/2019	email	20190725 am 1019 R	Tom Whitman
7/25/2019	email	20190725 pm 0223	Lisa Connell
8/14/2019	email	20190814 am 1027 R	Eleanor Lonske
8/27/2019	email	20190827 am 0942 R	Rebecca Walkley
8/27/2019	email	20190827 pm 0902 R	Melissa Mullen
8/29/2019	email	20190829 am 0927 R	Alex Bonner
8/30/2019	email	20190830 pm 0955 R	Steve Gunn
8/31/2019	email	20190831 am 0841 R	Ivan Quinchia
9/1/2019	email	20190901 pm 0734 R	Charlotte & Rick Skiffington
9/2/2019	email	20190902 am 1051 R	Willi & Christa Zankel
9/2/2019	email	20190902 pm 0146 R	Peter & Barbara McDonald
9/2/2019	email	20190902 pm 0301 R	Richard James
9/2/2019	email	20190902 pm 1011 R	Paul & Mary O'Neill

9/2/2019	email	20190902 pm 1033 R	Fred & Barbara Kohout
9/3/2019	email	20190903 am 0821 R	Glenn B Dorr Jr
9/3/2019	email	20190903 am 0908 R	Edward Peduto jr
9/3/2019	email	20190903 am 0919 R	Marshall Dorr
9/3/2019	email	20190903 am 0934 R	Tom Whitman
9/3/2019	email	20190903 am 1004 R	Jim Geraghty
9/3/2019	email	20190903 am 1024 R	Derek Karner
9/29/2019	letter	20190929 Noel ltr R	Helen Noel
4/8/2020	email	20200408 pm 0225 R	Kevin Miller
8/2/2020	email	20200802 am 0819 R	William Morrison
8/9/2020	email	20200809 pm 0325 R	Don Sorrie
8/13/2020	email	20200813 am 0904 R	Don Sorrie
8/17/2020	email	20200817 pm 0318 R	Bruce Traumuller
8/25/2020	email	20200825 pm 0743 R	Bruce Traumuller
9/16/2020	email	20200916 pm 0224 R	Nancy Lincoln
9/17/2020	email	20200917 pm 0922 R	Garry Lahey
9/18/2020	email	20200918 am 1157 R	Steve Gunn
9/27/2020	email	20200927 am 0815 R	Brian Thamel
10/1/2020	email	20201001 am 1123 R	David & Donna Manning
10/3/2020	email	20201003 am 0731 R	Steve Gunn
10/15/2020	email	20201015 pm 0529 R	Steve Gunn
11/6/2020	email	20201106 pm 0344 R	Rick Van De Poll
12/1/2020	email	20201201 am 1143	Rick Butterfield
12/5/2020	email	20201205 am 1006 R	Miles Nogelo
1/16/2021	email	20210116 pm 0342 R	Teresa Adams
1/17/2021	email	20210117 pm 0250	Steve Maloney
2/4/2021	email	20210204 pm 0352 R	John Carlton
2/4/2021	email	20210204 pm 0948 R	Merrill Harper
2/4/2021	email	20210204 pm 1206 R	Jack Carlton
2/22/2021	email	20210222 am 1011 R	Rick Van De Poll
3/24/2021	email	20210204 pm 0317 R	John Carlton
3/26/2021	email	20210326 am 1118 R	Jack Carlton
4/8/2021	email	20210408 am 0822 R	Rick Van De Poll
4/29/2021	email	20210429 pm 0237 R	Corey Colby
4/29/2021	email	20210429 pm 1229 R	Thomas Whitman
5/2/2021	email	20210502 pm 0532 R	John Fischer
5/16/2021	email	20210516 pm 0342 R	Henry Pierre
8/18/2021	email	20210818 am 1056 R	Thomas & Teri Whitman
4/19/2022	email	20220419 am 1044 R	Andy McLane

5/7/2022	email	20220507 am 0949 R	Andy McLane
5/9/2022	email	20220509 pm 1204 R	Newfound Memories
5/10/2022	email	20220510 am 0843 R	Tom Whitman
5/10/2022	email	20220510 am 1001 R	Ivan Quinchia
5/10/2022	email	20220510 am 1006 R	Steve Gunn
8/21/2022	email	20220821 pm 0322 R	Jeffrey Frost
10/25/2022	email/ltr	20221025 am 1006	Newfound Lake Region Association
5/20/2023	email	20230520 pm 0408 R	Patrick Scanlon
5/30/2023	email	20230530 am 1026 R	Karen Sanborn
5/30/2023	email	20230530 pm 0533 R	Patrick Scanlon
6/5/2023	email	20230605 pm 0134 R	Robert Pearson
6/26/2023	email	20230626 am 0831 R	Julie Converse
6/26/2023	email	20230626 pm 0827 R	Patrick Scanlon
7/11/2023	email	20230711 pm 0845 R	Julie Converse
10/4/2023	email	20231004 pm 1000 R	George Nedder

1950s photo Grey Rock Hebron Beach



GREY ROCKS / HEBRON BEACH

ROTCHE/MCLANE FAMILY

TAKEN IN THE EARLY 1950'S (1953±)

**Baillargeon, Nancy**

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**From:** Mattaini, Dan  
**Sent:** Monday, December 31, 2018 10:57 AM  
**To:** Gallagher, Jim; Finemore, Kent  
**Subject:** FW: Newfound Water Flow  
**Attachments:** Bonner Response.docx

Ah ha – here is some prior correspondence with him (Jim had marked up my initial email response).

Also, in a following email I reported this below as well:

Jim,

We cut flows for the hydro repairs 12/20, right about where we were reaching the average line and flattening out. I had Peter check his notes.

Dan

Anyway; below is what I found:

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**From:** Mattaini, Dan  
**Sent:** Tuesday, January 24, 2017 3:53 PM  
**To:** Gallagher, Jim  
**Subject:** FW: Newfound Water Flow

Fyi – nothing bad, some suggestions below to consider.

**From:** Alex Bonner [mailto:████████████████████]  
**Sent:** Tuesday, January 24, 2017 3:48 PM  
**To:** Mattaini, Dan  
**Subject:** Re: Newfound Water Flow

Dear Dan

Thank you for your response and your attention to the many details. Indeed, I have a much better understanding of the extenuating circumstances that resulted in the very very slow draw down in late November and December.

My questions have been answered but I do believe that some of your comments could or should be added to the commonly viewed information that is found on the website i.e. as I recall, the website simply states that the target level for October is at a fixed number on the chart. Thus, folks like myself expect that that is what will happen. Perhaps an asterisk and explanatory footnote is in order to explain how (1) other factors such as drought or down stream issues may influence the October target level, (2) how much higher or lower the range of levels may or have been over the years, and (3) the fact that a resident can contact someone to request help or changes as you suggested may be done.

Thanks again for your detailed response.



Sincerely

Alex Bonner

On Mon, Jan 23, 2017 at 4:14 PM, Mattaini, Dan <[Daniel.Mattaini@des.nh.gov](mailto:Daniel.Mattaini@des.nh.gov)> wrote:

Good afternoon,

Like many of the large lakes in NH, the drawdown for Newfound Lake does not commence immediately on Columbus Day, and drop immediately to the seasonal drawdown level. It was decided some years ago after multiple public meetings that the drawdown should follow a trend targeting a series of water levels at different times of the year, reaching a peak around June first and reaching the lowest level around the first of March, with other targets spaced out between these levels throughout the year. This year we were close to each of the target elevations for June 1<sup>st</sup> and on Columbus Day.

To illustrate last year's operations I have attached a graph showing the lake level throughout 2016 with the target rule curve in green and the specified targets as green dots throughout the year. On the graph you can see the average level from 1982 through 2015 as a dark blue line. While we operate to keep as close to the green line as practicable, you will note the average blue line generally runs above green target line. This is because storms will push the water level up above the target, but there is generally no reason to let the water level drift below the target line, and most parties would prefer that it does not.

There is also a wider light blue standard deviation band on the graph. Most water levels, around 70%, fall within this band, which is generally where the water level can expect to be on a given day. About 30% of the time the water level is either below or above this band, generally due to storms or other unusual circumstances.

Also in the graph is the 2016 water level in red. You can see that the spring runoff caused the water level to jump repeatedly, and our releases from the dam increased accordingly to return the lake level its normal level for that time of year. Once we reached summer, due to the lack of many large storms, we tracked the green target line pretty closely, hitting the target green dots for Columbus Day and being back to the average at the end of the year.

Due to the drought conditions, this year when we did have storm events like the one at the end of November, we have not wanted to overreact and release too much water too quickly, as once water is released there is no way to recover it, and we didn't want to start the winter and head into the spring at too low a level. Also due to the dry conditions, it is harder to predict what effect a rainstorm may have on runoff, as often the dry ground will absorb much of the rainfall. Therefore, directly after a rainstorm, if there is no real concern about flooding, we often wait to see the effect of the rain on the level, then adjust accordingly. After the storm you mentioned, you can see from the graph that we worked the lake back downwards by increasing the outflows, and it dropped steadily back towards the target elevation.

One of the many factors that we must take into consideration in the operation of Newfound Lake Dam is the hydroelectric dam downstream of the dam on the Newfound River. This hydropower plant pays the State for the storage and delivery of water at flow rates and at times that increase the amount of hydropower that can be generated at the site. These Water User Fees paid by the downstream hydropower operators are the sole source of revenue to pay for the operation and maintenance of Newfound Lake Dam. The hydropower plant on the Newfound River can only utilize 220 cfs, and is at peak efficiency at 180 cfs. When possible, we try to release flows in a range they can use. There is also a minimum flow at the plant, below which they cannot operate and the plant has to shut down. Due to the drought conditions, for most of the summer and into the fall, the plant was inoperable because of the low releases we were discharging from the dam to maintain summer recreation

levels. By limiting releases from the dam, we were able to maintain lake levels close to the operating curve from mid-July through the summer, despite the drought.

We do adjust releases in response to rainfall events as shown by our operation in the first three months of the year. Our operations in response to the rain event that occurred at the end of November were made in the context of the condition and uses of the lake at the time. By the end of the November, most seasonal construction projects have been completed. Therefore, when we received the inch of rain between November 29<sup>th</sup> and December 1<sup>st</sup>, causing the lake to rise 6 inches above the Columbus Day target elevation, we saw no urgent need to drop the lake level rapidly, but we increased releases to the optimum range of the downstream hydropower plant to begin returning the lake level to its normal elevation for that time of year. This operation enabled the plant to generate revenue at maximum efficiency to make up for the 4½ months that it could not operate because of the limited releases from the dam.

Often, if a party on a lake is doing a construction project, they will contact me and I attempt to balance the interests of all the parties impacted by the water levels. If you have any further questions about the water level for Newfound Lake, and, in particular, the level is affecting any permitted repairs along the shoreline you are working on, please contact me and I will attempt to work with you on water levels.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
NHDES - Dam Bureau  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095  
Tel: [\(603\) 271-8867](tel:6032718867)  
Fax: [\(603\) 271-6910](tel:6032716910)

Real-Time Data and Information for Watersheds in New Hampshire web site:

[http://www4.des.state.nh.us/Rti\\_home/](http://www4.des.state.nh.us/Rti_home/)

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**From:** [redacted] INV OF PRIVACY [mailto:[redacted] INV OF PRIVACY]  
**Sent:** Wednesday, January 11, 2017 3:13 PM  
**To:** DES: Watershed  
**Subject:** Newfound Water Flow

To whom it may concern

I am writing to ask about the management of the water flow at Newfound Lake.

Your published data shows water flow, precipitation, and lake levels for Newfound Lake as shown below in your weblink. Accordingly, the dam flow CFA was increased to 180 CFS on mid-day of December 5<sup>th</sup>. However, substantial precipitation levels were measured and recorded for November 29, November 30, and

December 1. This precipitation resulted in a very substantial increase in the lake elevation to levels that are 7-8 inches higher than the Columbus Day Target Level and 9-10 inches higher than the elevation levels shown on November 29 and November 30<sup>th</sup>. Those high levels continue today even with the increased water flow at 180 CFS.

[http://www4.des.state.nh.us/Rti\\_home/station\\_information\\_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+==+6+ft.+Local+==+587.88+ft.+above+sea+level](http://www4.des.state.nh.us/Rti_home/station_information_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+==+6+ft.+Local+==+587.88+ft.+above+sea+level)

In this regard, I would appreciate your comments and explanations as to why your operations at the Newfound river dam cannot use the precipitation amounts to better manage the lake levels and to thereby avoid the rather long delays and large fluctuations in the lake levels. Indeed, it appears to me that the precipitation amounts should be and could be used to control the water flow amounts and to avoid these large fluctuations which have caused problems and delays with lake shore repairs to existing installations.

Thank you in advance for your comments.

Sincerely,

Alex G. Bonner



**Baillargeon, Nancy**

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**From:** NANCY CIPRIANO <[REDACTED]>  
**Sent:** Thursday, August 30, 2018 7:40 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake erosion

Dear Mr Finemore

I would like to take a minute to comment on the referenced topic. We own at the foot of the lake and erosion isn't as much of a problem as is our walls. Most of the cottages have walls rather than frontage. We have noticed more and more this summer that boats leaving the Big Catch do so at a good clip causing waves to pound the walls. I think a no wake sign would be helpful or more boat patrol on weekends.

Thank you.

Sent from my Verizon 4G LTE Tablet

**Baillargeon, Nancy**

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**From:** Rick Van de Poll [REDACTED]  
**Sent:** Wednesday, September 05, 2018 6:37 PM  
**To:** Gallagher, Jim; Mattaini, Dan; Finemore, Kent  
**Subject:** Written testimony  
**Attachments:** ltr to NHDES Dam Bureau 9-4-18.doc

Hi Jim, Dan, Kent;

After waiting for edits from north shore folks, I'm finally forwarding you my written testimony that I summarized in my oral presentation at the hearing on the 28th. It summarizes most of what I said and presents a draft management option for interim lake level management consideration. It shouldn't come as any surprise as it is pretty much what I specified that evening.

I want to thank you again for your time and consideration of this issue!

Rick

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Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC  
30 N. Sandwich Rd  
Center Sandwich, NH 03227  
[REDACTED]



Ecosystem Management Consultants, LLC  
c/o Rick Van de Poll, Ph.D.  
30 No. Sandwich Rd.  
Center Sandwich, NH 03227

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September 4, 2018

To:

Jim Gallagher, Chief Engineer  
NHDES Dam Bureau  
PO Box 85 29 Hazen Drive  
Concord, NH, 03301

From:

Rick Van de Poll, Ph.D.  
Ecosystem Management Consultants

Re: Written Testimony relative to lake level management at Newfound Lake

Dear Jim;

On behalf of several landowners along the north shore of Newfound Lake, I would like to thank you and your staff for taking the time to come up to Bridgewater and listening to the concerns of the local citizenry. You succeeded in meeting the end of summer request for a hearing and were thereby able to hear direct feedback from a number of summer-only residents. Kent did an outstanding job in facilitating the meeting as did you in providing a succinct review of the past and current management history of the Newfound Lake dam. You were also extremely patient and thoughtful in your remarks in spite of the many heated comments directed your way!

I wanted to summarize the points I made in my oral testimony that evening so that you have a basis for establishing a proposed change in lake level management. As we discussed, I believe this will help provide a starting point for your planned outreach to local residents. As you well know, there are a number of stakeholders on the lake and not all of them agree with how the lake should be managed. Hopefully we can strike a balance in our proposal that will address the most pressing concerns of almost all of the people who testified, that is, beach erosion and the health of the Newfound Lake ecosystem.

I began my comments the other night by pointing out my observations over the last several years of the north shore of Newfound Lake. In particular, these observations have included an in-depth study for the Town of Hebron of the Cockermouth River delta area, Hebron Marsh, Hebron Town beach, and more recently, at 22 erosion sites that Doug McLane and I identified around the lake during a boat tour on June 21<sup>st</sup>. These observations are not in any particular

order, although what I presented orally reflects what I believe should be a priority list of issues to examine as we move forward with a shift in management actions:

- 1) **Loss of sandy beach and turf line** – this concern perhaps touched the greatest number of residents who came to the hearing, and reflected what I have observed for several years now in selected sites around the lake. Some of the worst beach erosion is taking place at Hebron Town beach, where trees have been washed away, turf banks have disappeared, and temporary rock jetties have been obliterated by inshore currents and wave action. Other sites include Camp Greenwood, Bristol Shores, Wellington State Park, and most notably, Cummings Town Beach in Bristol.
- 2) **Excessive siltation and deposition of organic material by the two major inflow rivers** – both the Cocker mouth and the Fowler Rivers have increased the amount of load deposition at their mouths. This was particularly noticeable between 2012 and 2014 when channel depth at the Cocker mouth was measured to be two to three feet shallower. This was accompanied by a significant aggradation of leaf litter and debris on the east bank of the delta. During the June 2018 site visit to the mouth of the Fowler, large rafts of coarse woody material was found just below the surface where pure sand had been visible for many years. According to local reports, the water in the delta is shallower than it has ever been in spite of the higher than average lake levels during that time period.
- 3) **Increase in aquatic bed growth** – this has been observed in several areas around the lake, but especially off of the Cocker mouth River delta. In 2012, scattered floating – leaved and submergent plants such as *Potamogeton spp.* and *Sparganium fluitans* were observed. This past year, solid mats of *Juncus balticus*, *Pontederia cordata*, and *Nymphaea odorata* were seen in the same place. These mats were also supporting thick coats of *Mougeotia* and other species of filamentous green algae. Whereas each of these effects is not uncommon for a smaller water body undergoing natural eutrophication, this has not been, and some would say, *should not* be the case for a large oligotrophic lake like Newfound.
- 4) **Inshore currents have changed** – this has been one of the more difficult observations to pinpoint and quantify yet over a fairly short time period (i.e. 20 years or so), the deposition of sand has moved away from certain areas with a subsequent loss of beach replenishment. Whereas the beach erosion cited under #1 has been primarily documented from direct wave action, the shift in currents along the shore has ensured that this destabilized sand has moved away from its source location. Nowhere is this more evident than at Hebron Town Beach where several ‘currents tests’ have been done by local residents. Historic aerial photography has indicated a fairly stable deposition of sand by virtue of the normal sediment movement from the Cocker mouth River. This has dramatically changed in the last decade. Cummings Beach has also suffered this effect with even more current velocity as evidenced by the four to five foot high erosion bank at the east end.
- 5) **The nutrient residence time appears to have shifted** – as you well know, one of the critical, indirect effects of a change in the hydrologic budget is the way in which water borne nutrients are transported, attenuated, and transformed by aquatic organisms. While much of this has to do with increased development around the lake, the way in which these water borne nutrients are moved through the system has likely been affected by lake level as well. Water clarity has gone down and levels of chlorophyll a have gone up across the years of testing. This has probably been a result of increased nutrients (especially TN and TP) levels in the water.

Because of the cascading effects of watershed slope or flashiness, increased spring and fall storm events, and an inability to draw down the lake fast enough to offset run-off, the following is being proposed as an *interim measure* to reverse or at the very least reduce the loss of shoreline integrity around Newfound Lake:

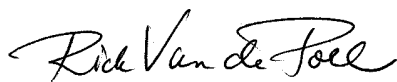
- ❖ **Drop the summer (June 1<sup>st</sup>) target by .5 feet to 5.5 feet on the gauge**
- ❖ **Gradually lower the lake level beginning on Labor Day and ending on Columbus day to 3.0 feet on the gauge**
- ❖ **Hold this level until March 30<sup>th</sup>, whereupon the level can be gradually increased until June 1<sup>st</sup>**
- ❖ **To the extent practicable, hold each level to at or below the target, not above**

Since this is being proposed as an interim measure to determine its suitability for achieving the desired results noted above, there are several other measures that I believe the Dam Bureau should do in conjunction with this shift in lake level management:

- 1) Establish grade stakes at critical locations to determine whether or not the desired effects are taking place
- 2) Revise and update the run-off model to focus on a five-year look-back of storm event data
- 3) Invest in GPS-based digital current monitors to track shifts in currents near beach areas
- 4) Invest in electronically-controlled stop-logs to facilitate a more rapid drawdown of lake levels after a significant storm event
- 5) Be proactive in monitoring storm events and begin drawdowns earlier in their sequence

Jim, I could, of course, flesh out the rationale behind each of the proposed changes in lake level management, but I believe I've made my case. I also believe that I speak for a large contingent of lake residents when I say that shoreline erosion and the subsequent loss of water clarity is the most critical, unifying concern among lakeshore owners. I would end by saying that we appreciate your willingness to "reopen the case" for Newfound, especially when it was a similar initiative over 35 years ago that got us into this mess to begin with! Thanks for your time and attention in this matter. I'd be happy to answer any questions you may have about the above testimony.

Respectfully submitted;



Rick Van de Poll



**Baillargeon, Nancy**

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**From:** Hilson, John < [REDACTED] >  
**Sent:** Friday, September 07, 2018 11:07 AM  
**To:** Finemore, Kent  
**Subject:** Potential lowering of the level of Newfound Lake

Kent R. Finemore, P.E., Assistant Chief Engineer, Dam Bureau  
NH Department of Environmental Services  
P.O. Box [95 – 29 Hazen Drive](#)  
[Concord, NH 03302-0095](#)

Dear Kent,

I and my wife have a house on Newfound Lake. The property is situated in the Town of Hebron and located on the shore of Hebron Bay. I am writing to provide you our thoughts relative to the proposal to lower the level of the lake.

We attended the presentation at the Red Barn in Hebron and have attempted to keep an open mind. In particular, we listened to the fact that there are many different constituencies and that whatever is done will not completely satisfy every constituency. With that predicate, here are our thoughts:

\* We are supportive of lowering the level of the lake in the fall, winter, and spring. We understand that the target date for a significant lowering of the level is September 1st. While there may be other considerations — *e.g.*, spawning of different types of fish — we would request that you consider delaying the drawdown until October 1st inasmuch as September is still a month when locals enjoy the lake.

\* The lowering of the lake in the late spring and summer months does not appear to be too dramatic, but we do have concerns. In specific, we are concerned that the ability to navigate the Cockermonth River in a kayak or canoe will be virtually eliminated because the tributaries are already quite shallow. We are not certain, but question whether the same effect will impact the Eco-tours conducted by NLRA and NH Audubon due to the fact that the channel is only 18 inches deep in certain areas. The lowering might also have the effect of converting the Hebron town beach into a wading beach as opposed to a swimming beach. Of course, there are multiple contrasting considerations that you will need to take into account. Our suggestion is a simple one. We suggest that once you have set your target, you should attempt to arrive at the target incrementally. As an example, if you were seeking to lower the level of the lake in June by 9 inches, you could lower it in June of year one by 3 inches and then assess the effects of the lowering and what, if any, unforeseen circumstances occurred. If that step is successful, you could lower it in June of the next year by another 3 inches and again reassess. While such an approach would take longer to implement, it would give you the ability to make mid-course corrections if they become necessary.

I hope that this is helpful. Please do not hesitate to contact us if you have any questions.

Regards,

John and Cindy Hilson

**Baillargeon, Nancy**

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**From:** Finemore, Kent  
**Sent:** Friday, September 07, 2018 11:22 AM  
**To:** 'Hilson, John'  
**Cc:** Gallagher, Jim; Mattaini, Dan  
**Subject:** RE: Potential lowering of the level of Newfound Lake

John –

Thanks very much for your message, we will add this to the record for testimony received.

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

---

**From:** Hilson, John [REDACTED]  
**Sent:** Friday, September 07, 2018 11:07 AM  
**To:** Finemore, Kent  
**Subject:** Potential lowering of the level of Newfound Lake

Kent R. Finemore, P.E., Assistant Chief Engineer, Dam Bureau  
NH Department of Environmental Services  
P.O. Box [95 – 29 Hazen Drive](#)  
[Concord, NH 03302-0095](#)

Dear Kent,

I and my wife have a house on Newfound Lake. The property is situated in the Town of Hebron and located on the shore of Hebron Bay. I am writing to provide you our thoughts relative to the proposal to lower the level of the lake.

We attended the presentation at the Red Barn in Hebron and have attempted to keep an open mind. In particular, we listened to the fact that there are many different constituencies and that whatever is done will not completely satisfy every constituency. With that predicate, here are our thoughts:

\* We are supportive of lowering the level of the lake in the fall, winter, and spring. We understand that the target date for a significant lowering of the level is September 1st. While there may be other considerations — *e.g.*, spawning of different types of fish — we would request that you consider delaying the drawdown until October 1st inasmuch as September is still a month when locals enjoy the lake.

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I hope that this is helpful. Please do not hesitate to contact us if you have any questions.

Regards,

John and Cindy Hilson

**Baillargeon, Nancy**

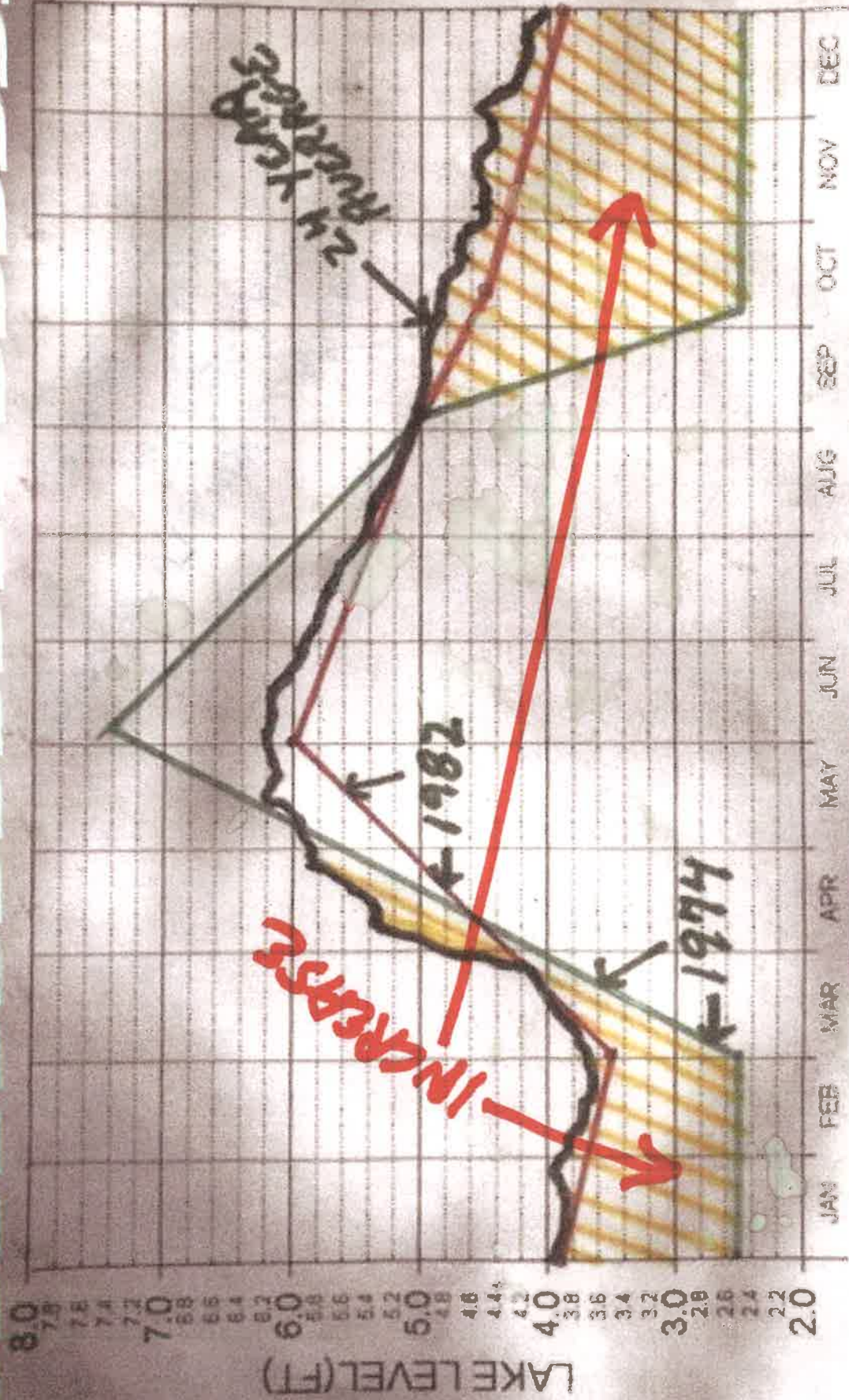
---

**From:** Finemore, Kent  
**Sent:** Friday, September 07, 2018 1:42 PM  
**To:** Finemore, Kent  
**Subject:** testimony recd at hearing  
**Attachments:** Jeff Frost testimony - Newfound.pdf; Testimony from \_\_ on Newfound.pdf

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

# NEWFOLIND LAKE

ELEV. OF TOP DAGE = 181.88' MVD ELEV



DATE

— Average 1982-2006  
 - - - 1982 Curve

PROJECT DEVELOPMENT FOR PAID WATERSHED AS PROJECT DEVELOPMENT FOR WATERSHED DEVELOPMENT FOR NEWFOLIND LAKE, NM

Jeff Frost <[REDACTED]>

1/26/2017 2:58 AM

Re: Property rights and protection and dams and water draw downs- See predecessor's former emails which came to nothing.

To clark.freise@des.nh.gov

Dear Governor, Agents, and Representatives :

This picture shows the water height decrease from spring until November on Newfound Lake (high water to max low). It is about 19-20" (black area-line above depicts the high water mark) and does not change through winter. It is NOT following stated draw downs posted on the NH Dams DES web site and is undermining my property rights to access my land.

The NH Supreme Court has decided that owners along a water body own to the "NATURAL" water height of the water body- not man made height. I grew up with my large rock completely exposed and dry around it- 14'-16' from this measuring tape. SEE ATTACHED.

By not following the DES dams stated draw down goals and allowing some time of year to access my 100 year old stone wall that HOLDS UP my lake side shoreline the State of NH is violating their own stated goals, jeopardizing flooding in the spring from denying catch basin value.

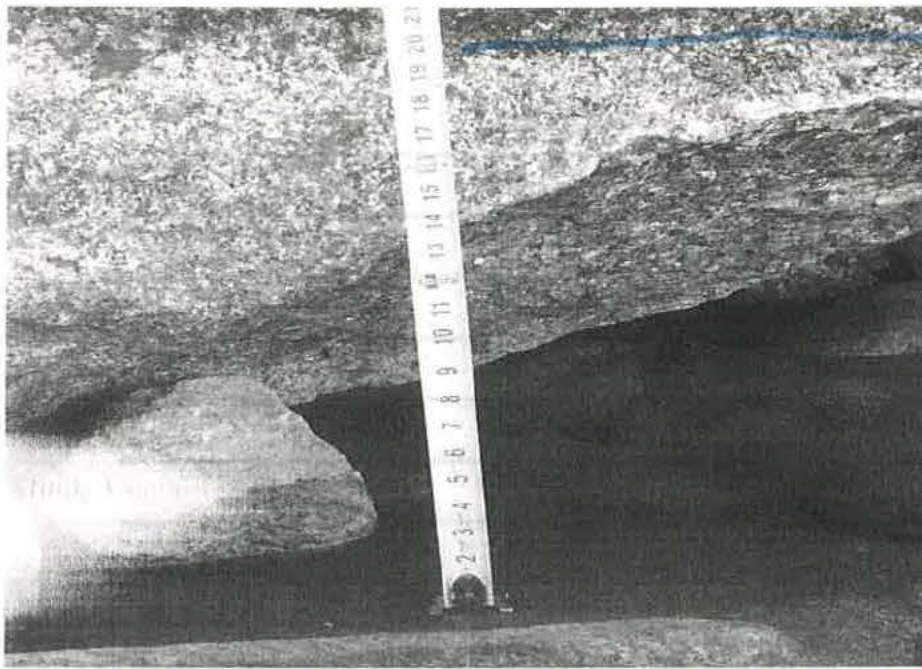
This affects down stream Pemi and Merrimack river flooding breach levels , and most of all my ownership rights to reinforce my wall just as it was built 4 generation ago - by standing on my un-flooded land and fixing it.

Do not inform me of the ability to get a permit to repair my rock wall because you will not lower the level to natural height at any time of year... I will litigate this extensively.... it is my land and the wall is of historical and structural importance and your purposeful neglect in flooding my land is damaging my property.

I have found or heard from people I a called at DES and Dams no stated legal reason for holding the water levels above "natural height" and every reason to maximize catch basin value as insurances to spring time flooding prevention. Please tell me why NH Dam control can not annually draw down to natural heights at any time of year?

These are all the letters & info I have presented try & convince Dams that we lake front owners deserve a "time period in fall" to Access our unflooded land.





High water mark  
From  
Dam  
Left side  
Spring

Thank You,

Jeff Frost



Dear Mr. Frost: Thank you for your email bringing your concerns to my attention. I will review this matter with DES Dam Bureau staff early this coming week, and we will provide you with a further response before the end of the week. Again, thank you for contacting me. Sincerely, Tom Burack, Commissioner

Sent from my Windows Phone

**From:** Jeff Frost

**Sent:** 9/21/2013 4:31 PM

**To:** [damsafety@des.nh.gov](mailto:damsafety@des.nh.gov); orcb wmd; [planning@des.nh.gov](mailto:planning@des.nh.gov); peter bragdon; thomas burack; [redacted]

**Cc:** [redacted]

**Subject:** Re: Property rights and protection.

In reference to this email below I have not had one response? I was hoping to avoid class action legal approach but having, what seems to be Blown off, I guess this is the only alternative.

Thank You,





Jeff Frost

Dear, Senators and Legislators, I am referencing you all because you are representatives of the town and county I am a property owner in, soon to be my, again, permanent home of record.

Over the last 47 years our family has owned this property [REDACTED] NH on Newfound Lake. For the last 20 some on years the state dam agency has "taken" total possession of approximately 16' of land owned down to the natural water level of the lake. It has done this by keeping the water height above the natural height 365 days a year. There is no apparent reason that has been given- (many have been given over the years when I call but none ever the same) which justifies this practice. By denying me my land usage 365 days a year the state is preventing me from maintaining viable and important structure/s necessary to protecting my home from the invasion of the water artificially maintained by the state- namely my stone wall built over a 100 years ago. The original purpose of the dam was for industrial uses no longer in existence.

As former head of the Manchester Chapter of the Red Cross that provided flood damage emergency assistance during the mid year 2000s flooding and with the knowledge of the lack of spring time catch basin available because of the dammed Newfound Lake fall and winter artificial heights state maintained during that period, I have serious social conscious, and personal legal, (property ownership and rights of use) problems with the policies that are driving management of this and many other lakes in the state.

From my knowledge of the Hubbard Brook research on land, air and water environmental studies and history of the lake when it was allowed to retract to natural levels in the fall, I have not been apprised of any environmental reasons which are so paramount that require man made unnatural levels to be maintained year in and out, and which may actually cause more damage with flooding backwash into the lake, homes losing soil and other eroded man made products (like possibly during one flood- my entire home) into the lake (and rivers), as well as algae build up along the shore that used to burn off with lowering the lake .

For more than ten years during the spring time thaw there has been very little room for catch basin value because the lake was held too high in the fall when compared to the natural and historical height held 40 years ago. I have not had one opportunity in over 20 years to step on my land at any where near natural water height and sure up the 100 plus year old field stone wall that is protecting my home from the 5 feet of state dammed man made water height. I am asking for reasonable levels to be maintained after the summer season so as to have access to my land and complete needed age related water damage. The only way this wall was ever constructed was when the lake was at its natural water height. I am asking



that the damming authorities allow the natural height to be leveled at least 6 months plus one day a year for purposes claimed, and to exercise, my rights to property ownership. Please see attached.

With regard to fall, winter, and spring thaw and rain lake level policies: holding a glass near full provides little value in its ability to hold and control topping it over with water, while if it is empty, when needed in the spring, seems like a better policy.

CC: common abutters.

Thank You,

Jeff Frost



[The entire original message is not included.]

- 20141110\_144823.jpg (3 MB)
- late fall levels Newfound Lake.jpg (3 MB)
- late fall H2O levels.jpg (2 MB)



Jim Gallagher <james.gallagher@des.nh.gov>

1/31/2017 2:27 PM

## RE: Property rights and protection and dams and water draw downs- See predecessor's former emails which came to nothing.

To Jeff Frost [mailto: [REDACTED]] Copy Sarah YuhasKirn <sarah.yuhaskirn@des.nh.gov> •  
Eugene Forbes <eugene.forbes@des.nh.gov> • Steve Doyon <steve.doyon@des.nh.gov> •  
Dan Mattaini <daniel.mattaini@des.nh.gov> • Rene Pelletier <rene.pelletier@des.nh.gov> •  
Clark Freise <clark.freise@des.nh.gov>

Dear Mr. Frost,

In response to your request, I am providing some pertinent documents from the Lake Level Investigation and Hearings conducted by the New Hampshire Water Resources Board, under the authority of state statute, that established the operating procedures for Newfound Lake. There is much more documentation in our files regarding these lake level investigations, and you are welcome to review these files. Please let me know if you wish to, and I will make an appointment for you in our file review office.

Thanks,  
Jim

James W. Gallagher, Jr. P. E.  
Chief Engineer  
New Hampshire Department of Environmental Services  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-1961 Tel  
(603) 271-2982 Fax  
[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

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**From:** Jeff Frost [mailto: [REDACTED]]

**Sent:** Monday, January 30, 2017 3:05 PM

**To:** Freise, Clark

**Cc:** Gallagher, Jim

**Subject:** Re: Property rights and protection and dams and water draw downs- See predecessor's former emails which came to nothing.

Ok the answer seems to be- The state has "taken" flowage rights at some time and decided the natural height of the lake will never be returned to the property owners at any time in the year for some or other stated value to Whom??? besides the owners on the lake I do not know. And for what written purpose under the laws of the state authorized by the Legislature has, as yet, not been presented.

All I have is the level chart. Where is the policy and reasoning written to codify the levels the DES and Dams are holding through out the year?  
It must be written and based on what criteria, science, or other legislation that authorizes these year round levels. If your offices could possibly send me these basis of level management as written rather than conversed I would appreciate it.

Thank You,

Jeff Frost  


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Mr. Frost,

I have spoken with the Dam Bureau and reviewed your current and previous communications. The first response you received (in October 2013 - attached) explained the history of how the lake's level has been controlled to balance the many needs the lake serves. The response of November 2014 gave further information on the timing of the State's purchase of the dam and water rights (attached). The level in the lake right now (attached image) is at 3.88 feet and is coming down towards the drawdown level (3.5'). If you have any further questions I suggest that we hold a face to face meeting to try and get them resolved.

Best regards,  
Clark  
Assistant Commissioner  
Department of Environmental Services  
(603) 271-2958

---

**From:** Jeff Frost [Redacted]  
**Sent:** Thursday, January 26, 2017 2:58 AM  
**To:** Freise, Clark  
**Subject:** Re: Property rights and protection and dams and water draw downs- See predecessor's former emails which came to nothing.

Dear Governor, Agents, and Representatives :

This picture shows the water height decrease from spring until November on Newfound Lake (high water to max low). It is about 19-20" (black area-line above depicts the high water mark) and does not change through winter. It is NOT following stated draw downs posted on the NH Dams DES web site and is undermining my property rights to access my land.

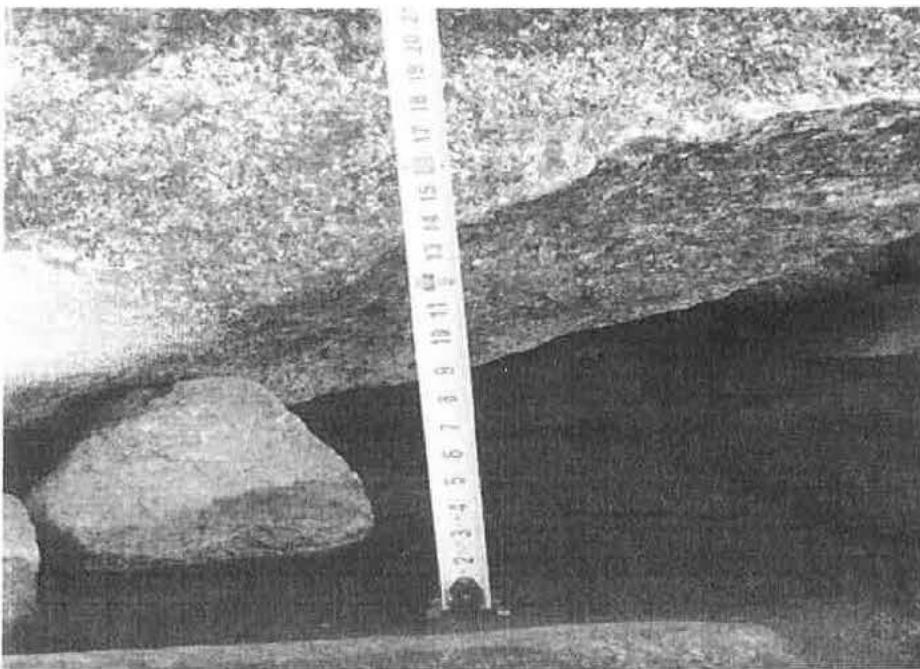
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Thank You,

Tom Frost



---

Dear Mr. Frost: Thank you for your email bringing your concerns to my attention. I will review this matter with DES Dam Bureau staff early this coming week, and we will provide you with a further response before the end of the week. Again, thank you for contacting me. Sincerely, Tom Burack, Commissioner

Sent from my Windows Phone



**From:** Jeff Frost

**Sent:** 9/21/2013 4:31 PM

**To:** [damsafety@des.nh.gov](mailto:damsafety@des.nh.gov); [orcb\\_wmd](mailto:orcb_wmd); [planning@des.nh.gov](mailto:planning@des.nh.gov); [REDACTED]; [thomas.burack](mailto:thomas.burack); [REDACTED]

**Cc:** [REDACTED]

**Subject:** Re: Property rights and protection.

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Thank You,

Jeff Frost  
[REDACTED]

---

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man made unnatural levels to be maintained year in and out, and which may actually cause more damage with flooding backwash into the lake, homes losing soil and other eroded man made products (like possibly during one flood- my entire home) into the lake (and rivers), as well as algae build up along the shore that used to burn off with lowering the lake .

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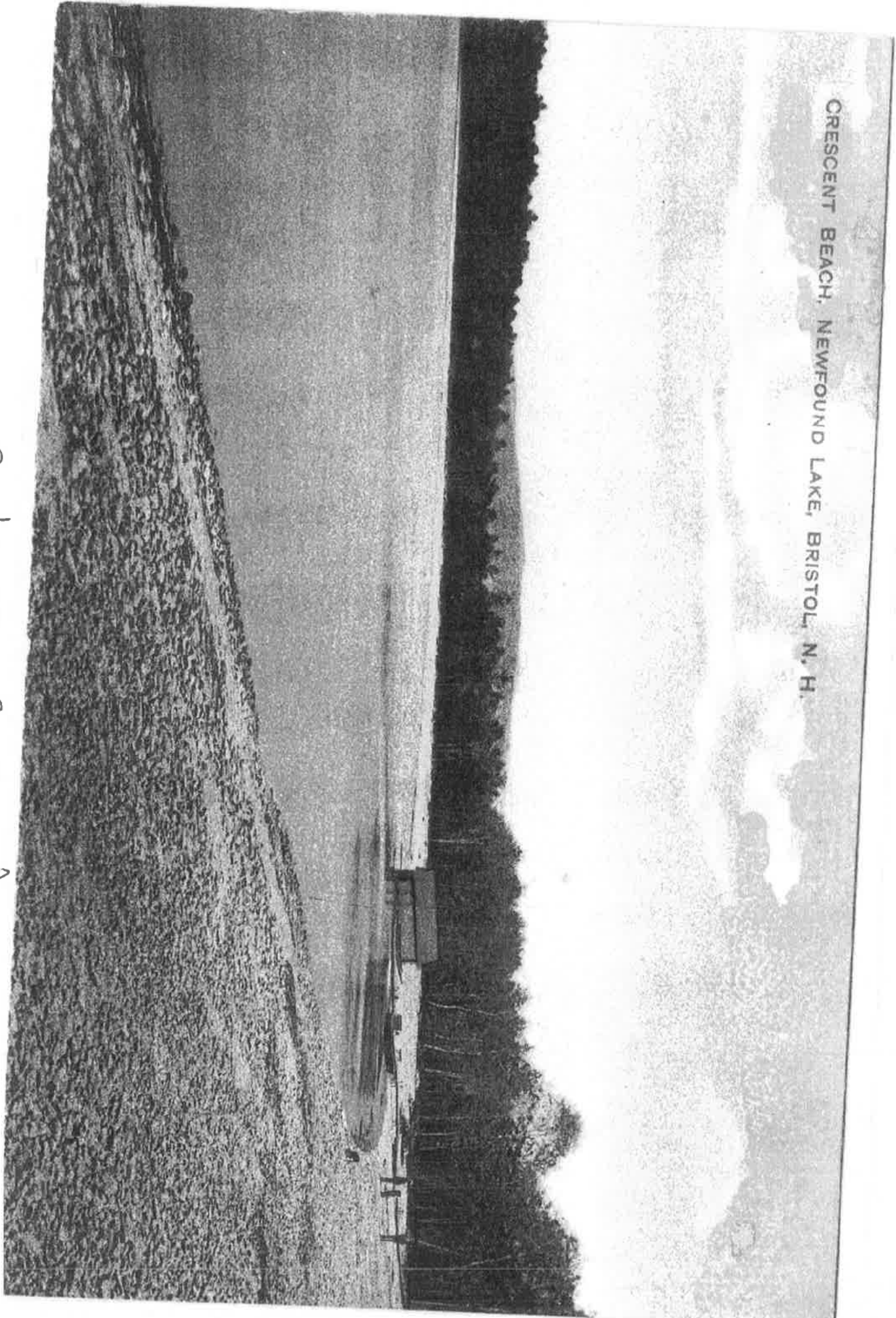
Jeff Frost



[The entire original message is not included.]

- Newfound Lake Level hearing Documents.pdf (1 MB)
- image001.jpg (47 KB)

CRESCENT BEACH, NEWFOUND LAKE, BRISTOL, N. H.



Early 1900's (1920?)

FEB 19 1953

PLEASE KEEP IN MIND THAT OUR OPERATION IS AT THE MERCY OF MOTHER NATURE;  
DURING A THUNDERSTORM OR HURRICANE THE LAKE GOES UP; DURING A DROUGHT THE  
LAKE GOES DOWN. THE CHANGES CAN BE VERY RAPID AND THE LIMITS EXTREME DUE TO  
THE NATURE OF THE DRAINAGE AREA.

AS BACKGROUND TO THE LIMITS POSSIBLE:

31.01

ON JULY 1, 1973 THE LAKE REACHED 10.14,

ON APRIL 1, 1953 THE LAKE REACHED 9.2, AND

THE OTHER EXTREME IS FROM A 1930 REPORT INDICATING THAT BRISTOL

WATER POWER COMPANY HAD THE RIGHT TO DRAW THE LAKE DOWN NINE

FEET FROM A FULL POND OF 7.24.

ARE THERE ANY QUESTIONS?

Natural water height is  
far less than "man made Dams"  
but a few hundred years old,  
and over the years <sup>pre</sup> 1920's or -  
see picture of "Crescent Beach" -  
water level was "pulled down" to  
close to natural level pre-Dams.  
Hence many people built their walls  
& Break water walls on Dry land.

<http://www.newenglandhistoricalsociety.com/winnipesaukee-water-wars-fighting-nh-property-rights/> Water flow fight Mr. woster

US Supreme Court Cases:

State Supreme Court cases:

**Supreme Court of Michigan.**

**Joan M. GLASS, Plaintiff-Appellant, v. Richard A. GOECKEL and  
Kathleen D. Goeckel, Defendants-Appellees.**

**Docket No. 126409.**

**Decided: July 29, 2005**

State v. Trudeau, 139 Wis.2d 91, 102, 408 N.W.2d 337 (1987) (citation omitted). The ordinary high water mark lies, as described by Wisconsin, another Great Lakes state, where “the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.” In this case, the property now owned by defendants was originally conveyed subject to specific public trust rights in Lake Huron and its shores up to the ordinary high water mark. Pursuant to this longstanding doctrine, when the state (or entities that predated our state's admission to the Union) conveyed littoral property to private parties, that property remained subject to the public trust.<sup>4</sup> Consequently, although defendants retain full rights of ownership in their littoral property, they hold these rights subject to the public trust.

NH Cases:

G. WILLIAM PURDIE & a.

v.

ATTORNEY GENERAL

June 24, 1999

The context of the Sibson case makes clear that the common law public-private boundary line or "ordinary high water mark" was at the level of mean high tide. In support of our position, we cited Borax Consolidated, Ltd. v. Los Angeles, 296 U.S. 10 (1935), in which the United States Supreme Court held that the shoreland boundary for purposes of federal grants was the "ordinary high water mark," which it defined as the "mean high tide line," that is, "the average height of all the high waters" over a complete tidal cycle. Borax Consolidated, 296 U.S. at 22-23, 26-27. Moreover, a similar issue was considered in Sibson after remand. See Sibson v. State, 115 N.H. 124, 336 A.2d 239 (1975) ("Sibson II"). Although the majority in Sibson II did not discuss the boundary line because it concluded that the State regulation at issue was not a taking, Justice Grimes, who determined the regulation was a taking, stated in a concurring opinion that he agreed with the majority that the State could regulate "that part of the marsh which lies below the mean high water mark of the Atlantic Ocean . . . because the State has an interest in the public waters," but not property lying "above mean high water, [because] the effect of the State's action is to compel the plaintiff to devote his land to a public purpose without compensation." Sibson II, 115 N.H. at 130, 336 A.2d at 243 (Grimes, J., concurring in part and dissenting in part).

#### Whitcher v. State

87 N.H. 405 (N.H. 1935)

The public rights to use the waters are inalienable except by legislative grant. Littoral owners have title only to the natural high-water mark of such ponds and have no interest at all in its bed.

... Upon the issue of intention also the extent of the user by both dedicator and the public are to be considered. State v. Nudd, 23 N.H. 327, 328; Willey v. Portsmouth, 35 N.H. 303, 311; Hayden v. Stone, 112 Mass. 346; Wason v. Nashua, 85 N.H. 192.

Nor have the defendants acquired by prescription the right to have the maximum artificial level maintained except for the natural out-flow.

Doubtless prescription may run in favor of the public, but the public cannot claim that its members have exercised a user of the waters at the permanent level which is adverse to the plaintiff. All they have done is to enjoy intermittently certain enlarged uses of the waters, the times and extent of the enjoyment depending solely upon the quantities that were drawn for use at the plaintiff's mill-privilege. Not until within five years have they even asserted their supposed right adversely to such drawing. Prior to that time their boating upon whatever level the pond attained, whether artificial high-water mark, natural low-water mark, or somewhere between, their fishing and swimming in such waters as were accumulated from time to time, were consistent with the drawing of the water for the mill-privilege and never hostile to it.

As littoral owners the defendants are in the same situation, except that as far as their rights of private property are concerned they are themselves subject either to flowage rights granted by their ancestors in title or to prescriptive rights of the plaintiff to the rise and fall of the waters of the pond. The littoral owners of tenements servient to the plaintiff's property seem to be in no situation as such to claim prescriptive rights to have the artificial high-water mark regarded as the natural level of the pond.

We see no cause for abandoning the classical view that the defendants could acquire a prescriptive right to the maintenance of the level only by an adverse user hostile to the plaintiff's claim. No such adverse user by the defendants appears. On the contrary, prior to the seeking of the injunction in 1930, the defendants and their grantors, it seems, never made an adverse claim. They enjoyed the beauty of the water in such quantities as were present; they had access to the water, sometimes at one height, sometimes at another. As for the rest, they enjoyed the waters, wherever they were, in such manner as littoral owners could enjoy the peculiar rights they possessed in addition to those possessed by the public. No such act of enjoyment could constitute an adverse claim to a maximum water-level that was from time to time existent only in any fancy. Incidental intermittent enjoyment was not hostile to the plaintiff and afforded no basis for legal process by him. The defendants, as littoral proprietors, have no prescriptive right to have the plaintiff maintain or manage his dam so as to keep the water at the crest of the dam. Whether there has been an adverse user establishing the right of the defendants to customary seasonal levels we need not inquire. The plaintiff is not at present proposing to abandon his right to flow and draw the issue is made by the defendants' claim that the plaintiff may not draw what does not flow out of the pond naturally.

Some specific reference is required to the claim of the defendants

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Courts have followed the maxim "Sic utere tuo ut alienum non laedas," or "so use your own property that you do not injure another's property." See *Keystone Bituminous Coal Association v. DeBenedictis*, 480 U.S. 470 (1987) and many cases cited therein. This maxim characterizes overall landowner rights and duties pursuant to common law nuisance, trespass, strict liability, negligence, riparian rights, surface water law rights and duties (many jurisdictions), and statutory liability. At common law, no landowner (public or private) has a right to use his or her land in a manner that substantially increases flood or erosion damages on adjacent lands except in a dwindling number of jurisdictions applying the "common enemy" doctrine to diffused surface or flood waters.

**Baillargeon, Nancy**

---

**From:** Tom Armstrong < [REDACTED] >  
**Sent:** Monday, September 10, 2018 8:00 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Levels

I am a former lakefront consultant and appraiser in the lakes region. The erosion on NewFound Lake is staggering and a tremendous loss of real estate and environmental value, not only for those that seek to enjoy the lake now, but sadly, for future generations.

Our lakes are a precious resource. Please help preserve this natural resource and lower the lake level.

--  
Tom Armstrong  
[REDACTED]  
Holderness, NH 03264



**Baillargeon, Nancy**

---

**From:** Miles Nogelo [REDACTED] >  
**Sent:** Friday, September 14, 2018 8:49 AM  
**To:** Miles Nogelo  
**Cc:** Finemore, Kent; Patrick Moriarty  
**Subject:** Newfound Lake water level hearing  
**Attachments:** 36 Crystal Springs R1.docx

Please see my comments regarding the public hearing on August 28, 2018 re. Newfound Lake water levels.

Patrick, would you be so kind as to forward this letter to our state representative, whose name escapes me, who was at the meeting and promised to pursue this issue with vigor.

Thank you,  
Miles Nogelo  
[REDACTED]  
Hebron, NH 03241  
[REDACTED]

[REDACTED]  
Hebron, NH 03241

September 14, 2018

Dear Mr. Finemore:

The opportunity on August 28, 2018, to learn more about, and express opinions about, the lake levels of Newfound Lake was appreciated by the residents near the lake. I would like to make a few comments about the situation based upon my observations during the over 50 years my family and I have been homeowners on Newfound Lake in Hebron.

While the "notice of public hearing" stated that the hearing was to be focused on "managing lake levels to control erosion along the shores of Newfound Lake", much of the discussion addressed the role of the lake levels, particularly the lower levels in the fall, in the dramatic deterioration of the lake water and bottom in the past 30 plus years. I agree that there may be many reasons for the problems, but I believe that the change in the early 1980s to NOT significantly lower the lakes levels in the fall was the start of the loss of our crystal clear, weedless ( except for Hebron Bay), clean sandy bottom lake.

I have been snorkeling the west side of the lake for more than those 50 years and have witnessed the deterioration since the early 1980s when the higher lake level policy was initiated. I don't think that the people who don't go under the water are aware of the dramatic, sad changes:

- 1.) Water clarity is a small fraction on what it was. I was 90 feet deep , with scuba gear, at the Ledges years ago and it was clear and bright as midday. Now it is difficult to see an mooring anchor down 20 feet on a still day.
- 2.) Several species of weeds began proliferating in our cove in the early 1980s. I contacted the State and a gentleman came and took samples. He found six different species. I never heard anything back.
- 3.) The bottom went from beautiful, golden sand to very fine silt. This has gotten dramatically worse in the last few years. This silt varies from 1inch to 4 inches thick. It is disgusting.
- 4.) In the past few years, a slimy, transparent, greenish algae floats around suspended in the water. It has increased geometrically.
- 5.) The shoreline rocks and the large and small boulders submerged in the lake are coated with thick, slippery slime. This is also disgusting and could be dangerous.

6.) Finally, there seems to be a significant increase in the number of dead fish of many species found floating in the lake this year.

There may be many reasons for these developments, but the sentiment of the meeting's attendees was that the lake levels were a key factor: please at least try lowering the level as soon as possible for a few years and see what happens. Of course clear cutting, uncontrolled development, restricting fertilizer, and other issues can also be addressed at the same time. Losing the lake's quality would be a disaster for the local economy, homeowners, and the environment.

Thank you for your concern with Newfound Lake.

Sincerely,

Miles Nogelo



cc Patrick Moriarity, Selectman Hebron

**Baillargeon, Nancy**

---

**From:** Finemore, Kent  
**Sent:** Friday, September 14, 2018 10:35 AM  
**To:** 'Miles Nogelo'  
**Cc:** Patrick Moriarty; Gallagher, Jim  
**Subject:** RE: Newfound Lake water level hearing

Miles –

Thanks very much for your message, we will add this to the record for testimony received on the Lake Level Investigation.

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

**From:** Miles Nogelo [REDACTED]  
**Sent:** Friday, September 14, 2018 8:49 AM  
**To:** Miles Nogelo  
**Cc:** Finemore, Kent; Patrick Moriarty  
**Subject:** Newfound Lake water level hearing

Please see my comments regarding the public hearing on August 28, 2018 re. Newfound Lake water levels.

Patrick, would you be so kind as to forward this letter to our state representative, whose name escapes me, who was at the meeting and promised to pursue this issue with vigor.

Thank you,  
Miles Nogelo

[REDACTED]  
Hebron, NH 03241  
[REDACTED]

**Baillargeon, Nancy**

---

**From:** Finemore, Kent  
**Sent:** Friday, September 14, 2018 11:47 AM  
**To:** Finemore, Kent  
**Subject:** Hand testimony on Newfound  
**Attachments:** Letter from James Hand.pdf

September 11, 2018

SEP 14 2018

Kent R. Finemore, Dam Bureau  
Re:Newfound Lake water levels

RECEIVED

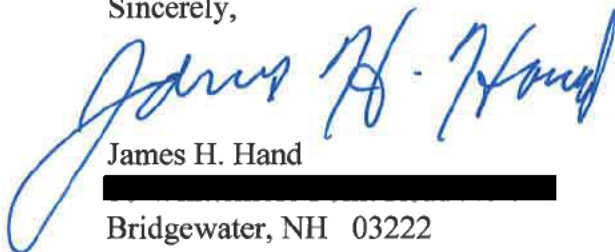
Dear Mr. Finemore,

My family and I own shorefront property on Newfound Lake at Pasquany Bay. We attended the public hearing August 28, 2018, heard most of the presentation by your Chief Engineer (he didn't follow the microphone instructions very well), and the public testimony. I would like to add my views on two of the points in the proposed new level management plan.

1. The "full pond" level for June 1 should be at least six inches lower, or preferably one foot lower. Newfound is known as a "flashy" lake due to its fourteen-to-one drainage ratio and rocky steep gradient. Given the trend toward larger more severe rain events, enlarging the pre-flood capacity and providing more reservoir for Pemi/Merrimack flooding is a much needed change.
2. The Fall draw-down should be steeper and deeper, back to the historic level, 2 point something on the gauge. The current slow draw-down had been included to benefit late-season boaters, enabling their access to the Newfound Lake Marina via its shallow-water channel. The new state launch at Wellington obviates the need to keep the level so high for so long. Along with the other benefits enumerated at the Hearing, a deeper more thorough scour of the tributary rivers/streams is needed and would result. In particular, the Dick Brown Brook two hundred yards from me has become nutrient-rich and duck-byproducts filled, reducing the purity for which Newfound is renowned. Each year's accumulation needs to be flushed to the drop-off point and dispersed naturally. And getting the level down to the Winter mark early will allow the fish spawning to take place in stable waters, satisfying a Fish & Game goal.

I hope that the revised Lake Level Management Plan will include these two points.

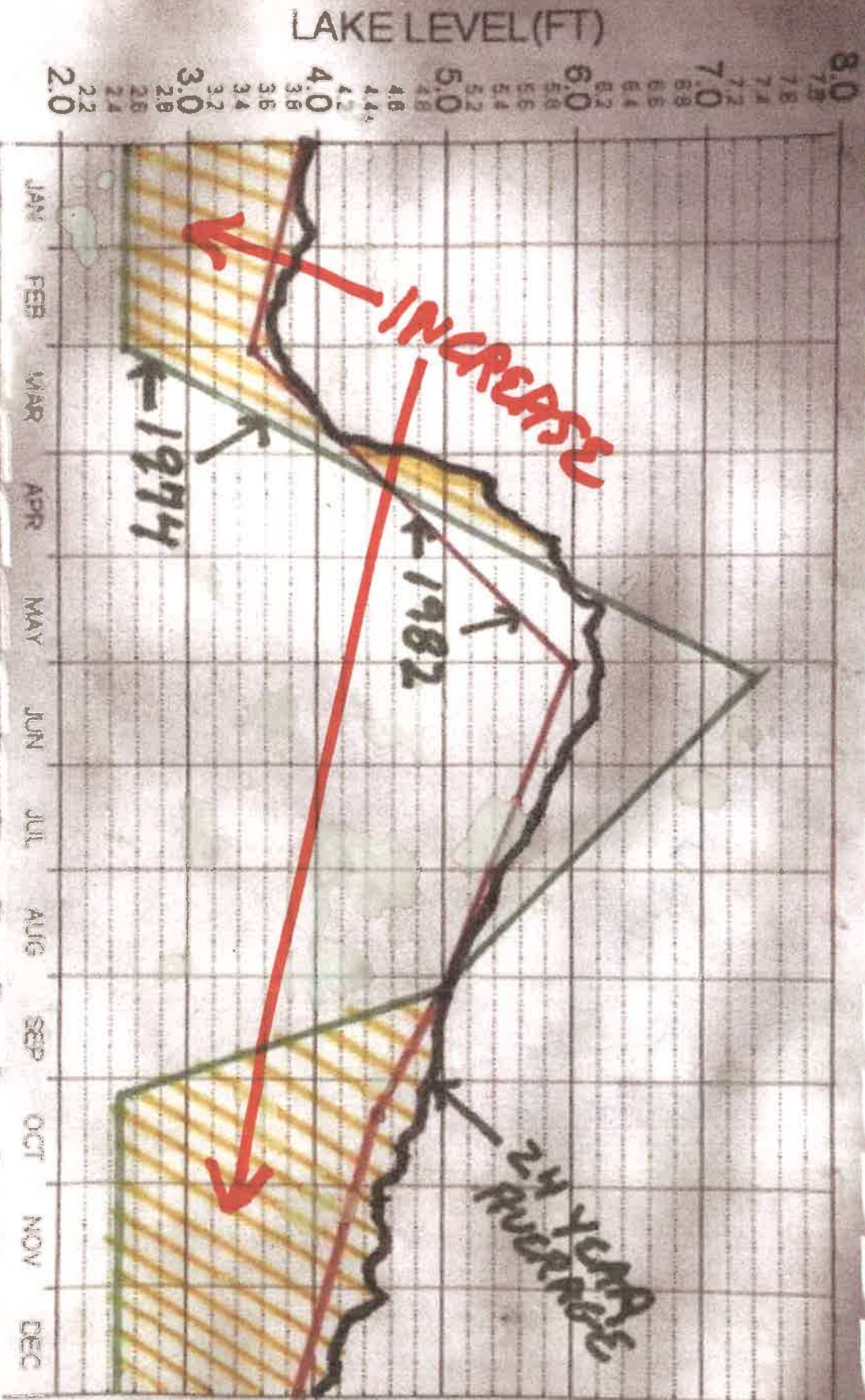
Sincerely,



James H. Hand  
[REDACTED]  
Bridgewater, NH 03222

ELEV. 3 FT ON LAKE = 581.92 MVD ELEV

# NEWFOULIND LAKE

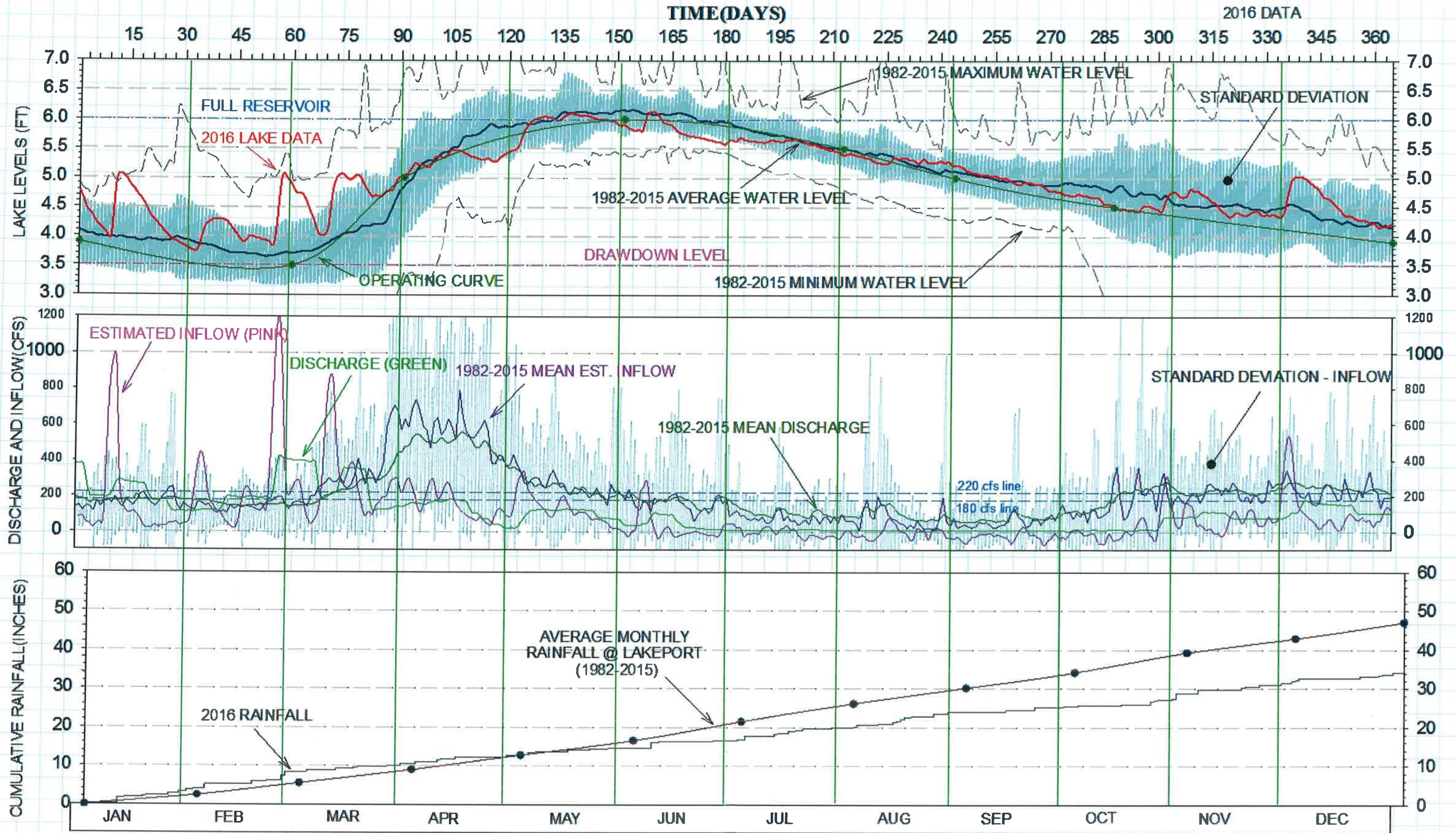


PROJECT DEVELOPMENT FOR  
PAVING AND CURB AND GUTTER PROJECT DEVELOPMENT FOR ECHOLAKE PROTECTION AND LAKE

DATE



# NEWFOUND LAKE LEVEL DATA





**Baillargeon, Nancy**

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**From:** From Me < [REDACTED] >  
**Sent:** Friday, September 14, 2018 11:56 AM  
**To:** Finemore, Kent; Brian Stickney  
**Subject:** Newfound Lake water level proposal

Mr. Finemore,

I own a house on Newfound Lake that has been in my family for generations. The property sits on the northern point of Hebron Bay. I am writing to you regarding my concerns relative to the proposal to lower the water level of the lake.

I can tell you after being in this location for close to 50 years I do not recall seeing Islands above the surface of the water in Hebron Bay...ever. There are now 3 or more islands in this area. For that matter the amount of lake grass growing in the Bay is out of control. I have never seen the bay in this condition in all the years I have been here. Lowering the water level would only make these islands bigger and give the plants and grass the opportunity to flourish more than they are now. This could possibly eliminate a large portion of Hebron Bay and other areas.

The Cockermonth River channel is very shallow in places (12" to 18") at the level the lake is now. This of course is where the Marine Patrol and Audubon Boats dock as well as where sportsman and people use the conservation area "Grey Rocks". If the level of water goes down even a little it would render this area useless. The same would happen to the Fowler River where the boat club sits. All of the streams and rivers that feed into the lake would empty faster and more than usual having negative effects all around the area. Along with this there are many other houses situated along the banks of the lake in Hebron Bay as well as every other shallow area of the lake that are difficult for boats to reach now...these properties lake access would also be negatively affected. The Hebron Beach is basically a wading pool now and one can walk out into the lake 30 yards or more in waist deep or shallower water. All of the islands in the lake would be affected and access to them would all change. There are very few "black" markers on Newfound and it is very easy to navigate with very few "dangerous areas". This I believe would change with lower water levels as hazards would begin to appear.

Lowering the water level in fall and winter is beneficial to the lake and property owners because some winters and springs are too much for the lake to handle come "ice out". The lake has already begun to recede, as it does every September and reaching a boat dock in Hebron Bay and other areas is very difficult even now but with overall lower levels it would be impossible in some areas. I would ask that the Fall lowering of the lake be pushed off until October first rather than September, as September is a month the lake is still enjoyed.

The lake and wildlife have adapted and grown accustom to the raising and lowering of the lake as it is set now and has been done for many years. A change to lake levels

would negatively affect many species of wildlife beginning with nesting and spawning of fish and birds.

As a person that has enjoyed and cared for Newfound Lake for many years I believe that lowering the water level would negatively affect the lake in so many ways many of them unforeseen.

There are many other ways to deal with "erosion", which is what I believe the lower water level proposal is all about, without taking away from property owners or wildlife. I am sure that there are other solutions, with less impact, for any and all other reason or considerations for this proposal.

In short, I do not believe that lower lake water levels is necessary or beneficial.

Thank you,

Brian Stickney

**Baillargeon, Nancy**

---

**From:** Helenka Hanecak Noel < [REDACTED] >  
**Sent:** Saturday, September 15, 2018 5:47 PM  
**To:** Finemore, Kent  
**Subject:** NewFound Lake's high water level destruction  
**Attachments:** NH\_DES\_lakelevel.docx

My edited verbal presentation at the August Public Hearing is enclosed. I am also sending to you the signed document via certified mail. Before and after photos [1970's - current] are in your possession from the Public Hearing].

Respectfully,  
Helen C Hanecak Noel

[REDACTED]  
INV OF PRIVACY

Bristol, NH 03222

15 September 2018

Kent Finemore  
NH DES  
PO Box 95 - 29 Hazen Dr,  
Concord, NH  
03302-0095  
[kent.finemore@des.nh.gov](mailto:kent.finemore@des.nh.gov)

Dear Sir:

My edited verbal presentation of Tuesday, 28 August 2018, Public Hearing, NewFound Lake property owners, Bridgewater Town Hall, is as follows:

My family and I vacationed at NewFound Lake in August since 1970. Annually, we rented a lakefront cottage in Camp Greenwood, in Hornet's Cove, then purchased the #4 lakefront cottage in mid-1980's. During that timespan, the sandy beach level of the lake-front cottage was a mere one-step down from the floor-level porch and the level [non-slope] sandy beach extended at least 30 feet to the summertime waterline. Picnic tables, beach chairs, volleyball nets, beach games, and beach families all shared the expansive beach. In the water, the base was pure whitish sand--without weeds or debris from the Fowler River. [Before and after photos of our cottage/beach were submitted to NH DES beforehand.]

By the 1990's, Camp Greenwood in Hornet's Cove lost its beach. At each annual opening of our cottage April-May, we encounter: A 45-degree slope extending from cottage support posts to the waterline--a 6 feet span; exposed tree roots gaping out of the slope; and, all summer season, dark sediment in the swimming area with weed growth and debris from the Fowler River.

Annually since 1982, NH DES-mandated, 3-feet higher lake levels causes gapping chasms from the waterline to our cottage foundation posts following Winter and Spring ice melt.

Until the 1980's, before the mouth of the Fowler River was dredged to accommodate motor boats, a wide peninsula filled with trees and thick vegetation controlled the outflow from the mouth of the river into the lake. The sole narrow opening into the lake was located on the western edge [Wellington side]. More likely than not, the 3-feet higher water level was initially sought by the owner of the marina up the Fowler River,  
Page 2 of 3

followed by dredging of the river to accommodate motor boats which occupied the expensive mooring slots.

Annually, since 1982 with dredging and high lake levels, the peninsula gradually disintegrated--directly caused by dredging and raising the lake level 3 feet. The natural peninsula, for centuries, had prevented nature's debris and sediment from pouring into Newfound Lake.

We understand from the Public Hearing [in August] that the 3-foot higher lake level satisfies a handful of stakeholders' and satisfies NH DES purposes since NH DES took control of the dam in the 1970's. We understand that these stakeholders and NH DES share financially benefits from the 3-foot higher lake level.

We also understand that NH DES has stolen significant lakefront property "inasmuch as our lakefront land is under water"--and--our lakefront cottage is in risk of being undermined solely as a result of mandated high lake levels.

As a direct result of 3-foot higher lake levels--E. coli bacteria from lakefront septic tanks and leach fields, around the lake's periphery, enter the lake water via the higher water table [gravity/physics]. Wellington Beach closes to swimmers when E. coli levels in the lake rise--only since NH DES raised the lake level in 1982. Annually, NH DES-mandated 3-foot higher lake level causes gapping chasms from the waterline to our cottage foundation posts following Winter and Spring storms and winter ice thaw.

Over the centuries and throughout the 1970's, NewFound Lake registered as one of the three cleanest natural lakes globally [together with Lake Tahoe and a lake in Switzerland]. The NH DES mandate in 1982 destroyed that centuries' old status.

NewFound Lake is undergoing a NH DES-generated crisis SOLELY to financially benefit a handful of stakeholders and NH DES funded projects--while ignoring legal ramifications to lakefront property owners and environmental science issues integral to the life of NewFound lake. We are led to believe that NH DES has had no knowledge of and has been completely ignorant of critical long-term physical and environmental negative effects of raising NewFound Lake's water level 3 feet over a 36-year lifespan.

Over the decades, we lakefront owners have paid annual property taxes in full while NH DES concealed from us, for over 36 years, their mandate and financial reasons for raising the lake level 3-feet, while undermining our lakefront homes and flooding our  
Page 3 of 3

lakefront property. We lakefront property owners have not given NH DES legal consent to flood and destroy our lakefront property for which we pay property taxes.

Respectfully yours,

---

Helen C Hanecak Noel

INV OF PRIVACY

---

Raymond P. Noel

Raymond P. Noel & Helen C Hanecak Noel

INV OF PRIVACY

Bristol NH 03222

Raymond P. Noel & Helen C Hanecak Noel

INV OF PRIVACY

Wallingford CT 06492-3356

**Baillargeon, Nancy**

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**From:** Dotti Balon-Frost < [REDACTED] >  
**Sent:** Sunday, September 16, 2018 10:21 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Levels

To Whom It May Concern:

As a property owner along the shoreline of Newfound Lake, I wish to voice my concerns about the erosion and Newfound Lake levels. The erosion that has been taking place, is exposing earth, tree roots and is coming dangerously close to cottages. The deltas that have formed at the Cockermouth and Fowler Rivers are significantly effecting their surrounding areas. In addition, there has been increased algal blooms, loss of water clarity, deposition of organic material which spurs leeches.

Please consider these concerns upon our recreation, property value, fisheries, wild life, plant life, and business and tourism for Newfound Lake.

Respectfully,  
Dotti Balon-Frost  
Camp Greenwood

Sent from my iPad

SEP 20 2018



Ms. Jean Beebe

RECEIVED

September 17, 2018

Dear Mr. Finemore,

This is a testimony of concern regarding lake levels of Newfound Lake. My husband and I started coming to the lake in 1970, and were awed by the spectacular clarity. We bought a cottage in 1980, and have never been sorry. In 2000, we retired to a lakefront property in Hebron, on the west shore of the lake.

Our access, over the years has been on large rocks. As time goes on, these rocks have become slimy and slippery. Our once immaculate waterfront is closing in with weeds and a mossy bottom. This is a concern for the fish that used to use this area for hatcheries.

If there is a possibility that lowering the lake an additional several feet, we should do it! The lake is too precious to lose. If this will eliminate more growth in the shallows, and displacement of water life, that would be great. Mark my husband and myself down in favor of additional lowering in the Fall.

Sincerely,

Jean-Bill Beebe



**Baillargeon, Nancy**

---

**From:** NANCY CIPRIANO < [REDACTED] >  
**Sent:** Thursday, August 30, 2018 7:40 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake erosion

Dear Mr Finemore

I would like to take a minute to comment on the referenced topic. We own at the foot of the lake and erosion isn't as much of a problem as is our walls. Most of the cottages have walls rather than frontage. We have noticed more and more this summer that boats leaving the Big Catch do so at a good clip causing waves to pound the walls. I think a no wake sign would be helpful or more boat patrol on weekends.

Thank you.

Sent from my Verizon 4G LTE Tablet

**Baillargeon, Nancy**

---

**From:** Finemore, Kent  
**Sent:** Tuesday, September 18, 2018 4:10 PM  
**To:** 'Dotti Balon-Frost'  
**Subject:** RE: Newfound Lake Levels

Ms. Balon-Frost --

Thanks very much for your message, we will add this to the record of testimony received for the Newfound Lake Level Investigation.

Kent R. Finemore, P.E. – Assistant Chief Engineer NHDES – Dam Bureau PO Box 95 – 29 Hazen Drive Concord, NH 03302-0095  
(603) 271-0566  
Kent.Finemore@des.nh.gov

-----Original Message-----

From: Dotti Balon-Frost [REDACTED]  
Sent: Sunday, September 16, 2018 10:21 AM  
To: Finemore, Kent  
Subject: Newfound Lake Levels

To Whom It May Concern:

As a property owner along the shoreline of Newfound Lake, I wish to voice my concerns about the erosion and Newfound Lake levels. The erosion that has been taking place, is exposing earth, tree roots and is coming dangerously close to cottages. The deltas that have formed at the Cockermonth and Fowler Rivers are significantly effecting their surrounding areas. In addition, there has been increased algal blooms, loss of water clarity, deposition of organic material which spurs leeches.

Please consider these concerns upon our recreation, property value, fisheries, wild life, plant life, and business and tourism for Newfound Lake.

Respectfully,  
Dotti Balon-Frost

[REDACTED]

Sent from my iPad

**Baillargeon, Nancy**

---

**From:** Finemore, Kent  
**Sent:** Tuesday, September 18, 2018 4:10 PM  
**To:** 'Helenka Hanecak Noel'  
**Subject:** RE: NewFound Lake's high water level destruction

Ms. Noel --

Thanks very much for your message, we will add this to the record of testimony received for the Newfound Lake Level Investigation.

Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Helenka Hanecak Noel [REDACTED]  
**Sent:** Saturday, September 15, 2018 5:47 PM  
**To:** Finemore, Kent  
**Subject:** NewFound Lake's high water level destruction

My edited verbal presentation at the August Public Hearing is enclosed. I am also sending to you the signed document via certified mail. Before and after photos [1970's - current] are in your possession from the Public Hearing].

Respectfully,  
Helen C Hanecak Noel  
[REDACTED]  
Camp Greenwood  
[REDACTED]  
Bristol, NH 03222

**Baillargeon, Nancy**

---

**From:** Gary Frost <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Wednesday, September 19, 2018 9:24 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Levels Testimony

Dear Mr. Finemore,

I am following up on my testimony at the public hearing held in Bridgewater in late August relative to the management of Newfound Lake levels. I reside at [REDACTED] INV OF PRIVACY [REDACTED] in Bristol in the condo complex commonly known as Camp Greenwood. I strongly encourage implementing the recommendations put forth by Rick Van De Poll in his letter, dated 9/4/18, to the NHDES Dam Bureau. The quality of maintaining Newfound Lake as one of the cleanest and most enjoyable natural resources in our beautiful State for all to enjoy is of paramount importance. Please take the steps necessary to ensure that lake levels are controlled in a way to ensure that we never lose this God given treasure. Thank you for the opportunity to offer public comment and express my views.

Regards,

Gary Frost  
Camp Greenwood  
Bristol, NH

**Baillargeon, Nancy**

---

**From:** Rebecca Moreau <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Wednesday, September 19, 2018 9:37 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Levels

Good morning Kent,

I am reaching out to you this morning in support of better lake level management for all Newfound Lake level management.

My husband and I have enjoyed Newfound Lake for years. We were able to purchase property there within the last few years in hopes that our young family would be able to enjoy Newfound, as we have.

Unfortunately, due to the high lake levels Camp Greenwood association beach has been greatly eroded and we worry about the future. We would all like to continue to enjoy the lake for years to come and this will only be possible if the level of the lake is dropped and managed more appropriately.

Thank you for your time and attention to this matter.

Respectfully,

Rebecca S. Moreau

From: Michael Heenan  
Sent: Wed, 19 Sep 2018 10:29:19 -0400  
To: Finemore, Kent  
Subject: Newfound Lake Water Level Management  
Attachments: Lake Level.docx

Dear Mr. Finemore

I am writing to you today to express my growing concern over the management of Newfound Lake water level. As a 20 year resident on Newfound I've witnessed year over year degradation of water clarity and severe erosion of our beach at Camp Greenwood. Additionally, weed growth and silt continue to intrude on what was once a beautiful sand lake bottom.

I support my many neighbors in seeking the NHDES Dam Bureau to lower Newfound lake levels to a more natural level in hope that the damage done can be reversed.

Sincerely,

Michael Heenan

INV OF PRIVACY

Bristol, NH 03222

September 19, 2018

Kent Finemore  
NH DES, PO Box 95 - 29 Hazen Dr  
Concord, NH 03302-0095

Dear Mr. Finemore

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Sincerely,

Michael Heenan

INV OF PRIVACY

Bristol, NH 03222

September 19, 2018

Kent Finemore  
NH DES, PO Box 95 - 29 Hazen Dr  
Concord, NH 03302-0095

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I support my many neighbors in seeking the NHDES Dam Bureau to lower Newfound lake levels to a more natural level in hope that the damage done can be reversed.

Sincerely,

Michael Heenan

INV OF PRIVACY

Bristol, NH 03222



**Baillargeon, Nancy**

---

**From:** ROBERT PEARSON < [REDACTED] >  
**Sent:** Friday, September 21, 2018 8:35 AM  
**To:** Finemore, Kent  
**Cc:** Gary Frost  
**Subject:** Health of the Newfound Lake Ecosystem

To NHDES Dam Bureau:

My wife and I are property owners in Bristol, NH. It is situated along the shores of Newfound Lake at Camp Greenwood.

Since our purchase of it in 2010 we have witnessed the steady and significant erosion of the beach, the loss of sandy beach and turf line. It is now a huge worry as to what the Spring weather will do to the waterfront area every year.

Our property association has spent thousands of dollars attempting to protect the beach from the damaging high water levels.

The lake level was never, ever a concern in the 60+ year history of the property.

We are in support of lowering the lake levels to address the items that Rick Van De Poll has stated in his letter submitted to NHDES.

These items include beach erosion, water clarity, nutrient run off, invasion of grass, and better overall lake levels management of Newfound Lake.

Thank you.

Robert and Laura Pearson

[REDACTED]

Bristol, NH 03222

**Baillargeon, Nancy**

---

**From:** Boyd Smith <[REDACTED] INV OF PRIVACY >  
**Sent:** Friday, September 21, 2018 3:18 PM  
**To:** Finemore, Kent  
**Cc:** 'Andrew Veilleux'; Gallagher, Jim  
**Subject:** Newfound Lake LLI Testimony from NLRA  
**Attachments:** Nwfnl Lk Mgmt Lvl-Tstmny-NLRA-Final-21Sept18.pdf

Hi Kent. Please find attached our testimony regarding Newfound Lake Level management. We will post this letter, as well as Dr. Van de Pol's proposal, on our Web site at <https://newfoundlake.org/lake-level/>.

Please let me and Andrew know if you have any questions, and coordinate any public outreach we can assist with through Andrew.

Please confirm your receipt of our testimony.

Thanks,

Boyd



NEWFOUND LAKE REGION ASSOCIATION  
10 N. Main St. Unit 1 ~ Bristol, NH 03222  
*www.newfoundlake.org*

September 21, 2018

James W. Gallagher, Jr. P. E.  
Chief Engineer  
New Hampshire Department of Environmental Services  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095

Subject: Newfound Lake Water Level Management Testimony

Dear Mr. Gallagher:

The Newfound Lake Region Association (NLRA) wants to thank you and your staff for committing to perform a Lake Level Investigation (LLI) for Newfound Lake. We understand the Department is currently managing the Lake based on stakeholder recommendations from the early 1980s.

In your public presentation in Bridgewater on August 28, 2018, you outlined operational challenges, as well as numerous stakeholders that are impacted by the State's management efforts:

- Operational challenges included a large and steep watershed that can rapidly raise lake level 14" after 1" of runoff. You also mentioned the current manual approach for removing the stop logs that allow maximum discharge from the dam, which can delay staff response time and prevent proactive steps to manage lake levels when heavy rain is forecast.
- Stakeholders impacted by lake level management include: lakefront property owners; flood risks to downstream receptors (buildings and people); summer recreational community; nesting loon population; downstream hydroelectric facilities; and river and lake fisheries.

Based on comments we heard during the August 28 meeting, the lakefront property owners were the main constituency in attendance, with the common concern being loss of, and damage to, their property over the past 10 – 30 years. There were also many comments and concerns about environmental impacts such as declining water quality, increasing algal and weed growth, and degrading sand substrate.

Based on our own observations and research over the past 10 years, anecdotal reports from our membership, Dam Bureau data for Newfound Lake and its watershed, and work by Dr. Rick Van de Pol, the NLRA requests that the Department consider the following:

Email: [info@newfoundlake.org](mailto:info@newfoundlake.org) ~ Phone/fax 603-744-8689

1. Change the current lake level management regime to more closely reflect historical and natural conditions. These conditions included larger ranges of target water levels, as well as even greater fluctuations before the Department took ownership and control of the dam in the early 1970s. We recommend the Department consider the following proposed target (gage) elevations and dates (outlined by Dr. Van de Pol on August 28):
  - a. June 1 - 5.5 ft.
  - b. Labor Day - 5.5 ft.
  - c. Columbus Day to March 30 – 3.0 ft.

The attached September 2018 sketch indicates 1974 management targets, 1982 (current) management targets, 2018 (proposed) management targets, and a 24-year average of actual water levels at the dam.

2. Improve the operational capacity of the dam to more accurately and consistently meet the agreed-on lake levels. Based on the 24-year average, and qualitative and quantitative testimony regarding the impact of storm events, current management targets are consistently missed. We understand that the operational challenges outlined above could be better addressed with automated spillway gates. We strongly encourage the Department to budget and advocate for these operational improvements. Please also consider more proactively lowering lake levels when storm events are forecast.
3. While we support revising the management regime for Newfound Lake, we are concerned about how such a change would be implemented and potential risks to the Lake ecosystem, as the current equilibrium has developed over the past ~35 years. We ask that the Department, to the best of its ability identify, consider and communicate likely outcomes and impacts resulting from implementing any agreed-on management regime, as part of the public process and final decision.

The NLRA appreciates the Department's efforts to manage a complex and dynamic system. As the only full-time advocate for the Newfound Lake watershed, we stand ready to assist the Department through this LLI process, by sharing Departmental information with our members and stakeholders.

Thank you again for committing yours and your staff's time to the Newfound Lake community. Please consider the NLRA as a partner in this effort, and do not hesitate to contact me if you should have any questions or needs that we can assist with.

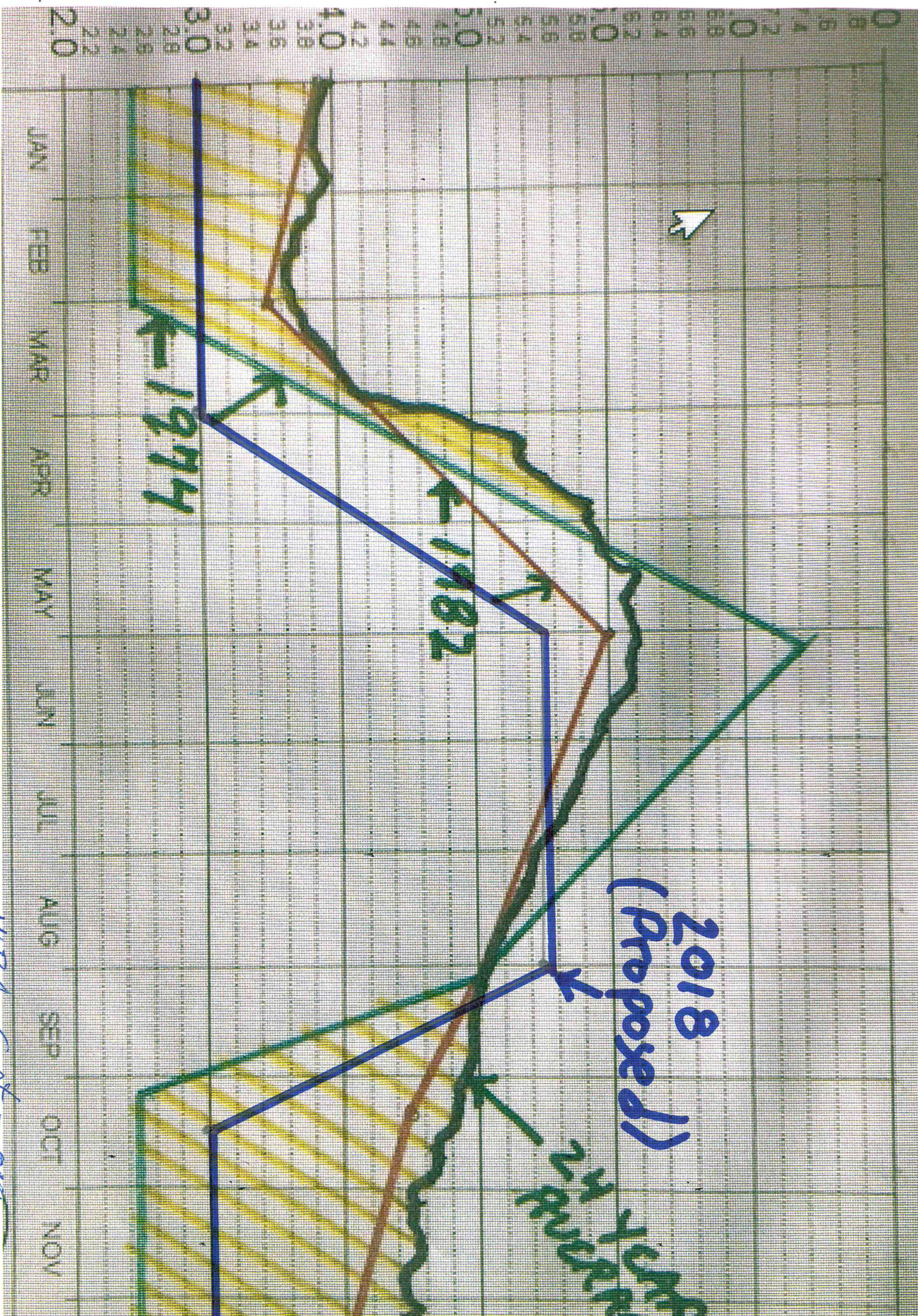
Sincerely,

Boyd Smith, Executive Director  
[NLRA.Boyd@Metrocast.net](mailto:NLRA.Boyd@Metrocast.net)

Attachment: Newfound Lake Management Levels Sketch, September 2018

10' ON ONCE = 991 88' NOV D ELEV

# NEWFOILIND LAKE



NW24 Sect. 2018

**Baillargeon, Nancy**

---

**From:** Catherine Parker <[REDACTED]>  
**Sent:** Saturday, September 22, 2018 7:49 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Levels

Dear Mr. Finemore,

We are writing to strongly encourage lowering the lake level of Newfound Lake as recommended by Rick Van de Poll, Ph.D. We have owned property on the lake since 2009 and even in this relatively short time period, we have noticed several of the changes that Rick mentioned in his letter. The beach at Camp Greenwood frequently in late spring and early summer is completely submerged. When inclement weather arrives the beach front cottages are imperiled by rising lake levels, waves and runoff.

In addition, we have noted the sharp increase in aquatic plant life in and around our mooring field, which is not far from the Fowler River delta.

For a lake with the reputation for cleanliness and clarity that Newfound has; this is unacceptable and should be remedied.

Thank you for your time and attention to hearing our concerns.

Tom and Catherine Parker

Camp Greenwood

[REDACTED]

Bristol, NH 03222

**Baillargeon, Nancy**

---

**From:** Bruce curtis-mclane <[REDACTED]>  
**Sent:** Sunday, September 23, 2018 8:27 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake water levels

Dear Mr. Finemore,

I'm writing to support efforts to lower the water levels in Newfound Lake. I've been going to the lake for 69 years, and remember so well the beaches and shoreline vegetation (bushes, trees) that have now been severely eroded by higher water levels. I am a property owner at the north end of the lake, part of the Greyrocks Trust land in Hebron. It will take a generation or more to rebuild some of what has been damaged, and some of it may never recover, but I do hope that returning water levels to what they were in the 1960s-70s will be a start.

Thank you for considering my request.

Sincerely,

Bruce Curtis-McLane  
[REDACTED]  
Jackson, NH 03846

**Baillargeon, Nancy**

---

**From:** Frank DiPietro <[REDACTED]>  
**Sent:** Monday, September 24, 2018 8:11 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Level Management

Mr. Kent Finemore  
 NH DES  
 P.O. Box 95 - 29 Hazen Drive  
 Concord, NH 03302-0095

Dear Kent:

On behalf of myself and many other property owners along the shores of Newfound Lake, I'd like to express support for lower lake levels and an improved, proactive change in lake level management. Unfortunately, I was unable to attend last month's hearing in Bridgewater to express my concerns and communicate the challenges and burden that high lake levels and passive dam management have placed on myself, my property and my dwelling. I know many other property owners around the Lake experience challenges like the ones I have outlined below.

I am a property owner at Camp Greenwood Estates Condominium in Bristol, a community of 14 free-standing cottages sharing 240 feet of Newfound Lake shoreline, in the vicinity of Hornet's Cove. My dwelling is located approximately 180 feet from shore and was built with a full basement constructed of concrete block. When I purchased the property in 2001, a simple sump pump served to keep water out of the basement for 3-4 weeks in April following spring thaw. In order to further reduce dampness, eliminate mildew, and ensure greater reliability, an engineered solution was designed and installed in late 2001.

Contractors bidding to install a drainage system determined the spring-time Lake (ground water) level to be slightly lower than the basement floor level. The selected contractor, designed and installed a "French drain" system by excavating the perimeter of the concrete basement floor to the base of the foundation footings, burying perforated pipe and re-pouring the concrete floor. By design, the system directs ground water to an 18 inch deep sump pump pit. Water is evacuated by a heavy duty ½ horsepower electric pump and supplemental 12-volt battery back-up pump. Installation cost of the original system was approximately \$7,000.

Two years later, higher lake levels and relaxed lake level management caused intermittent basement flooding for several weeks early in the year, requiring a diagonal trench be excavated across the basement floor to eliminate water from permeating through the floor. As the condition worsened, a noticeable increase in the pumps' operating frequency, electric consumption and discharge water was experienced. Additionally, the buildings' steel-cased lally columns began showing visible signs of rust and deterioration.

Subsequently, frequency of use caused the first pump to fail in 2007, after 6 years of service. Since 2007, four additional pumps have failed as operating frequency and load consistently increased due to more passive dam management and dramatically greater fluctuations in lake level. Sump pump and valve failure regularly occurs every 18 months, at a parts-only replacement cost of approximately \$350. The increased lake level variability steadily brought about the need to take further action to combat water infiltration and a resulting damp, unhealthy condition in the building.

As conditions worsened, the following actions were taken beyond the above to mitigate circumstance;

- Βασεμεντ वालस ωερε ωατερ-προοφεδ ιν 2011
- Α Φαν-Αιρ πεντιλατινγ σψστεμ ωασ ινσταλλεδ ιν 2012
- Ιν 2014, τηε βασεμεντ φλοορ ωασ ωατερπροοφεδ ανδ ηιγη-χαπαχιτυ δεηυμιδιφιερ ινσταλλεδ



In addition to the loss of sandy beach, erosion of shoreline and other detrimental impacts to the Lake that our community and a great number of other residents around the Lake have experienced, property owners like myself have been burdened with excessive energy consumption and substantial expense to mitigate damage to their buildings and property.

Not only am I a property owner at Camp Greenwood Estates Condominium, since 2003 I have been an elected member of the Board and served as President of the Association. As a community, we have invested heavily to lessen erosion, loss of sand and safeguard our common property. We have spent thousands of dollars sandbagging our shoreline, burying exposed electrical cables and protecting the support footings of the buildings owned by members of our community closest to shore.

I stand fully in support of lower lake levels and a more positive, proactive approach to dam management for Newfound Lake. Please feel free to contact me if you have any questions or comments.

Sincerely,

Frank J DiPietro

INV OF PRIVACY

Bristol, NH 03222

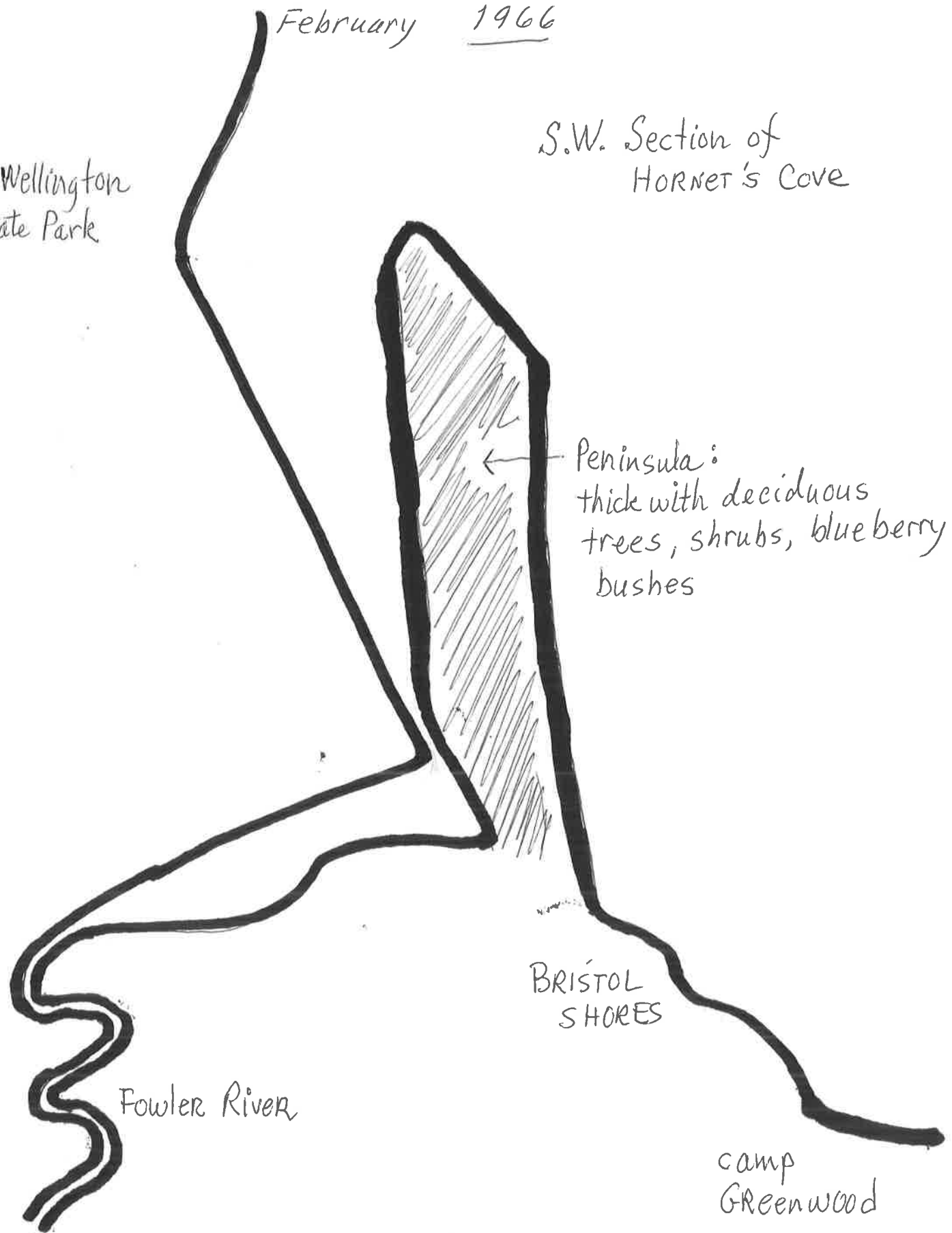
INV OF PRIVACY

Enlarged from "Newfound Lake Depth Contour Chart  
Prepared and Published by  
the NH Fish & Game Department"

February 1966

Wellington  
State Park

S.W. Section of  
Hornet's Cove

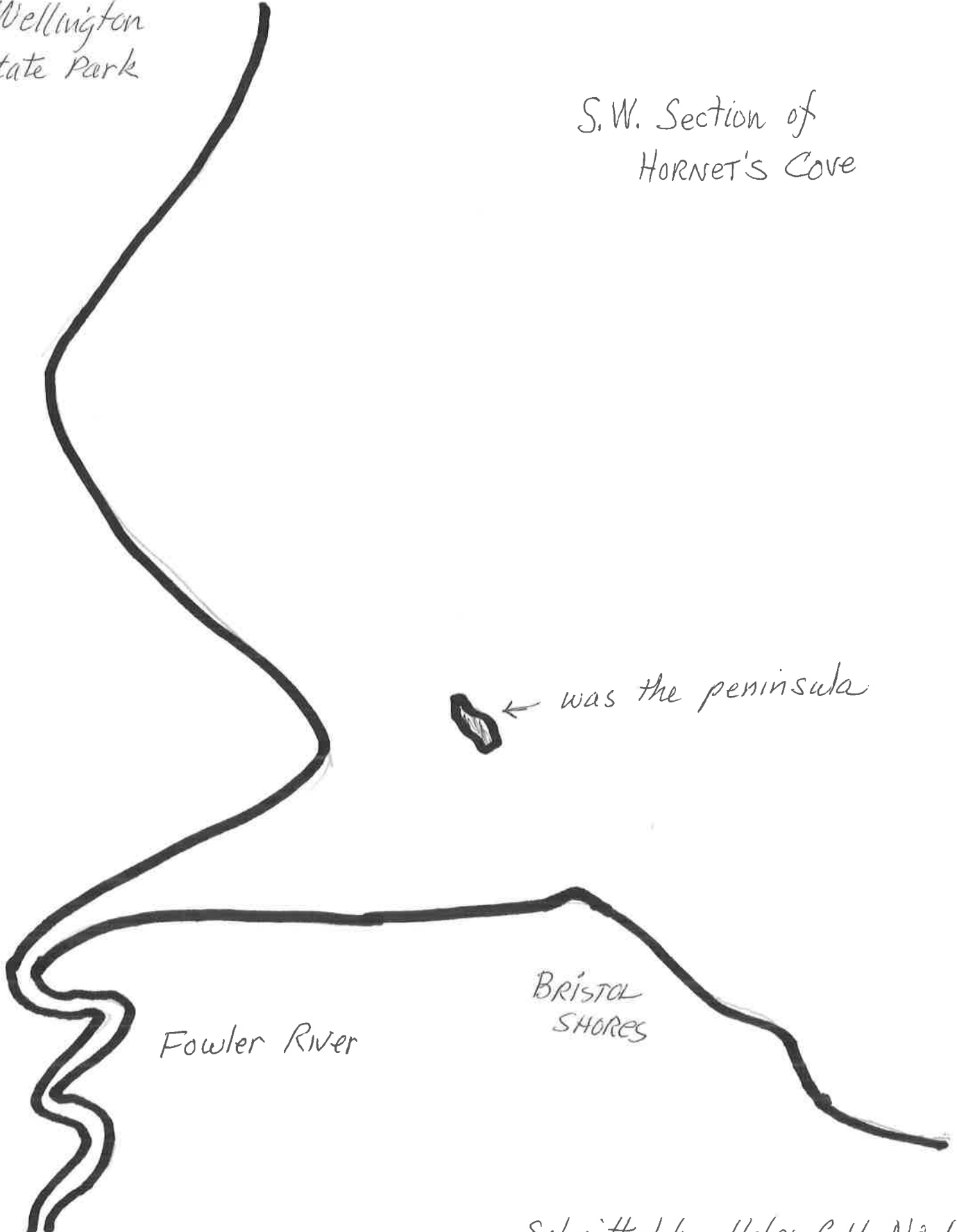


Submitted by Helen C.H. Noel PhD

2019, August 30

Wellington  
State Park

S.W. Section of  
Hornet's Cove



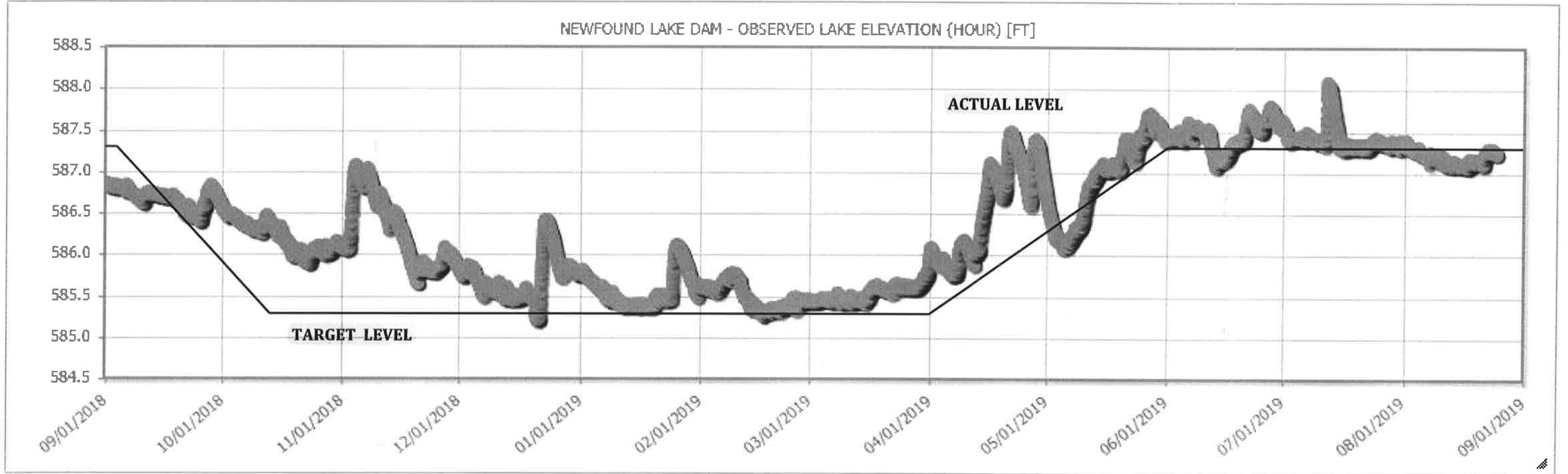
← was the peninsula

Fowler River

BRISTOL  
SHORES

# Newfound Lake Levels

## September 1, 2018 to August 25, 2019



**Above: Observed Lake Elevation from NH DES Web Site; Black line indicates the target "Interim Management Plan" levels for this past year**  
**Total number of days at or below the target level: 61 days; Total number of days above target level: 298 days**

**Baillargeon, Nancy**

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**From:** Douglas McLane <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Tuesday, September 25, 2018 9:09 AM  
**To:** Finemore, Kent  
**Subject:** Fw: Dam Bureau testimony

Kent R. Finemore  
NH Dept of Environmental Services  
PO Box 95  
Concord, NH 03302

Testimony to the Dam Bureau relative to Newfound Lake water levels;

Dear Mr Finemore,

I attended and spoke at the August 28, 2018 Public Hearing at the Bridgewater Town Hall. As I am sure you can appreciate, it can be hard to cover many points in the short time allotted, so I am now submitting some further testimony that I hope can become part of the public record.

Having spent parts of each year at Newfound Lake for the past 67 years of my life, I too have seen a distinct deterioration of shallow water clarity, an increase of algal and vegetative growth, and erosion along the turf line. This is especially pronounced near the mouth of the Cockermouth and Fowler Rivers.

As the testimony provided at the Public Hearing made clear, there are many possible contributors to these problems. A few examples are motor boat wakes, high winds, larger rain events, etc. However, I believe that these are possible contributing causes, but the single driving cause is the higher Lake levels we have experienced since the new target levels were established in 1982.

In my personal experience, the effects of the sand/vegetative turf line erosion is best summed up by the appearance during the past 32 or so years of hundreds of Native American artifacts in the shallow waters to the east of the Cockermouth River. This timeline correlates almost to the year with higher Newfound Lake levels. My father was a rather well known amateur archaeologist from Manchester, NH, and he had lived part of each year of his life in Hebron ever since his parents bought shorefront land in about 1920. Neither he nor anyone else ever found so much as a single pottery shard or stone artifact before the 1980's. However, after his death, and starting 32 years ago, my nephew and I have found literally hundreds of pottery shards and more than a dozen arrowheads and scrapers. The State Archeologist has examined the site and said the artifacts date from well over a thousand years ago. The only explanation of their recent appearance is that they have eroded out of the rapidly receding Lake shoreline. In fact, we are still able to sift dirt along the waters edge and find undisturbed artifacts.

In places we now have three inch thick- five and foot long tree roots extending into the water.

As Dr Van De Poll explained, I do agree that the mouths and deltas of Newfound's two main rivers have silted up and thus caused the historic eddies and currents to change, causing erosion in some places and deposition in others.

I believe that the modest Lake level reduction proposed by Dr Van De Poll is the best and perhaps only way to allow the Lake to gradually recover by slowing down or stopping the nutrient loading in the shallow waters and by allowing the sand and silt movement to revert back to their pre1982 equilibrium.

Lastly, I hope that the Dam Bureau will make an effort to keep the average Lake levels below the target levels rather than above, by proactively opening gates at the dam in advance of predicted rain events.

I believe that all residents of the Towns surrounding Newfound as well as the general public will benefit from your study and willingness to bring Newfound levels part way back to their historic norms.

Sincerely,

Douglas McLane

INV OF PRIVACY

Plymouth, NH 03264

INV OF PRIVACY

**Baillargeon, Nancy**

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**From:** Julie Converse <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Tuesday, September 25, 2018 12:09 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake - Lake level investigation  
**Attachments:** Pictures and Tax Map.pdf

Julie Converse

[REDACTED] INV OF PRIVACY [REDACTED]

Bristol, NH 03222

September 24, 2018

Kent R. Finemore, P.E., Assistant Chief Engineer, Dam Bureau

NH Department of Environmental Services

P.O. Box 95 – 29 Hazen Drive

Concord, NH 03302-0095

[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

Dear Mr. Finemore,

I have vacationed on Newfound Lake since I was 5 years old. Over the last 45 years, I have witnessed multiple changes around the lake. But the most significant change is the fact that the lake seems larger. Usually when you are a child, everything seems massive to you and as you get older, you realize how small things really are. It seems odd how just the opposite has happened here.

In 2012, my husband, my son and I achieved our dream of owning a home on Newfound Lake and bought the property at [REDACTED] INV OF PRIVACY [REDACTED] Bristol, along with the .48 acre beach.

The first spring, I expressed to my husband how strange I thought it was that you could not walk the length of Cummings Beach as I could when I was younger. He thought it was due to the wet spring and thought that the water was probably being let out slowly at the dam. Throughout the summer this did not change. Only in the very late fall and early winter could you walk the length of Cummings Beach. I was told by a neighbor that has owned on the lake since 1978 that this was due to the new lake level. I found this to be very strange, but didn't truly understand what was meant by his statement.

The other difference that caught my attention was that Cummings Beach parking lot seemed to be much bigger and yet their beach seemed to be much smaller and I did not remember the rock wall being the length of their beach. Through research, we found out that the Town of Bristol had extended the parking area and built a retaining wall. By altering the natural shoreline, it is believed that this is allowing the waves, due to higher water levels, to splash against this retaining wall and has actually eroded part of the wall and the land away. This in turn is causing additional erosion of my land. From 2012-2018, I have watched my .48 acre sugar sand beach decrease and lose all the sugar sand due to erosion throughout each season. At first I only thought the water was extremely high in the spring each year, but I quickly realized that some of the highest levels on my beach front were actually in mid to late October. We are currently in the process of having our land surveyed, and I wanted to wait to write this letter until I found out exactly how much land and elevation we have lost, but the surveyor has been delayed by other projects. It is estimated that we have lost approximately 1 foot of elevation at the water's edge and have approximately .33 acre of land on the lake side.

I have attended both the red barn meeting and the hearing at the Bridgewater town hall. After listening to other individuals, I have viewed other areas of the lake with eroding shorelines and it is very sad what is happening. By writing this letter and attaching the enclosed pictures (which will show how my beach has transformed in eleven years), I hope you will consider restoring our lake to its natural levels in a hope to allow this beautiful lake to go back to its original clean state.

I appreciate you allowing us to share our experiences and concerns, in an effort to restore the lake to its natural levels.

Sincerely,  
Julie A. Converse

INV OF PRIVACY





Postcard of Bungalo Village – Date unknown (this shows [REDACTED] and Cummings Beach.)



2007 Listing picture for property for sale at [REDACTED] with .48 acre of sugar sand beach.



June 2012



June 19, 2012 – [REDACTED]



July 30, 2012 - sunset



September 2, 2013 –



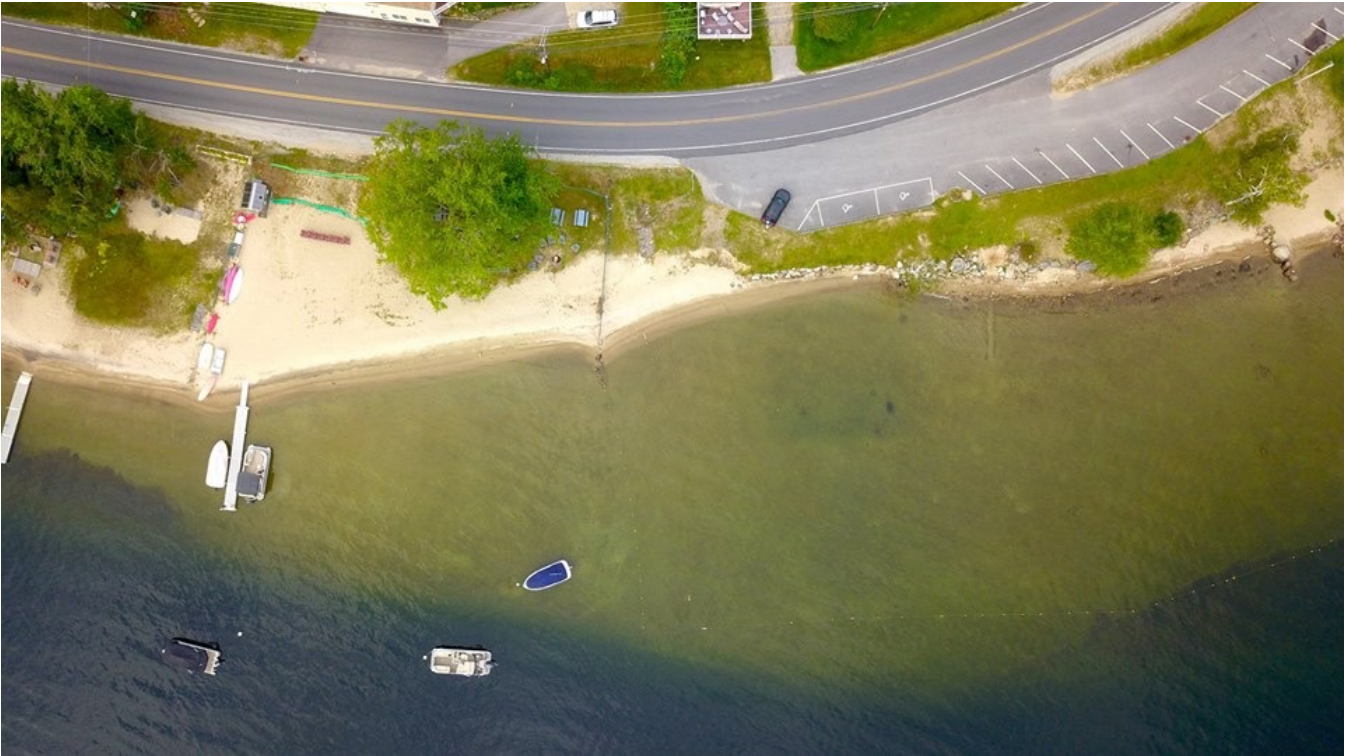
June 19, 2016 – Loss of elevation



June 19, 2016 – loss of elevation

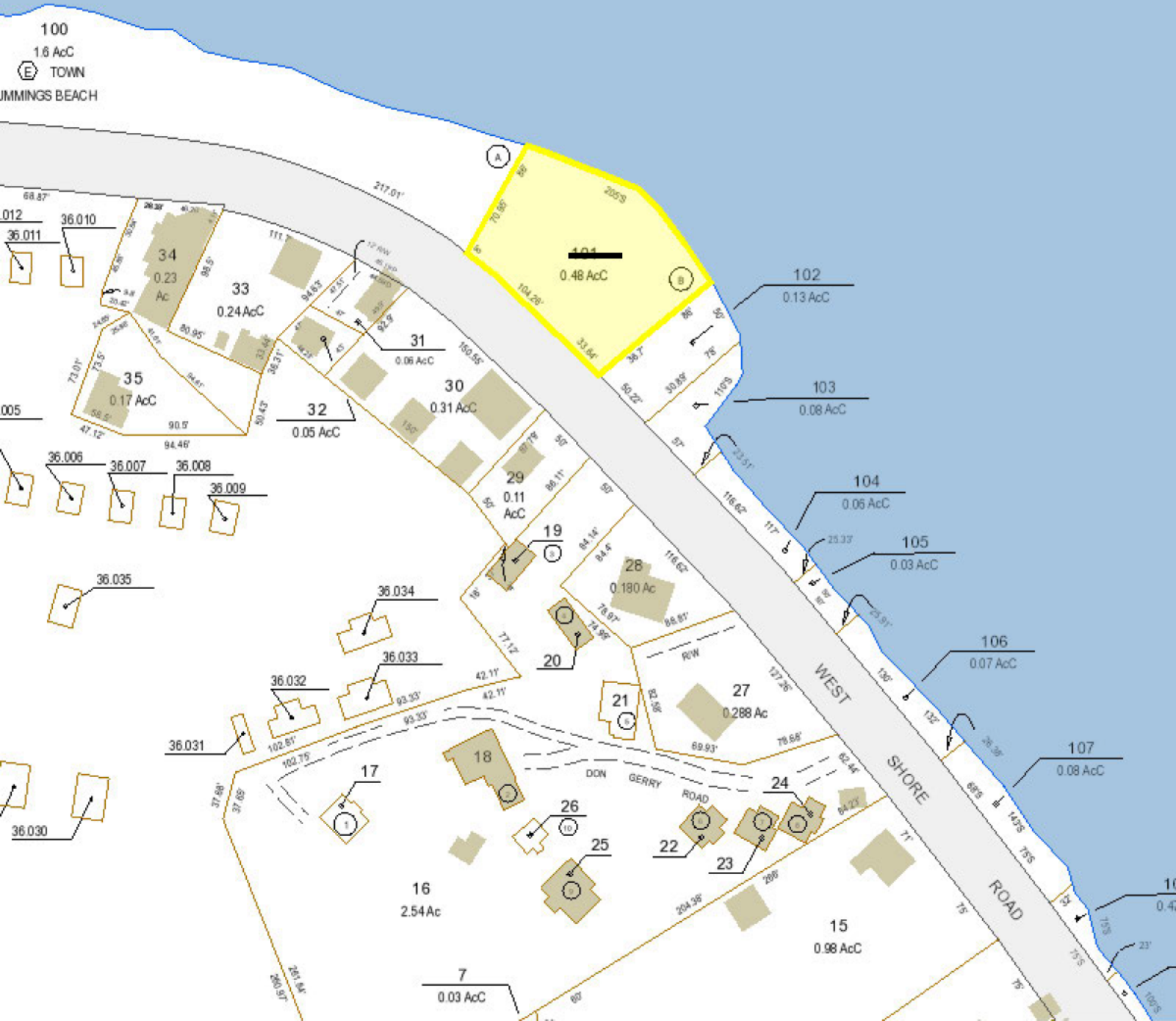


June 19, 2016 – One foot loss of elevation and loss of [REDACTED]



August 31, 2018 – aerial picture from drone.

NEWFOUND LAKE



**Baillargeon, Nancy**

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**From:** Frank DiPietro <[REDACTED]>  
**Sent:** Tuesday, September 25, 2018 12:28 PM  
**To:** Finemore, Kent  
**Subject:** Re: Newfound Lake Level Management

Kent:  
Thank you for your response. I also sent a hard copy directly to you that should arrive in the next day or so.  
Regards, Frank

On Tuesday, September 25, 2018 10:27 AM, "Finemore, Kent" wrote:

Mr. DiPietro –  
Thanks very much for your message, we will add this to the record of testimony received for the Newfound Lake Level Investigation.  
*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

---

**From:** Frank DiPietro [mailto:[REDACTED]]  
**Sent:** Monday, September 24, 2018 8:11 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Level Management

Mr. Kent Finemore  
NH DES  
P.O. Box 95 - 29 Hazen Drive  
Concord, NH 03302-0095

Dear Kent:

On behalf of myself and many other property owners along the shores of Newfound Lake, I'd like to express support for lower lake levels and an improved, proactive change in lake level management. Unfortunately, I was unable to attend last month's hearing in Bridgewater to express my concerns and communicate the challenges and burden that high lake levels and passive dam management have placed on myself, my property and my dwelling. I know many other property owners around the Lake experience challenges like the ones I have outlined below.

I am a property owner at Camp Greenwood Estates Condominium in Bristol, a community of 14 free-standing cottages sharing 240 feet of Newfound Lake shoreline, in the vicinity of Hornet's Cove. My dwelling is located approximately 180 feet from shore and was built with a full basement constructed of concrete block. When I purchased the property in 2001, a simple sump pump served to keep water out of the basement for 3-4 weeks in April following spring thaw. In order to further reduce dampness, eliminate mildew, and ensure greater reliability, an engineered solution was designed and installed in late 2001.

Contractors bidding to install a drainage system determined the spring-time Lake (ground water) level to be slightly lower than the basement floor level. The selected contractor, designed and installed a "French drain" system by excavating the perimeter of the concrete basement floor to the base of the foundation footings, burying perforated pipe and re-pouring the concrete floor. By design, the system directs ground water to an 18 inch deep sump pump pit. Water is evacuated by a heavy duty ½ horsepower electric pump and supplemental 12-volt battery back-up pump. Installation cost of the original system was approximately \$7,000.

Two years later, higher lake levels and relaxed lake level management caused intermittent basement flooding for several weeks early in the year, requiring a diagonal trench be excavated across the basement floor to eliminate water from permeating through the floor. As the condition worsened, a noticeable increase in the pumps' operating frequency, electric consumption and discharge water was experienced. Additionally, the buildings' steel-cased lally columns began showing visible signs of rust and deterioration.

Subsequently, frequency of use caused the first pump to fail in 2007, after 6 years of service. Since 2007, four additional pumps have failed as operating frequency and load consistently increased due to more passive dam management and dramatically greater fluctuations in lake level. Sump pump and valve failure regularly occurs every 18 months, at a parts-only replacement cost of approximately \$350. The increased lake level variability steadily brought about the need to take further action to combat water infiltration and a resulting damp, unhealthy condition in the building.

As conditions worsened, the following actions were taken beyond the above to mitigate circumstance;

- Basement walls were water-proofed in 2011
- A Fan-Air ventilating system was installed in 2012
- In 2014, the basement floor was waterproofed and high-capacity dehumidifier installed

In addition to the loss of sandy beach, erosion of shoreline and other detrimental impacts to the Lake that our community and a great number of other residents around the Lake have experienced, property owners like myself have been burdened with excessive energy consumption and substantial expense to mitigate damage to their buildings and property.

Not only am I a property owner at Camp Greenwood Estates Condominium, since 2003 I have been an elected member of the Board and served as President of the Association. As a community, we have invested heavily to lessen erosion, loss of sand and safeguard our common property. We have spent thousands of dollars sandbagging our shoreline, burying exposed electrical cables and protecting the support footings of the buildings owned by members of our community closest to shore.

I stand fully in support of lower lake levels and a more positive, proactive approach to dam management for Newfound Lake. Please feel free to contact me if you have any questions or comments.

Sincerely,

Frank J DiPietro

INV OF PRIVACY

Bristol, NH 03222

INV OF PRIVACY



September 25, 2018

DES DAM BUREAU

SEP 28 2018

RECEIVED

Mr. Kent Finemore

NH DES

PO Box 95 - Hazen Drive

Concord, NH 03302-0095

Dear Mr. Finemore,

I have been going to Newfound Lake since 1967 when my great Aunt became part owner of Camp Greenwood. There was always plenty of beach to enjoy in front of the cabins that were lakefront, no matter the time of year. Years later, in 1985, my husband and I were lucky to purchase one of the cabins when they were sold individually as Condo units. At that time the lake was still low and there was plenty of beach. We are the sort of people who swim and our kids would play in the sand for hours. There was always enough room on the beach for everyone. In the past few years, we can't even fit a chair on the beach at the beginning of the year, we have to sit between the houses. I'm not sure what happened but the effect on our beach has been significant. I'm sure you have pictures of the devastation to our property. I am enclosing a picture of the beach dated May of 1986. You will note there is 20 or more feet of beach seen in the picture and the cabins are not even visible.

I hope you can do what is necessary to return our beach to it's previous condition.

Sincerely,

*Pamela Thayer*  
*Michael Thayer*  
Pamela and Michael Thayer



Penelope Thayer  
[Redacted]



97-89  
[Postmark]

PHILADELPHIA PA 19103

26 SEP 2018 PM 3:1

Mr. Fred Firemore  
NH DES  
PO Box 95-19 Hazen Drive  
Concord, NH 03302-0095



03302-009595

**Baillargeon, Nancy**

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**From:** Sierra McLane < [REDACTED] >  
**Sent:** Wednesday, September 26, 2018 10:45 AM  
**To:** Finemore, Kent  
**Subject:** I support the lowering of Newfound Lake

Dear Mr. Finemore,

My family has shorefront land on Newfound Lake in Hebron. I favor the lake level reductions proposed by Dr Van De Poll.

Sincerely,  
Sierra McLane

[REDACTED]  
Denali Park, Alaska 99755

**Baillargeon, Nancy**

---

**From:** Finemore, Kent  
**Sent:** Wednesday, September 26, 2018 11:08 AM  
**To:** 'Sierra McLane'  
**Subject:** RE: I support the lowering of Newfound Lake

Ms. McLane –

Thanks very much for your message, we will add this to the record of testimony received for the Newfound Lake Level Investigation.

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

**From:** Sierra McLane [REDACTED]  
**Sent:** Wednesday, September 26, 2018 10:45 AM  
**To:** Finemore, Kent  
**Subject:** I support the lowering of Newfound Lake

Dear Mr. Finemore,

My family has shorefront land on Newfound Lake in Hebron. I favor the lake level reductions proposed by Dr Van De Poll.

Sincerely,  
Sierra McLane

[REDACTED]

**Baillargeon, Nancy**

---

**From:** Karen Corliss <ExecAssist@HebronNH.org>  
**Sent:** Wednesday, September 26, 2018 2:20 PM  
**To:** Finemore, Kent  
**Subject:** Hebron - letter in support of lowering lake levels - Newfound Lake  
**Attachments:** CCE09262018\_0003.pdf

Dear Mr. Finemore,

Attached is a letter from the Hebron Select Board supporting the recommendations for lowering the level of Newfound Lake in hopes of reducing more beach erosion.

For the Board,

Karen  
Karen Corliss  
Town Administrator  
Town of Hebron  
PO Box 188  
Hebron, NH 03241  
[execassist@hebronnh.org](mailto:execassist@hebronnh.org)



## Town of Hebron

PO Box 188  
Hebron, NH 03241  
Phone: 603-744-2631  
[execassist@hebronnh.org](mailto:execassist@hebronnh.org)

September 24, 2018

Kent Finemore, P.E., Asst Chief Engineer, Dam Bureau  
NH Dept of Environmental Services  
P.O. Box 95 - 29 Hazen Dr.  
Concord, NH 03302-0095

Dear Kent Finemore,

Some of the Hebron Select Board members were in attendance at the Public Hearing on August 28 at the Bridgewater Town Hall.

Thank you for orchestrating that well attended hearing.

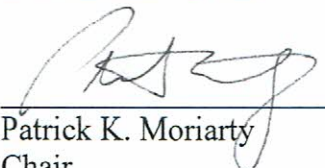
This letter is to put the position of the Hebron Select Board on public record before the Sept 28 deadline.

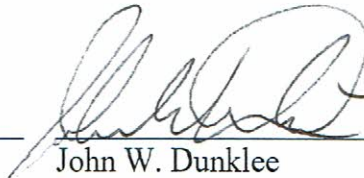
Over the past decade or more, the residents of Hebron have observed the disappearance of much of the beach and adjacent soil and vegetation from the Hebron Town Beach. The actual soil line has eroded to the point where we have had to cut down several large trees, and other trees and bushes are being undercut by wave and high water action. There is good photo documentation of this loss of sand and soil in the submitted testimony of Dr. Rick Van De Poll.

The Town of Hebron requests that the Dam Bureau support the recommendations of Dr. Van De Poll and lower Newfound Lake waters back closer to their historic levels. We hope this action can be taken in the near future as our sand and soil at the Hebron Town Beach continue to be eroded.

Sincerely,

Hebron Select Board

  
Patrick K. Moriarty  
Chair

  
John W. Dunklee  
Vice-Chair

  
Paul S. Hazelton  
Selectman

**Baillargeon, Nancy**

---

**From:** Sandra Symonds <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Wednesday, September 26, 2018 7:06 PM  
**To:** Finemore, Kent  
**Subject:** Lake levels on Newfound

Mr. Finemore:

I have been an owner at Camp Greenwood since 1985 when the camps were sold as condos. I happen to be right on the lake. It astounds me how much beach area we have lost over the years. The water levels have made my front steps unusable as there is now a foot and a half drop from the bottom step, which is a cement slab. It is being shored up by cinder blocks and rocks but I fear that any more erosion will bring that down along with the wooden stairs if I don't detach them. I look at pictures when my son was a baby playing on the beach and there had to be about 20 feet of sand then. It saddens me to see how the shoreline has changed over the years and I would love to have something done to correct this major problem. I know I can't get two feet of sand back to fix my stairs but there has to be better controls of the water levels and the time is NOW! Thank you for your interest and hopefully, support, in rectifying this problem.

Sincerely,

Sandra H Symonds

[REDACTED] INV OF PRIVACY [REDACTED]

**Baillargeon, Nancy**

---

**From:** sue mclane <[REDACTED] >  
**Sent:** Wednesday, September 26, 2018 7:19 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake water levels

Dear NH Dam Bureau,

I have known Newfound Lake since 1975 and seen the slow degradation of the shore line as well as the shore bottom. In the 70's the bottom was sand and it slowly became silty and now there is much plant growth to contend with as I swim along the shore. We used to be able to swim in front the point known as the fish camp to us, where salmon were caught and released and now is completely filled with plants. I attended the hearing in Bridgewater and would support the lowering of the lake levels to see if conditions that existed previously can be restored as well as stopping the erosion that is happening all around the lake.

Sue McLane

[REDACTED]

Hebron, NH



**Baillargeon, Nancy**

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 26, 2018 9:50 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Water Levels

Hi Kent,

I am writing to you to request that the state lower the current Newfound Lake water levels. Our family has owned Newfound shorefront land in Hebron for many years and I have seen the negative effects of higher lake levels firsthand. I have read the testimony of Dr. Van De Poll and completely support the Lake level reductions that Dr Van De Poll proposes." Thank you.

Ryman McLane

Ryman McLane  
INV OF PRIVACY  
[REDACTED]

**Baillargeon, Nancy**

---

**From:** LAURIE DERYNOSKI < [REDACTED] >  
**Sent:** Thursday, September 27, 2018 11:21 PM  
**To:** Finemore, Kent  
**Cc:** [REDACTED]  
**Subject:** Newfound Lake water level management  
**Attachments:** Newfound Lake Level Management 09242018.docx

September 24, 2018

Mr. Kent Finemore  
NH DES  
P.O. Box 95 - 29 Hazen Drive  
Concord, NH 03302-0095

Dear Kent:

On behalf of myself and many other property owners along the shores of Newfound Lake, I'd like to express support for lower lake levels and an improved, proactive change in lake level management. Unfortunately, I was unable to attend last month's hearing in Bridgewater to express my concerns and communicate the challenges and burden that high lake levels and passive dam management have placed on myself, my property and my dwelling. I know many other property owners around the Lake experience challenges like the ones I have outlined below.

I am a property owner at Camp Greenwood Estates Condominium in Bristol, a community of 14 free-standing cottages sharing 240 feet of Newfound Lake shoreline, in the vicinity of Hornet's Cove. My dwelling is located approximately 180 feet from shore and was built with a full basement constructed of concrete block. When I purchased the property in 2001, a simple sump pump served to keep water out of the basement for 3-4 weeks in April following spring thaw. In order to further reduce dampness, eliminate mildew, and ensure greater reliability, an engineered solution was designed and installed in late 2001.

Contractors bidding to install a drainage system determined the spring-time Lake (ground water) level to be slightly lower than the basement floor level. The selected contractor, designed and installed a "French drain" system by excavating the perimeter of the concrete basement floor to the base of the foundation footings, burying perforated pipe and re-pouring the concrete floor. By design, the system directs ground water to an 18 inch deep sump pump pit. Water is evacuated by a heavy duty ½ horsepower electric pump and supplemental 12-volt battery back-up pump. Installation cost of the original system was approximately \$7,000.

Two years later, higher lake levels and relaxed lake level management caused intermittent basement flooding for several weeks early in the year, requiring a diagonal trench be excavated across the basement floor to eliminate water from permeating through the floor. As the condition worsened, a noticeable increase in the pumps' operating frequency, electric consumption and discharge water was experienced. Additionally, the buildings' steel-cased lally columns began showing visible signs of rust and deterioration.

Subsequently, frequency of use caused the first pump to fail in 2007, after 6 years of service. Since 2007, four additional pumps have failed as operating frequency and load consistently increased due to more passive dam management and dramatically greater fluctuations in lake level. Sump pump and valve failure regularly occurs every 18 months, at a parts-only replacement cost of approximately \$350. The increased lake level variability steadily brought about the need to take further action to combat water infiltration and a resulting damp, unhealthy condition in the building.

As conditions worsened, the following actions were taken beyond the above to mitigate circumstance;

- Basement walls were water-proofed in 2011
- A Fan-Air ventilating system was installed in 2012
- In 2014, the basement floor was waterproofed and high-capacity dehumidifier installed

In addition to the loss of sandy beach, erosion of shoreline and other detrimental impacts to the Lake that our community and a great number of other residents around the Lake have experienced, property owners like myself have been burdened with excessive energy consumption and substantial expense to mitigate damage to their buildings and property.

Not only am I a property owner at Camp Greenwood Estates Condominium, since 2003 I have been an elected member of the Board and served as President of the Association. As a community, we have invested heavily to lessen erosion, loss of sand and safeguard our common property. We have spent thousands of dollars sandbagging our shoreline, burying exposed electrical cables and protecting the support footings of the buildings owned by members of our community closest to shore.

I stand fully in support of lower lake levels and a more positive, proactive approach to dam management for Newfound Lake. Please feel free to contact me if you have any questions or comments.

Sincerely,

Frank J DiPietro

INV OF PRIVACY

Bristol, NH 03222

INV OF PRIVACY

**Baillargeon, Nancy**

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**From:** Jennifer Dumark [REDACTED]  
**Sent:** Thursday, September 27, 2018 12:04 PM  
**To:** Finemore, Kent; Bill Robertie  
**Subject:** Investigation of Inland water levels Newfound Lake

Good afternoon Mr. Finemore,

We spoke on the phone almost 2 weeks ago as I had some questions regarding what the meeting had been about. If I recall our conversation it largely had to do with the dam and water level on Newfound. It sounds as though there is a petition to start lowering the lake level earlier in the summer and keeping it lower later in the spring.

I wanted to reach out because I have some concerns with this and how, especially if we were to experience a period of time without significant rainfall or have a winter with less snowfall this would impact the water table.

I live in Hebron on the Cockermouth river with a dug well approx. 75 feet back from the river. I have noticed that when there is a drought and when the lake water level is low, the river water level is also low. Generally during these times we try to conserve our water usage as I get worried that the well may run low. I am concerned if this lower water level for the lake were to happen over a longer period of time it may impact the water table in the area and could impact wells around the lake/rivers that feed it.

Another concern that I have in regards to the lake water level being low and the river also being low is we recently allowed the town to put a dry hydrant on our property into the cockermouth river. If the river were to get too low this could impact the use of the dry hydrant.

It seemed that there was concern regarding flooding in the fall and spring as a reason the lake level investigation was brought about, if this were the case could it be looked into opening the dam when there is a large amount of precipitation in the forecast, or when there is a rapid snow melt anticipated? Instead of lowering the lake water level for a longer period of time.

Also, I think it was mentioned somewhere the need for residents around the lake to repair walls- if this is the case could it be looked into as a once every so many years (5 or so) to lower the water level earlier in the late summer/fall for those repairs to be made?

My family owns lakefront property in Bridgewater and where we are it seems we are fortunate enough to not need to repair our walls because the water is shallow and when the lake is low the water does not come up to the walls. We do experience some problems down there with low lake levels though, where our moorings are is about knee deep when the lake begins to get lower in late August/early September. This would become a larger problem for us if the lake level were lower longer during the boating season or on a regular basis.

Please let me know if you are able to look into any of the concerns regarding water table levels, effects upstream to the rivers and area wells.

I was wondering if you were able to get additional input, I am not sure how much information was out in the community on this as my uncle heard it from someone in town and sent me the announcement after the meeting but I have not heard a lot about this in general nor have our neighbors who also own waterfront in Bridgewater.

Thank you for your time!

Jennifer Dumark/ William J. Robertie Jr



**Baillargeon, Nancy**

---

**From:** Steve Maloney < [REDACTED] >  
**Sent:** Friday, September 28, 2018 11:16 AM  
**To:** Finemore, Kent  
**Subject:** lake

Dear Sir'

My name is Steve Maloney and I live at [REDACTED] Bridgewater NH. 03222 and I have shorefront on the east side of Newfound Lake. This area where Whitemore brook empties into the lake is very shallow and any further drawdown of the lake would create further problems for the shore front owners in this area.

Thank You,  
Steve M.

**Baillargeon, Nancy**

---

**From:** McLane, Andy <[REDACTED]>  
**Sent:** Monday, October 01, 2018 2:18 PM  
**To:** Finemore, Kent  
**Subject:** Water Level Management on Newfound Lake

Mr. Kent R. Finemore  
NH Department of Environmental Services – Dam Bureau  
PO Box 95  
29 Hazen Drive  
Concord NH 03301

Dear Mr. Finemore,

I am writing in support of the testimony and recommendations of Dr. Rick Van de Poll to lower water level targets on Newfound Lake, as detailed in his letter of August 30, 2018 to Jim Gallagher at the NHDES Dam Bureau. I have been coming to Newfound Lake during all seasons since my youth in the 1950s and currently own shorefront property in the towns of Hebron and Bridgewater.

Seasonal lake level targets were raised by the Dam Bureau in 1982, which has resulted in a cumulative effect over the years of serious sandy beach and turf line erosion. This damage has been most visible since about 2012. Delta build-up and increased aquatic bed growth are especially evident at the mouths of the Cockermouth and Fowler Rivers. The greatest amount of damage occurs in the Spring during and following ice-out in the months of April, May and June. The recommendation is to decrease seasonal target levels by 0.5 feet, such that the highest target in the Spring (June 1) does not exceed 5.5 feet on the gauge, lowering the level during the summer months, and then begin dropping the level further after Labor Day to 3.0 feet on the gauge during the Winter months. Beginning April 1, the target level would be gradually raised to the June 1 target of 5.5 feet on the gauge.

My comments are entered as a private shorefront property owner, but I also speak with a voice of concern for lakefront lands enjoyed by the public, such as the Hebron Town Beach, the Bristol (Cummings) Town Beach and Wellington State Park. Protecting these public properties should be of particular concern to NHDES and the Dam Bureau.

Thank you for your consideration. Sincerely,

P. Andrews McLane

This message is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to other confidentiality protections. If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.



**Baillargeon, Nancy**

---

**From:** Rick Van de Poll <[REDACTED]>  
**Sent:** Thursday, October 11, 2018 11:06 AM  
**To:** Gallagher, Jim  
**Cc:** Finemore, Kent; Mattaini, Dan; Douglas McLane; Boyd Smith; Rob C. Moore  
**Subject:** Newfound Interim Lake Level Proposal

Dear Jim & Kent;

I am writing to inquire about the "Interim Lake Level Management" proposal I sent to you on September 4th. According to my records, the official public notice for feedback ended on September 28 and now that we're past Columbus Day I had hoped to hear back to you about the general response, as well as about the proposed lake levels I suggested at the August hearing. At that time you said they would provide a good basis for further discussion about an "interim lake management strategy."

I had also hoped that you had begun to implement such temporary measures as we have requested to lower the lake level before the fall erosion concerns kick back in with earnest. Today I see that the level is at 586.3 or just below the 1982 Columbus Day target level, which is a full 1.5 feet above what I proposed. It is apparent that there has been no change thus far to the status quo.

It may be of interest for you to know that I have begun the process of monitoring the lake level effects in greater detail by establishing long-term grade stakes and photo points at the mouth of the Cockermouth River. I will continue to establish grade stakes elsewhere on the lake in order to provide a more quantitative loss of beach and turf lines to erosion, as well as to document the depth of deltaic materials at the Cockermouth and Fowler Rivers.

During my last field day with Doug, we discussed the possible basis for the 1982 decision to raise lake levels, and realized that the marina may have had a lot to do with this. If that was the case, a review of the testimony during that lake level change process would be pertinent and of interest to us. Is that something we could put our hands on? And if so, should we put in a 91-A request?

Finally, we are also curious about the dam release strategy under a new management approach. Would that entail a pre-storm release sufficient to maintain the new levels or would it mimic the mostly after-the-fact approach for smaller to medium storm events that we are seeing now?

Thanks for getting back to me as soon as you can. The steady rains today and the loss of our beautiful foliage has reminded me of what is likely to come post-growing season in the Newfound watershed.

Rick

--

Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC  
30 N. Sandwich Rd  
Center Sandwich, NH 03227  
[REDACTED]

**Baillargeon, Nancy**

---

**From:** Rick Van de Poll [REDACTED]  
**Sent:** Sunday, November 25, 2018 7:13 PM  
**To:** Gallagher, Jim  
**Cc:** Boyd Smith; Finemore, Kent; Mattaini, Dan; Doug McLane  
**Subject:** Re: Newfound Interim Lake Level Proposal

Jim;

Thanks for the update. I'm somewhat disappointed to hear this result, as it is still a full foot above the former natural mean lake level. Going to 3.5 feet is just a half-foot of a gain during the winter months when, as far as I know, fish are no longer spawning. It also makes me wonder what the round whitefish did before the dam was in place? I've spoken to Ben about this, and it appears that the spawning bed depth has shifted since the higher lake levels have been in place, i.e. that they were likely lower before the dam to begin with.

I know that the summer levels are still needing to be worked out, and hopefully, without the spawning issue, we can make progress towards the 5.5 foot maximum I proposed. As you know, this is a critical time of year when boat wakes can have the greatest impact.

I will be monitoring the grade stakes we set as well as the aquatic bed depths off Hebron Beach. I was hoping to see low winter levels encourage a gradual deepening of the Cocker mouth and Fowler River deltas and scouring of the several thousand yards of material that has been accumulating for over 40 years now. We'll see how this pans out.

Let's keep in touch.

Rick

On Sun, Nov 25, 2018 at 6:23 PM Gallagher, Jim <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)> wrote:

Rick,

When we met with NHFG, they wanted the drawdown depth to be limited to -3.5 feet rather than -3.0 feet that you proposed. After observing the spawning sites, they determined that the 6-inch difference is necessary to keep cover on the spawning beds. They had no other suggested changes to your proposed changes. As a result we will be bringing the lake level down to -3.5 for the winter. We also plan to hold another public meeting after the holidays to get input on the plan for the recreation season.

Thanks,

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

New Hampshire Department of Environmental Services

P.O. Box 95

29 Hazen Drive

Concord, NH 03302-0095

(603) 271-1961 Tel

(603) 271-2982 Fax

[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

**From:** Rick Van de Poll [m ██████████]  
**Sent:** Monday, November 19, 2018 10:19 AM  
**To:** Gallagher, Jim  
**Cc:** Boyd Smith; Finemore, Kent; Mattaini, Dan; Doug McLane  
**Subject:** Re: Newfound Interim Lake Level Proposal

Hi Jim;

Any progress with meeting with Fish & Game folks? I take it we're well out of spawning season at this point.

Rick

On Mon, Oct 29, 2018 at 1:44 PM Gallagher, Jim <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)> wrote:

Boyd,

We're working to schedule a meeting with NH Fish and Game on the proposed change in operation.

Thanks,

Jim

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Chief Engineer

New Hampshire Department of Environmental Services

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[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

---

**From:** Boyd Smith [mailto: [REDACTED]]  
**Sent:** Monday, October 29, 2018 12:54 PM  
**To:** 'Rick Van de Poll'; Gallagher, Jim  
**Cc:** Finemore, Kent; Mattaini, Dan; 'Douglas McLane'  
**Subject:** RE: Newfound Interim Lake Level Proposal

Hi Jim, Kent, and Dan. Looking at the NHDES data for Newfound today, it appears we are just below the 1982 Columbus Day target of 586.5, thus no additional drawdown per Rick's and NLRA's proposals.

Can you please provide an update as to the Dam Bureau's intentions and schedule?

Thanks,

Boyd

---

**From:** Rick Van de Poll [mailto: [REDACTED]]  
**Sent:** Thursday, October 11, 2018 11:06 AM  
**To:** Jim Gallagher  
**Cc:** [Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov); Mattaini, Dan; Douglas McLane; Boyd Smith; Rob C. Moore  
**Subject:** Newfound Interim Lake Level Proposal

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[REDACTED]

[REDACTED]

--

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[REDACTED]

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Center Sandwich, NH 03227

[rickvdp@gmail.com](mailto:rickvdp@gmail.com)

[www.rickvandepoll.com](http://www.rickvandepoll.com)

**Baillargeon, Nancy**

---

**From:** Boyd Smith [REDACTED]  
**Sent:** Monday, November 26, 2018 4:17 PM  
**To:** 'Rick Van de Poll'; Gallagher, Jim  
**Cc:** Finemore, Kent; Mattaini, Dan; 'Doug McLane'  
**Subject:** RE: Newfound Interim Lake Level Proposal

Hi Jim. This is a step in the right direction, with the other key element a more proactive management of rain events and water levels to meet the targets (they were exceeded by ~6" over recent years).

Please keep NLRA in mind to help advertise anything you want to share with the public, or if you need ideas for where to hold a public forum.

Thanks,

Boyd

---

**From:** Rick Van de Poll [REDACTED]  
**Sent:** Sunday, November 25, 2018 7:13 PM  
**To:** Jim Gallagher  
**Cc:** Boyd Smith; Kent.Finemore@des.nh.gov; Mattaini, Dan; Doug McLane  
**Subject:** Re: Newfound Interim Lake Level Proposal

Jim;

Thanks for the update. I'm somewhat disappointed to hear this result, as it is still a full foot above the former natural mean lake level. Going to 3.5 feet is just a half-foot of a gain during the winter months when, as far as I know, fish are no longer spawning. It also makes me wonder what the round whitefish did before the dam was in place? I've spoken to Ben about this, and it appears that the spawning bed depth has shifted since the higher lake levels have been in place, i.e. that they were likely lower before the dam to begin with.

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Chief Engineer

New Hampshire Department of Environmental Services

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[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

**From:** Rick Van de Poll [mailto:████████████████████]  
**Sent:** Monday, November 19, 2018 10:19 AM  
**To:** Gallagher, Jim  
**Cc:** Boyd Smith; Finemore, Kent; Mattaini, Dan; Doug McLane  
**Subject:** Re: Newfound Interim Lake Level Proposal

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**Sent:** Monday, October 29, 2018 12:54 PM  
**To:** 'Rick Van de Poll'; Gallagher, Jim  
**Cc:** Finemore, Kent; Mattaini, Dan; 'Douglas McLane'  
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Boyd

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**From:** Rick Van de Poll [mailto:████████████████████]  
**Sent:** Thursday, October 11, 2018 11:06 AM  
**To:** Jim Gallagher  
**Cc:** [Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov); Mattaini, Dan; Douglas McLane; Boyd Smith; Rob C. Moore  
**Subject:** Newfound Interim Lake Level Proposal

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30 N. Sandwich Rd

Center Sandwich, NH 03227

[REDACTED]

[REDACTED]

--

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[REDACTED]

[REDACTED]

--

Rick Van de Poll, PhD

Ecosystem Management Consultants of New England, LLC

30 N. Sandwich Rd

Center Sandwich, NH 03227

[REDACTED]

20181231 am 1045 R

**Baillargeon, Nancy**

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**From:** Gallagher, Jim  
**Sent:** Monday, December 31, 2018 10:45 AM  
**To:** 'Rick Van de Poll'; Boyd Smith  
**Cc:** Mattaini, Dan; Finemore, Kent  
**Subject:** FW: Newfound Lake  
**Attachments:** Newfound plan for Fall 2018 and into 2019.pdf

Rick and Boyd,

FYI

Jim

James W. Gallagher, Jr. P. E.  
Chief Engineer  
New Hampshire Department of Environmental Services  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-1961 Tel  
(603) 271-2982 Fax  
[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

---

**From:** Alex Bonner [mailto: **INV OF PRIVACY** ]  
**Sent:** Thursday, December 20, 2018 9:25 AM  
**To:** DES: Watershed  
**Subject:** Newfound Lake

I live on the shore of Newfound Lake and I notice that the lake level is dramatically lower than in years past after the normal fall draw down. Clearly, this current level is problematic for property owners like myself and all around the lake and I see no reason or explanation for this change i.e. there is nothing on the DES website and I can find nothing about it with the help of google. Are there any published documents about this change?

I would appreciate knowing the reason for this change and what is to be expected going forward. Especially, will the lake level be returned to the traditional levels in the spring?

Thank you

Alex Bonner  
**INV OF PRIVACY**

Sent from [Mail](#) for Windows 10

**Baillargeon, Nancy**

---

**From:** Rick Van de Poll [REDACTED]  
**Sent:** Monday, December 31, 2018 2:18 PM  
**To:** Gallagher, Jim  
**Cc:** Boyd Smith; Mattaini, Dan; Finemore, Kent; Doug McLane  
**Subject:** Re: Newfound Lake

Jim;

Thanks for the forward from Alex Bonner. I will email him separately and explain the situation. It appears he missed all of the public notices, meetings and hearings. As you predicted, some people will no doubt be "shocked" at the low water levels under the proposed new management. I figure that if half the folks are against me and half for me I'm doing my job. I'm sure you can relate.

As for the chart, I appreciate your commitment to putting the proposed operating curve on paper, although I believe it reflects what I had proposed and not what you worked out with Fish & Game. Your "3.5" line looks to actually be 3.0, so if I'm correct, you need to bump that line up a notch. We'll see how this all works out this year.

Happy New Year to you as well!

Rick

On Mon, Dec 31, 2018 at 10:46 AM Gallagher, Jim <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)> wrote:

FYI. The attachment didn't come with the original email. That is our chart.

Happy New Year,

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

New Hampshire Department of Environmental Services

P.O. Box 95

29 Hazen Drive

Concord, NH 03302-0095

(603) 271-1961 Tel

(603) 271-2982 Fax

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**Cc:** Mattaini, Dan; Finemore, Kent  
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Rick and Boyd,

FYI

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

New Hampshire Department of Environmental Services

P.O. Box 95

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[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

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**Subject:** Newfound Lake

I live on the shore of Newfound Lake and I notice that the lake level is dramatically lower than in years past after the normal fall draw down. Clearly, this current level is problematic for property owners like myself and all around the lake and I see no reason or explanation for this change i.e. there is nothing on the DES website and I can find nothing about it with the help of google. Are there any published documents about this change?

I would appreciate knowing the reason for this change and what is to be expected going forward. Especially, will the lake level be returned to the traditional levels in the spring?

Thank you

Alex Bonner

████████████████████

Sent from [Mail](#) for Windows 10

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Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC  
30 N. Sandwich Rd  
Center Sandwich, NH 03227



**Baillargeon, Nancy**

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**From:** DES: DamSafety  
**Sent:** Friday, January 04, 2019 9:26 AM  
**To:** Finemore, Kent; Mattaini, Dan  
**Cc:** Gallagher, Jim  
**Subject:** FW: Newfound Lake Level Petition

I'm not certain who may be best to reply to this request.

Steve

---

Steve N. Doyon, PE, Administrator  
Dam Safety & Inspection Section  
NH Dept. of Environmental Services - Dam Bureau  
P.O. Box 95  
Concord, NH 03302-0095

Telephone:  
(603) 271-1966 – desk  
(603) 724-5630 – cell  
<http://des.nh.gov/organization/divisions/water/dam/index.htm>

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**From:** Alex Bonner [mailto: [REDACTED] ]  
**Sent:** Thursday, January 03, 2019 5:55 PM  
**To:** DES: DamSafety  
**Subject:** Newfound Lake Level Petition

I understand that a complaint was filed with NHDES sometime this year by a number of petitioners regarding the lake levels in Newfound Lake and subject to RSA 482:79 Investigation of Levels of Inland Waters. Subsequently and as a result, NHDES changed their policies regarding lake levels on Newfound Lake.

Accordingly, I would appreciate your help in obtaining a copy of the complaint including the signatures of the petitioners and copies of the findings as well as any new policies that resulted from this complaint/investigation.

Thank you

Alex Bonner  
[REDACTED]  
Bristol, NH 03222

Sent from [Mail](#) for Windows 10



**Baillargeon, Nancy**

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**From:** Tim Jones [REDACTED]  
**Sent:** Saturday, February 23, 2019 11:41 AM  
**To:** Finemore, Kent  
**Subject:** Question regarding Newfound Lake?

Kent,

I'm wondering if any consideration was given to timing discharges from Newfound Lake to provide whitewater paddling opportunities on the Newfound River. It's a lovely section of river that's rarely run because the flows are so unpredictable and hard to catch.

With the move to stabilize flows and create a whitewater park on the Winnepesaukee River, more paddlers will be drawn to the area. This might be another opportunity to boost the local tourism economy.

Looking forward to you reply.

Tim

--

Tim Jones  
Executive Editor  
EasternSlopes.com  
[REDACTED]



**Ecosystem Management Consultants, LLC  
c/o Rick Van de Poll, Ph.D.  
30 No. Sandwich Rd.  
Center Sandwich, NH 03227**

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February 26, 2019

To:

Jim Gallagher, P.E., Chief Engineer  
Kent Finemore, P.E. Assistant Chief Engineer  
NHDES Dam Bureau  
PO Box 85 29 Hazen Drive  
Concord, NH, 03301

From:

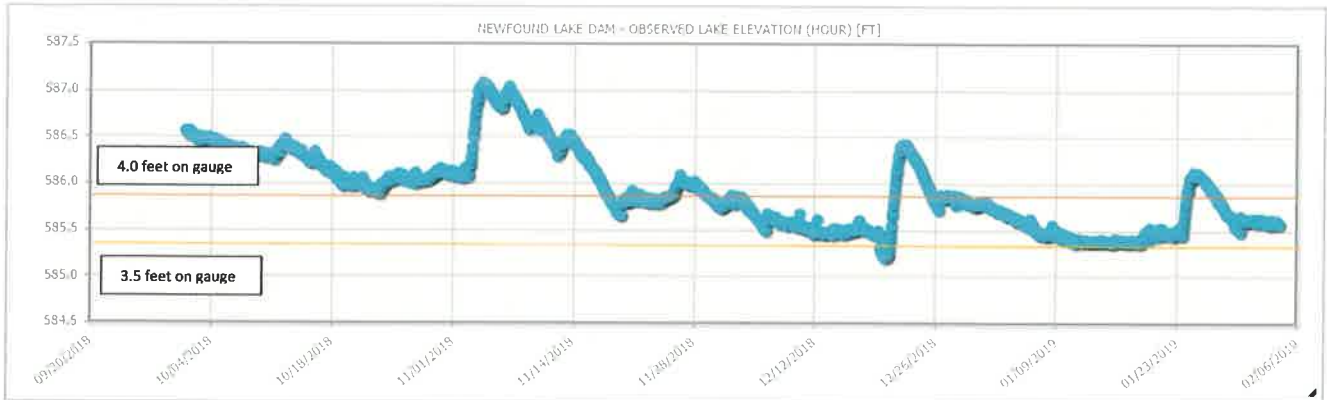
Rick Van de Poll, Ph.D.  
Ecosystem Management Consultants

Re: Additional Written Testimony relative to lake level management at Newfound Lake

Dear Jim and Kent;

The North Shore landowners appreciate you coming back to Newfound Lake to receive more comments and testimony regarding the 'Interim Operation Plans' for lake levels at Newfound. Since last summer's hearing on lake level management as per RSA 482:79, we have continued to monitor erosion sequences around the lake and have established grade stakes and stream profile markers to help document long-term trends. We noted during this time that the interim lake levels we proposed in September have not yet been met, in spite of the two month delay in coordinating with NH Fish & Game relative to spawning beds. Whereas we recognize that the lowest lake levels they recommend (3.5 feet on the gauge) are critical for maintaining the spawning beds for round whitefish, we note that this target level has only been achieved once during the time period of Columbus Day and today's date.

We actually proposed a drawdown beginning after Labor Day in order to achieve the lowest lake level by Columbus Day, yet this year's data shows that it wasn't until November 19<sup>th</sup> that the lake level was allowed to drop below the 1982 Columbus Day target of 4.0 feet. Since that time the level has been held well above the 3.5 foot target minimum. With the exception of a single day before a storm on December 21<sup>st</sup>, the level has been well above 3.5 feet and even reached 4.5 feet on December 23<sup>rd</sup> and 4.22 feet on January 25<sup>th</sup>. The only time it rested near the winter target was between January 11<sup>th</sup> and 19<sup>th</sup>. The following graph has been downloaded from your web site in order to illustrate these data points of concern:



You will recall that in our letter of September 4, 2018, we noted the following concerns relative to the higher than natural lake levels at Newfound:

- 1) **Loss of sandy beach and turf line**
- 2) **Excessive siltation and deposition of organic material by the two major inflow rivers**
- 3) **Increase in aquatic bed growth**
- 4) **Inshore currents have changed**
- 5) **The nutrient residence time appears to have shifted**

Whereas we did notice some scouring of the inflow bed at the Cockermouth River in January, we still have concerns about spring high water deposits close to shore. I would hope that the Dam Bureau can realize the 3.5 minimum (or even lower) prior to some of the spring meltwater events so we can get a good scour in the channel. Meanwhile, I would like to again state for the record our current position on the 'interim lake level management' recommendations:

- ❖ **Drop the summer (June 1<sup>st</sup>) target by .5 feet to 5.5 feet on the gauge**
- ❖ **Gradually lower the lake level beginning on Labor Day and ending on Columbus day to 3.5 feet on the gauge**
- ❖ **Hold this level until March 30<sup>th</sup>, whereupon the level can be gradually increased until June 1<sup>st</sup>**
- ❖ **To the extent practicable, hold each level to at or below the target, not above**

Respectfully submitted;

Rick Van de Poll, Principal  
Ecosystem Management Consultants

**Baillargeon, Nancy**

---

**From:** Fred D'Amore <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Wednesday, February 27, 2019 8:20 AM  
**To:** Finemore, Kent  
**Subject:** lower levels on Newfound

Kent, I attended last night's meeting in Bristol.

One on the questions that I thought of after the meeting.

As planned the lake will be lowered by approx. 6 inches sometime between April & May 2019.  
How will the lower levels affect the current shore line, How much extra shore line will be exposed?

If you creating an email contact list, for future/addition info. Please add my association's contact info.

[REDACTED]

THANKS

## Baillargeon, Nancy

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**From:** Steve Gunn <[REDACTED]>  
**Sent:** Wednesday, February 27, 2019 10:45 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake level Management

Good morning,

Thank you for your time last night , I do have some major concerns.

The lake has been managed under a plan for more than 40 years, I fail to see the urgency to implement a new plan based on the results of a single public meeting.

It was stated that a majority of those present at the August meeting and comments following the meeting were mainly in favor of the proposal.

Could that be due to the fact that the meeting wa heavily populated by those that were either part of the petition or those notified by the petitioners to attend or provide feedback.

It was stated that the meeting was was quickly put together and that the notification was limited at best.

I think we all have a vested interest in keeping Newfound Lake as pristine as possibly and perhaps the proposal is in the lakes best interest, but perhaps it is not the best approach.

I honestly do not feel that enough investigation has gone into this proposal and that it is perhaps one sided.

It was even stated that the Fish & Game did not participate in the meeting.

The potential Loon nesting issue was just brushed over, have the right people been involved in this short time frame.

The ability of providing fire protection certainly did not appear to have come to light until last night.

Just a couple of examples of why this proposal should be delayed as further research is done.

Do we really want to potentially jeopardize the small loon population or potential jeopardize lives and property to perform a test on lake levels.

It takes more than a year to get basic permits that are required by property owners around the lake, yes even for matters that could protect the lake from unwanted erosion and runoff. Why do we need to move so rapidly on changing the lake levels throughout the year.

This whole process leaves the impression that a select group, who call themselves "The Stake Holders" are in fact the ones making the decisions, why would that be?

Is it possible that the lower lake level would allow for higher temperatures in parts of the lake? What is the impact from that? Algae bloom, weed growth, change spawning habitats? If we do not have answers, then we are moving too quickly and do not have the right people yet involved.

I failed to obtain a copy of the chart that shows the proposal( well I guess not a test), Is it possibly to get one e-mailed back to me?

How does one petition the state to get this proposal postponed?

Not all of us have deep pockets and it seems that is what is driving this it happen so quickly.

Again, over 40 years under a lake level plan and now all of a sudden we have an erosion issue, I saw pictures of cinder blocks under the erosion slide, well cinder blocks are not proper devices to limit erosion!

let's take our time and get this right. Our lake is too precious to just "test" some theories of how best to protect it.

Thanks for you time.

Steve

**Baillargeon, Nancy**

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**From:** Tom Lincoln <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Friday, May 03, 2019 6:30 PM  
**To:** Finemore, Kent  
**Subject:** Re: Lake level concern

Lake is so low the boat ramp is unusable

Sent from my iPhone

> On May 3, 2019, at 5:11 PM, Tom Lincoln <[REDACTED] INV OF PRIVACY [REDACTED]> wrote:

>

> Hi Kent

>

> Thank you for collecting feedback with regards to the new planned lower lake level. Please add me to the list of people who are NOT happy with the present low level (currently 20 inches below the old June 1st target). While I have read all the reasons some people want it lower, this current level is ridiculous. I was planning on putting my boat in but not even sure it will work. The rocks that come into play at this level are going to cause safety concerns. They literally dropped it 17 inches in last week. Please stop ! It's a lake - it's supposed to be full of water.

>

> Thanks

> Tom

>

> Sent from my iPhone

**Baillargeon, Nancy**

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**From:** INV OF PRIVACY  
**Sent:** Monday, May 06, 2019 8:08 AM  
**To:** Finemore, Kent  
**Cc:** Gallagher, Paul; 'Nick Sideris'; 'Al Davenport'; McAuley, Chris; 'Barry, Paul'; Sideris, Jean  
**Subject:** Lake Level Investigation Hearing - Newfound Lake - PLCA  
**Attachments:** NH DES Letter Lake Level Meeting20190214\_15513551.pdf

Dear Mr. Finemore,

Following notice of the public meeting scheduled for February 26, 2019, the Paradise Lodge Condominium Association has not found any further communication on the NHDES website regarding the “interim operational plans for the Newfound Lake Dam”. Yesterday the level of the lake was observed to be considerably lower than usual for this time of year while the level of the river in downtown Bristol appeared to be higher.

Please provide an update on your progress in implementing the above “interim operational plan” as PLCA owners are concerned what impact it may have on our mooring field for the 2019 season. With the next association meeting scheduled for Memorial Day weekend, we need to be in a position to respond to questions raised regarding this matter.

Thanks in advance,

Todd Buck  
President  
Paradise Lodge Condominium Association

INV OF PRIVACY



The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF ENVIRONMENTAL SERVICES  
DAM BUREAU - WATER DIVISION  
CONCORD, NH  
NOTICE OF PUBLIC HEARING**

In accordance with RSA 482:79, notice is hereby given that the New Hampshire Department of Environmental Services, Water Division (NHDES), will hold a public meeting related to an investigation of levels of inland waters (Lake Level Investigation) at Newfound Lake at 6:00 PM February 26, 2019 at the Minot-Sleeper Library, 35 Pleasant Street, Bristol, NH.

Newfound Lake is located in the towns of Bristol, Alexandria, Bridgewater, and Hebron, NH. NHDES held a public hearing relative to a petition to conduct a LLI on August 28, 2018, and much of the testimony received at the hearing and during the comment period supported a lowering of lake levels at Newfound Lake throughout the year. NHDES seeks to inform the public of interim operational plans for the Newfound Lake Dam and to collect further data and testimony.

NHDES will provide a brief presentation on the Newfound Lake Dam including the history of ownership and operations and the petition for a Lake Level Investigation that NHDES is currently conducting. Following that, the meeting will be opened to hear comments from interested parties. Questions and/or written comments may be directed to:

Kent R. Finemore, P.E., Assistant Chief Engineer, Dam Bureau  
NH Department of Environmental Services  
P.O. Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566

or e-mail to [Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

Robert R. Scott  
Commissioner

Dated: January 18, 2019

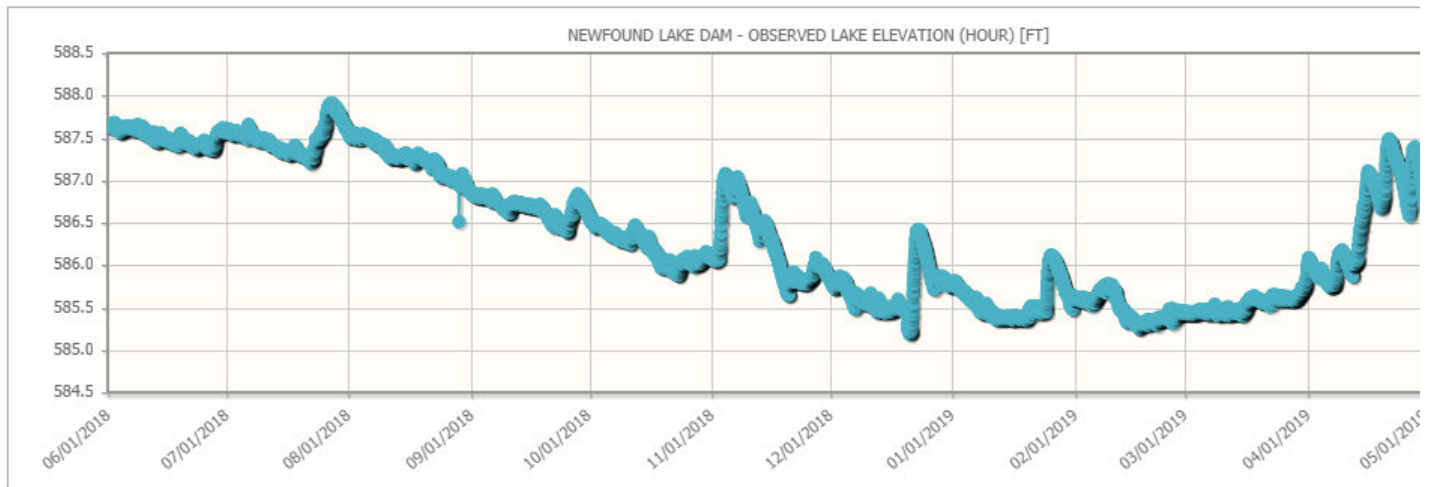


**Baillargeon, Nancy**

**From:** Rick Van de Poll [REDACTED]  
**Sent:** Tuesday, May 07, 2019 10:55 AM  
**To:** Boyd Smith  
**Cc:** Gallagher, Jim; Finemore, Kent; Andrew Veilleux; Mattaini, Dan  
**Subject:** Re: Newfound lake levels - NLRA and Dam Bureau  
**Attachments:** Cockermouth River profile data - VdP.pdf

Boyd et al;

Doug and I completed our spring versus fall comparisons at the Cockermouth River yesterday. To summarize what I think you were trying to say, Boyd, the "interim lake level management" plan is still a work in progress. We reached the normal Columbus Day target as we have in the past (4.5 feet) but didn't really reach the winter low water target of 3.5 feet until early January. With a few meltwater exceptions, we held that until March 15th, when we began to see spring melt all through April. See below.



The Spring pulse was expected but it appears we haven't quite worked out the release schedule ahead of spring rains. I'm not sure whether the decision to hold it higher was on account of flood concerns, but we noticed that the lower stoplogs weren't removed until May 1st, allowing the levels to come back down to within expected ranges.

In spite of some higher than hoped for levels in fall and spring, we did make some gains on the Cockermouth River flushing. The attached pdf shows that at least some of the late fall and early winter flows expanded the wetted perimeter by 18.4 feet and increased the cross-sectional flowpath by 70.4 s.f. The scour moved a fair amount of sediment farther out into the lake, as evidenced by trapped logs well off shore and depths of less than two feet yesterday. Hopefully some of this sediment will relocate back onto the beach as we bring water levels back up and onshore currents move this unstable material about. The grade stakes at Hebron Town Beach did exhibit more erosion, however, which may be a result of greater ice action at lower depths. While a definitive number cannot be stated, all three grade stakes sets showed a steepening slope to the beach even though no more turf erosion was observed.

We will continue to monitor these grade stakes as we achieve high water levels at 5.5 feet on the gauge by June 1st. Given the regular rains we've been having, it shouldn't be too hard to bring the level up another foot over present levels by then and reach that target. Hopefully, the latter will offset some of the boating concerns

that are already being expressed. Let me know if you have any questions about the data, or need back-up for fending off irate citizens!

Best,

Rick

On Mon, May 6, 2019 at 3:14 PM Boyd Smith [REDACTED] wrote:

Hi Gang. So, we all know there is a bunch of commentary going around on Facebook, as well as direct inquiries to Dam Bureau about Newfound Lake levels. I'd like to coordinate any responses, should we decide to make clarifying statements.

I am seeking to understand current water levels with respect to the Interim Management Plan. Looking at the DES web site, the June target level is at 588 ft. elevation and we are currently below the Columbus Day target.

From our joint FAQ sheet (How different is the "Interim Lake Level Management Plan" from the existing one?):

In general, it differs by .5 feet (six inches). The summer target level of 6.0 feet on the gauge will be lowered to 5.5 feet, and the winter target of 3.5 feet will be lowered at a much faster rate. Instead of gradually lowering the level from the Columbus Day target of 4.5 feet to the March 1st target of 3.5 feet, the winter target will be achieved by Columbus Day. This will actually result in slightly higher, late summer levels, but a more rapid drawdown in the fall.

Seems we are far below where we should be, but maybe I am misreading the on-line graphs and the requirements of the Interim Plan. Can anybody add some clarity to the situation? Should come from Dam Bureau I think, as operators.

Of course, there is more than a bit of irony, as last week we were too high, and seeing shoreline inundation in areas we are trying to protect...

Thanks for insights and suggestions!

Boyd

PS – For now I am going to share this email, and this group's decisions, with NLRA Trustees in a separate, NLRA thread.

B

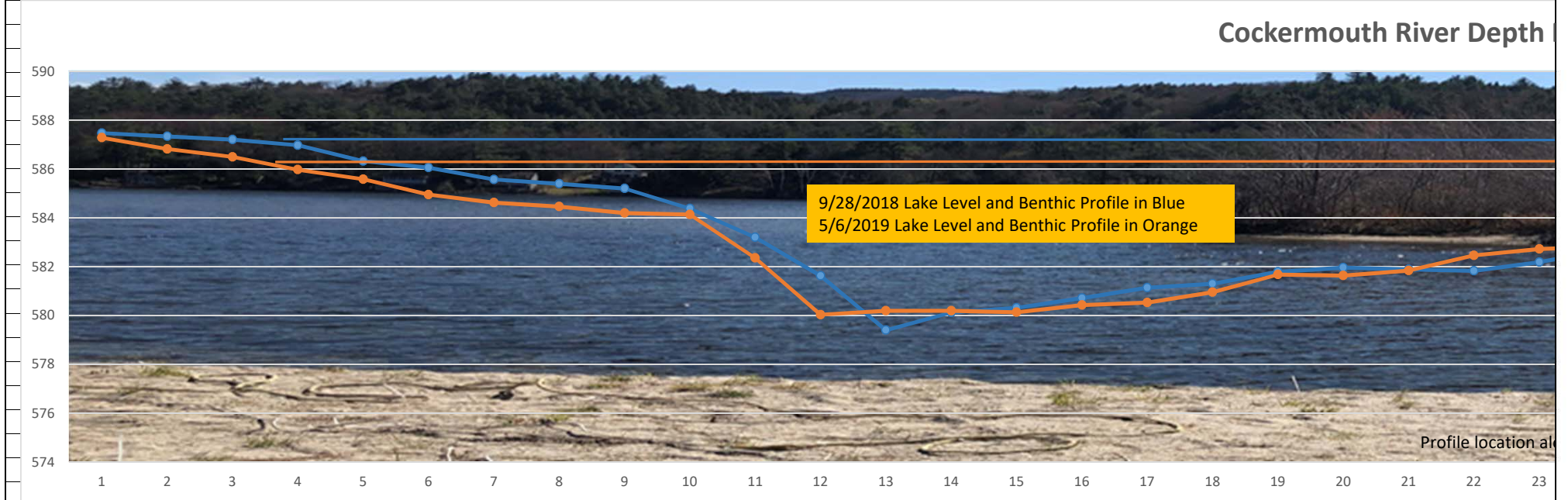
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Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC

30 N. Sandwich Rd  
Center Sandwich, NH 03227



NEWFOUND LAKE River Mouth Profiles																					
1. Cockermouth River																					
9/28/2018		Lake Level - 586.0																			
Depth by Meter	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
	-0.2	-0.16	-0.12	-0.05	0.15	0.23	0.38	0.43	0.49	0.74	1.1	1.58	2.26	2.04	1.98	1.86	1.73	1.68	1.53	1.48	1.5
Level off dam gauge	587.47	587.33	587.2	586.97	586.32	586.06	585.56	585.4	585.2	584.38	583.2	581.63	579.39	580.12	580.31	580.71	581.13	581.3	581.79	581.95	581.89
Notes: 3.38 m to edge HW from W'ly stake;																					



5/6/2019		Lake Level - 586.1																			
Depth by Meter	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
	-0.36	-0.22	-0.12	0.04	0.16	0.35	0.45	0.5	0.58	0.6	1.14	1.85	1.8	1.8	1.82	1.73	1.7	1.57	1.35	1.36	1.3
Level off dam gauge	587.28	586.82	586.49	585.97	585.58	584.95	584.62	584.46	584.2	584.13	582.36	580.03	580.19	580.19	580.13	580.42	580.52	580.95	581.67	581.64	581.83
Notes: 2.90 m to edge HW from W'ly stake; 6.35 m to HW from E'ly stake																					



**Baillargeon, Nancy**

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**From:** Finemore, Kent  
**Sent:** Monday, June 03, 2019 4:17 PM  
**To:** 'btrau'  
**Cc:** Gallagher, Jim; Mattaini, Dan  
**Subject:** RE: Re[2]: NewFound Lake Level Plan

Hi Bruce –

The lake level today was about an inch above the 5.5 level we are intending to hold until the end of August. We will be doing our best to hold to the interim operating curve throughout the summer.

Thanks,  
Kent

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES Water Division – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

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**From:** btrau  
**Sent:** Sunday, June 02, 2019 9:37 PM  
**To:** Finemore, Kent  
**Subject:** Re[2]: NewFound Lake Level Plan

**ATTENTION:** This email has originated from outside of the organization. Do not open attachments or click on links unless you recognize the sender and know the content is safe.

---

Kent,

Do you know if the current lake level on Newfound Lake as of June 1 will be the lake level through end of August as proposed?

Thanks, Bruce

----- Original Message -----

From: "Finemore, Kent" <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
To: "'btrau'" <[REDACTED]>  
Cc: "Janet Cavanagh" <[REDACTED]>; "Gallagher, Jim" <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)>; "Mattaini, Dan" <[Daniel.Mattaini@des.nh.gov](mailto:Daniel.Mattaini@des.nh.gov)>  
Sent: 5/9/2019 2:06:38 PM  
Subject: RE: NewFound Lake Level Plan

Hi Mr. Traumuller –

Thanks for your question regarding interim operating plans at Newfound Lake. I have attached another copy of the current and proposed operating curves and the notices for the hearing and meeting we've held to date for reference. We were petitioned under RSA 482:79 to conduct a Lake Level Investigation of water levels at Newfound Lake, and most of what we have received for testimony so far as part of our Lake Level Investigation has been in support of lowering lake levels throughout the year, primarily for the purpose of controlling erosion around the lake. In response to what we've received for testimony and in consultation with NH Fish & Game, we have introduced an Interim Operating Curve for lake levels this year with the intention of collecting more data and receiving further testimony before preparing a Decision on operation plans for the future. This is illustrated on the attached graph.

Your message below suggests that you're familiar with the Interim Operating Curve in that you are requesting to wait until after Columbus Day to lower levels for the winter. As is indicated in the Public Meeting Notice for the February 26, 2019 meeting, we are implementing the Interim Operating Curve with the intent of collecting further data and testimony regarding lake levels throughout the year, and we are committed for this year to follow this plan. A significant part of the request to lower levels earlier than Columbus Day is related to concerns raised in testimony received that higher lake levels in the fall (prior to Columbus Day) have a considerable impact on erosion and that it is important to start lowering the lake earlier to help control erosion around the lake. In order to collect data and further testimony as part of the Lake Level Investigation we've committed to the Interim Operating Curve, which includes initiating the lowering of lake levels prior to Columbus Day this year.

I hope that helps provide an explanation, please let me know if you have further questions.

Thanks,

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES Water Division – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

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**From:** btrau <INV OF PRIVACY >  
**Sent:** Tuesday, May 07, 2019 8:17 PM  
**To:** Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
**Cc:** Janet Cavanagh <INV OF PRIVACY >  
**Subject:** NewFound Lake Level Plan

Kent,

I'm the Harbor Master for Manor Estates on NewFound Lake where we have about 680 feet of shoreline. I like the concept of keeping the lake at a constant level during the summer season to see if it helps erosion as we are constantly challenged in maintaining our beach. I would encourage a slight adjustment to the plan by start dropping to the Winter level after Columbus Day versus Labor Day. Many people are still enjoying boating on the lake through September and lowering the lake at that time will damage boats in shallow moorings and shallow parts of the lake that are not marked properly. Most associations on the lake have Columbus Day weekend as the last weekend for boating as mooring fields are removed the week following.

Can you let me know if that is an option you can consider? If not, can you explain why. I look forward to your response.

Regards,

Bruce Traumuller  
Harbor Master  
Manor Estates, Bristol NH



**Baillargeon, Nancy**

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**From:** Boyd Smith [REDACTED]  
**Sent:** Friday, May 17, 2019 3:30 PM  
**To:** Gallagher, Jim; Finemore, Kent; Mattaini, Dan; 'Rick Van de Poll'; 'Andrew Veilleux'  
**Subject:** Newfound - lake level article and question  
**Attachments:** PR-Where Man Meets Nature-17May19.docx

Hi All. What a month! Early April lake levels were way above target, and the erosion issue reared its head. Then the Bureau opened the flood gates and drained out nearly two feet of water, catching a lot of attention. Now the levels are within a foot of the historical June 1 target, and 0.5 ft. of the new interim target. Lots of variations in a short time!

I have modified the earlier article about lake level management to reflect these changes and remind people of the interim targets (attached), and while doing so noticed the Dam Bureau web site for Newfound still shows the historical June 1 level at full pool (6 ft. local). Is the Bureau planning on revising that full pool line to show the interim target of 5.5 feet on the gage? It would help lessen confusion for those that look at the web site – and some do, very closely!

Attached article went to the Plymouth Enterprise today, with request to publish May 23.

Thanks,

Boyd

## **Managing Newfound's Water Levels – Where Man Meets Nature**

Boyd Smith, Newfound Lake Region Association

Newfound Lake's water levels are managed by the State of New Hampshire Dam Bureau. Operating on a management plan established in 1982, the past ten years have witnessed multiple Spring and Fall storms that resulted in flooding, increased wave action, and extreme shoreland erosion around the Lake.

In April 2018, 38 shorefront property owners petitioned the Dam Bureau to undertake a lake level investigation to evaluate current water level management plans and the need for possible changes to the existing plan. This process began in July 2017 when several North Shore landowners contacted environmental scientist, Dr. Rick Van de Poll, to study erosion at Hebron Town Beach, Cummings Beach, and other Newfound shorefront locations.

Based on field evidence gathered in 2017, as well as a review of historical maps and photographs, in February 2018 Dr. Van de Poll convened a meeting of various stakeholders, including the Newfound Lake Region Association (NLRA). Dam management and historical water levels were reviewed along with data that illustrated beach erosion and infilling at Newfound's biggest tributaries, the Cockermouth and Fowler Rivers.

On July 10, 2018 Dr. Van de Poll shared his research at NH Audubon's Red Barn Lecture Series in Hebron, where Dam Bureau representatives answered questions from the 70+ attendees. The first official hearing relative to the April 2018 petition was sponsored by the Dam Bureau on August 27, 2018, when over 100 people came to the Bridgewater Town Hall to listen and provide testimony. At this time, Dr. Van de Poll presented an "interim lake level management plan" that was broadly supported by the audience.

Dr. Van de Poll's interim plan, with NLRA's and other supporting testimony, were submitted to the Dam Bureau in September 2018. The interim plan was reviewed by Dam Bureau personnel, resulting in the "interim levels" shown on Figure 1.

Figure 1 reflects the complexity of this issue, including both competing human interests and the hydrologic character of the Newfound watershed, where an inch of rain can raise the lake level roughly 12 inches in 24 hours – much faster than it can be released through the dam. Note how the interim levels differ from the past, with slightly (6 inches) lower Summer water levels and faster fall drawdowns.

An informational hearing convened by the Dam Bureau in Bristol on February 26 was the first of several planned for 2019. The Dam Bureau, with assistance from the NLRA, will continue to engage Newfound watershed stakeholders to encourage public participation in this process. Meanwhile, Dr. Van de Poll will monitor shoreline changes and bottom profiles of the major tributaries.

This Spring Newfound tested the Nature / Man relationship when early snowmelt and rain raised the Lake to near-peak levels. To prevent shoreline erosion, the Dam Bureau literally "pulled out all the stops" to release water and lower the lake, exposing waterfront in ways not seen at this time of year for decades. This change of conditions inspired a lot of questions, but reduced the threat of erosion all around the lake. As of May 17, water levels were within 6 inches of their new June 1 target, having risen nearly a foot during the prior week.

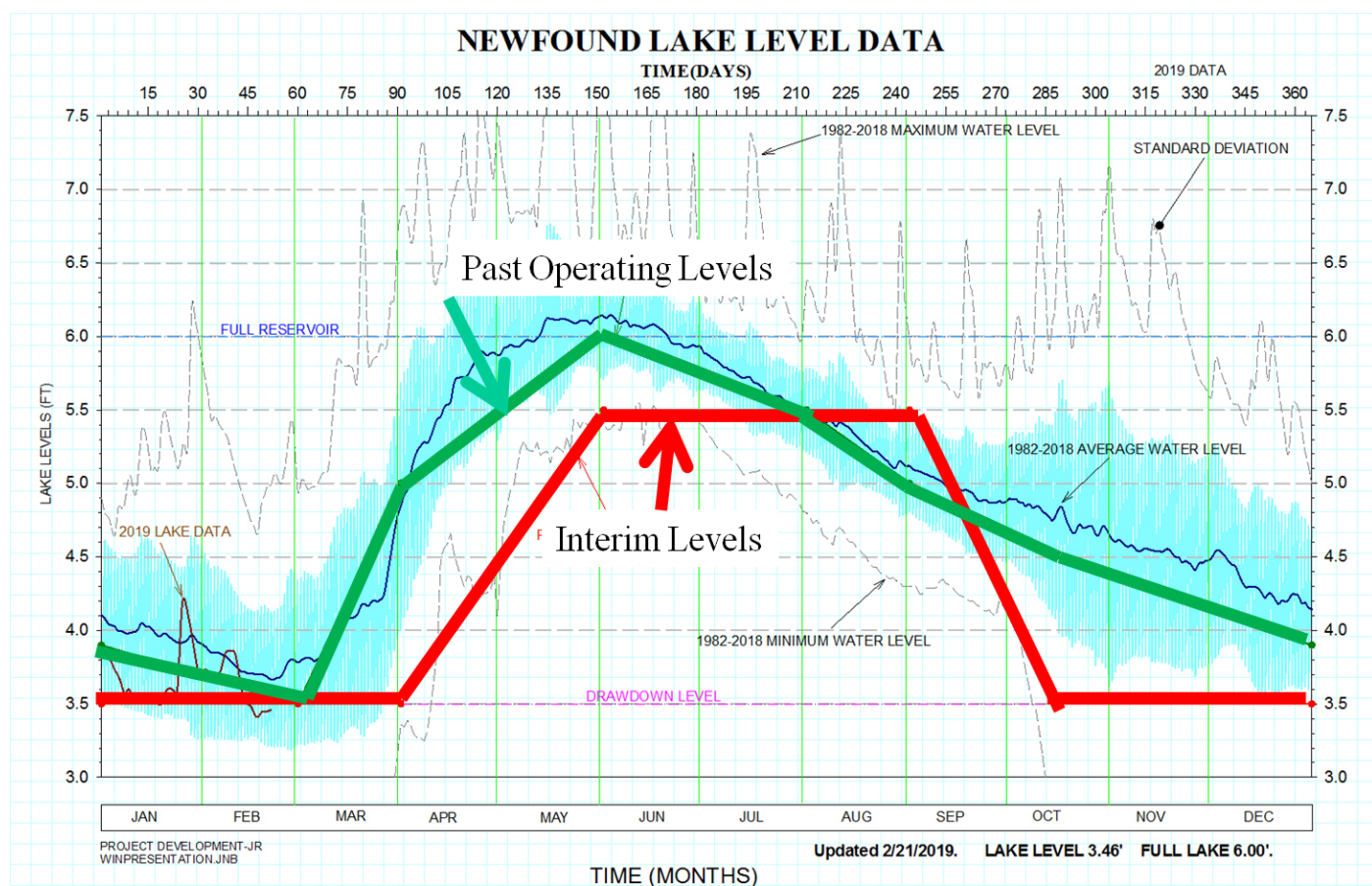
The main goals for keeping Spring and Fall lake levels lower than in the past are to prevent flooding and erosion, reduce potential weed growth, and protect water quality. The slightly

lower summer levels are meant to reduce the chances of flooding from the larger and more unpredictable rain events of the past several years, while not inhibiting boating, fishing, swimming, hydroelectric and fishing uses that many people depend on and enjoy.

We expect that the Dam Bureau will host another public hearing this summer to continue collecting ideas and input about managing Newfound's levels. We hope that you can attend these meetings, as balancing nature's ways and human needs and desires is a complicated and ambitious undertaking!

Please refer to NLRA's dedicated web page about lake level management for additional information (<https://newfoundlake.org/lake-level/>), and contact Dam Bureau staffer Kent Finemore (email [Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov); telephone 603-271-0566) if you have questions or comments concerning the interim plan and Newfound Lake's water levels.

Figure 1: Historical and interim lake level management plans



**Baillargeon, Nancy**

---

**From:** btrau < [REDACTED] >  
**Sent:** Sunday, June 02, 2019 9:37 PM  
**To:** Finemore, Kent  
**Subject:** Re[2]: NewFound Lake Level Plan

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---

Kent,

Do you know if the current lake level on Newfound Lake as of June 1 will be the lake level through end of August as proposed?

Thanks, Bruce

----- Original Message -----

From: "Finemore, Kent" <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
To: "'btrau'" < [REDACTED] >  
Cc: "Janet Cavanagh" < [REDACTED] >; "Gallagher, Jim" <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)>; "Mattaini, Dan" <[Daniel.Mattaini@des.nh.gov](mailto:Daniel.Mattaini@des.nh.gov)>  
Sent: 5/9/2019 2:06:38 PM  
Subject: RE: NewFound Lake Level Plan

Hi Mr. Traumuller –

Thanks for your question regarding interim operating plans at Newfound Lake. I have attached another copy of the current and proposed operating curves and the notices for the hearing and meeting we've held to date for reference. We were petitioned under RSA 482:79 to conduct a Lake Level Investigation of water levels at Newfound Lake, and most of what we have received for testimony so far as part of our Lake Level Investigation has been in support of lowering lake levels throughout the year, primarily for the purpose of controlling erosion around the lake. In response to what we've received for testimony and in consultation with NH Fish & Game, we have introduced an Interim Operating Curve for lake levels this year with the intention of collecting more data and receiving further testimony before preparing a Decision on operation plans for the future. This is illustrated on the attached graph.

Your message below suggests that you're familiar with the Interim Operating Curve in that you are requesting to wait until after Columbus Day to lower levels for the winter. As is indicated in the Public Meeting Notice for the February 26, 2019 meeting, we are implementing the Interim Operating Curve with the intent of collecting further data and testimony regarding lake levels throughout the year, and we are committed for this year to follow this plan. A significant part of the request to lower levels earlier than Columbus Day is related to concerns raised in testimony received that higher lake levels in the fall (prior to Columbus Day) have a considerable impact on erosion and that it is important to start lowering the lake earlier to help control erosion around the lake. In order to collect data and further testimony as part of the Lake Level Investigation we've committed to the Interim Operating Curve, which includes initiating the lowering of lake levels prior to Columbus Day this year.

I hope that helps provide an explanation, please let me know if you have further questions.

Thanks,  
*Kent R. Finemore, P.E. – Assistant Chief Engineer*  
*NHDES Water Division – Dam Bureau*  
*PO Box 95 – 29 Hazen Drive*  
*Concord, NH 03302-0095*  
*(603) 271-0566*  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

---

**From:** btrau <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Tuesday, May 07, 2019 8:17 PM  
**To:** Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
**Cc:** Janet Cavanagh <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Subject:** NewFound Lake Level Plan

Kent,

I'm the Harbor Master for Manor Estates on NewFound Lake where we have about 680 feet of shoreline. I like the concept of keeping the lake at a constant level during the summer season to see if it helps erosion as we are constantly challenged in maintaining our beach. I would encourage a slight adjustment to the plan by start dropping to the Winter level after Columbus Day versus Labor Day. Many people are still enjoying boating on the lake through September and lowering the lake at that time will damage boats in shallow moorings and shallow parts of the lake that are not marked properly. Most associations on the lake have Columbus Day weekend as the last weekend for boating as mooring fields are removed the week following.

Can you let me know if that is an option you can consider? If not, can you explain why. I look forward to your response.

Regards,

Bruce Traumuller

Harbor Master

Manor Estates, Bristol NH

**Baillargeon, Nancy**

---

**From:** Gallagher, Jim  
**Sent:** Thursday, June 13, 2019 4:36 PM  
**To:** Finemore, Kent; Mattaini, Dan  
**Subject:** FW: Newfound Lake

FYI

Jim

James W. Gallagher, Jr. P. E.  
Chief Engineer  
Dam Bureau  
Water Division  
New Hampshire Department of Environmental Services  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-1961 Tel  
(603) 271-2982 Fax  
[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

**From:** Steve Maloney  
**Sent:** Thursday, June 13, 2019 4:33 PM  
**To:** Gallagher, Jim  
**Subject:** Newfound Lake

**ATTENTION:** This email has originated from outside of the organization. Do not open attachments or click on links unless you recognize the sender and know the content is safe.

Dear Mr. Gallagher:

My name is Steve Maloney. I am a Newfound Lake shore front property owner and concerned stakeholder in how the lake level is being managed. I was at the meeting in Bristol in February that you narrated and I had questions for you as to how I could get more information as to why the lake level changes were being made. I was invited by the lake association to visit their website where I could find answers to my questions. After doing so I did not find compelling evidence to make any changes to the lake levels. I have since been in discussion with others in the Newfound Lake community and as a result I would like to submit a petition to your office to stop the new management plan until there is more input made by the many other stakeholders who are not part of the NLRA.

At the Feb. meeting a question was asked as to what was necessary to file a petition to your office and as I recall you said a request with at least ten names was all that was required.

My question is are these people required to be shore front owners, landowners with lake access, N.H. residents, etc.? Would this need to be in writing to your office?

Sincerely,  
Steve M.

**Baillargeon, Nancy**

---

**From:** Tom Whitman < [REDACTED] >  
**Sent:** Thursday, July 25, 2019 10:19 AM  
**To:** Finemore, Kent  
**Subject:** Minutes of the February 26, 2019 Newfound Lake Level Investigation

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Dear Mr. Finemore:

Could you direct me to where I could find the minutes of the above public meeting held in Bristol NH. On 02/26/19. I have owned property on Newfound Lake in Sanborn Bay since 1982 and have been a member of the NLRA for just about as long. I know the NLRA held a meeting where some members expressed concerns about issues with the lake associated with the water levels but I was not aware of a meeting where the decision was actually made to lower the levels by 6 inches. I became aware of this on 05/04/19 when I when to put my docks in and the level was at the Columbus day mark which it has never been since I started in 1982. I contacted the NLRA and your office to try to determine why there were changes being made. I was told this was a recommendation and a trial period based on the results of this meeting, thus the request for the minutes.

Thank you.

Thomas Whitman



[REDACTED]  
INV OF PRIVACY

**Baillargeon, Nancy**

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**From:** Connell, Lisa  
**Sent:** Thursday, July 25, 2019 2:23 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake

Hi Kent!

I found this article after hearing some discussion from Newfound pages talk about water levels and issues going on up there. For years I had a boat at Newfound Marina and came out the Fowler River to the Sandbar aka Shallows navigating the low lake levels. Had to sell it a few years back. Now looking at purchasing property at Bristol Shores. Chatter has been that the Lake will not only be drawn down but the sandbar area either 1. Significantly drawn down to sand 2. Filled in 3. Use very restricted (Natural preserve area). My concern would be since Bristol Shores is basically attached to that area, how would it affect their beach/boating area? It didn't appear they have erosion going on there. Wellington boat launch is there too so that would require a certain level of water to launch.

Down on W. Shores/Newfound Sands (Town Beach) they have over the years and that area is quite rocky. Took that out of consideration.

Any feedback you can provide?

[https://www.hebronnh.org/sites/hebronnh/files/uploads/lake\\_level\\_management\\_faqs.pdf](https://www.hebronnh.org/sites/hebronnh/files/uploads/lake_level_management_faqs.pdf)

Thanks!

Best,

*Lisa Connell*

Department of Natural and Cultural Resources  
Office of the Commissioner  
172 Pembroke Road  
Concord, New Hampshire 03301-5767  
603.271.2412 (tel)  
603.271.2629 (fax)  
[Lisa.Connell@dncr.nh.gov](mailto:Lisa.Connell@dncr.nh.gov)





**Baillargeon, Nancy**

---

**From:** Eleanor Lonske < [REDACTED] >  
**Sent:** Wednesday, August 14, 2019 10:27 AM  
**To:** Finemore, Kent  
**Subject:** Re: I plan to attend the 8/21 "rafting" meeting re: Hebron Bay, but wanted to send my recommendations in advance

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My apologies. I should have directed my comments to:

[SAFETY-HEARINGS@DOS.NH.GOV](mailto:SAFETY-HEARINGS@DOS.NH.GOV)

/Ellie

On Wed, Aug 14, 2019 at 7:15 AM Eleanor Lonske < [REDACTED] > wrote:

Dear Mr. Finemore,

I have lived at the mouth of Georges Brook at the northeast corner of Newfound Lake for fifty years, and have seen a lot of changes during that time. That experience informs my comments and recommendation below.

If I lived in Hebron Bay and had to put up but loud music, human and canine urination on private property and conservation land, I would feel as the people who live on the Bay feel.

There is a maxim in Ethics, "My right to swing my arm ends where your nose begins."

But I think that many if not all parts of the problem could be solved without resorting to rafting regulations. The petition has certainly gotten the attention of this boaters who frequent Hebron Bay, so I think that they will be motivated to self-police if given the opportunity.

Here are my recommendations that address some of the issues:

- "Nature's calls" - When I kayak from my property to the Hebron Bay area, and up the Cockermonth River - sometimes all the way to Hebron Village - I usually beach my kayak on the far (east) side of the Hebron Town Beach on the return trip, outside the ropes, and use the portable toilets there. There are also portable toilets at the old marina site - now Grey Rocks Conservation Area. There is a rule against motorized craft being launched from that area, but pulling up just long enough for someone to use a portable toilet would provide a much-needed service to boaters, not just to those who anchor in Hebron Bay.
- Dogs on the Charles Bean Sanctuary. I have not seen a sign on the Sanctuary prohibiting dogs, but recommend that such a sign should be put on display.
- Loud music - I think self-policing will take care of that problem now that the threat of banning rafting has been made clear.
- Threats to wildlife - as a committed nature lover, I understand the concerns, but my experience of living at the mouth of Georges Brook from the early years when there were no houses, docks, or boats across the brook from me and all the way to Camp Mowglis to the present, makes me note that the wildlife I

see now from my house and deck is every bit as strong and diverse as it was all those years ago, in spite of the proliferation of docks, moored boats and - yes - people. When I kayak from here to the Bay and up the river, I also see a wide range of avians and mammals. In my opinion, boats anchored in Hebron Bay, and even people stopping at the Bean Sanctuary beach for a swim, pose no threat to wildlife.

Please feel free to use this email in any way you see fit.

Thank you.

/Ellie

--

Eleanor Lonske

INV OF PRIVACY

Hebron NH 03241

INV OF PRIVACY

--

Eleanor Lonske

INV OF PRIVACY

Hebron NH 03241

INV OF PRIVACY

**Baillargeon, Nancy**

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**From:** Walkley, Rebecca [REDACTED]  
**Sent:** Tuesday, August 27, 2019 9:42 AM  
**To:** Finemore, Kent  
**Cc:** Needleman, Barry  
**Subject:** Newfound Lake Level Assessment [MCLANE-DB.FID1800203]  
**Attachments:** Finemore, Kent LT re\_ Newfound Lake Level Assessment.PDF

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Dear Mr. Finemore,

I attach a letter submitted on behalf of Douglas and Susan McLane regarding the Newfound Lake, Lake Level Investigation. A paper copy is also being mailed to you today. Please feel free to contact me regarding this letter.

Regards,

Rebecca Walkley

---

**Rebecca S. Walkley**  
Attorney  
900 Elm Street  
Manchester, NH 03101  
Direct: (603) 628-1250  
Fax: (603) 625-5650



[website](#) | [bio](#) | [email](#)

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[Manchester, NH](#) [Woburn, MA](#) [Concord, NH](#) [Portsmouth, NH](#) [Boston, MA](#)

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August 27, 2019

**Via U.S. & Electronic Mail**

Mr. Kent R. Finemore, Assistant Chief Engineer  
NH Department of Environmental Services  
Dam Bureau  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095

**Re: RSA 482:79 Lake Level Investigation - Newfound Lake**

Dear Mr. Finemore:

I write on behalf of Douglas and Susan McLane (the “McLanes”), private property owners on Newfound Lake in New Hampshire. The McLanes’ private property is located at INV INV OF PRIVACY, Hebron. In addition to erosion on their own property, the McLanes’ concerns regarding the lake level and water quality of Newfound Lake (the “Lake”) extend beyond their private property to concern for the public’s use and enjoyment of the Lake in general. The material below is intended to provide you with information sufficient to make a finding pursuant to RSA 482:79 and Env-Wr 704.02(b) that the management of Newfound Lake should be changed and the interim management plan that was instituted in the fall of 2018 should remain in effect for the indefinite future.

As you are aware, the Lake level was initially raised in response to a petition filed by a group of residents back in the 1980’s. As a result of this increase, there have been a number of adverse effects on both water quality and the ability of the public to use and enjoy the Lake. These effects are likely to continue and worsen if a change to the management of the lake level is not made. Specifically, in the past 30-year period, significant erosion of both private properties and public lands and resources has occurred. In particular, the Hebron Town Beach and Wellington State Park – the largest freshwater swimming beach in the New Hampshire State Park system – have been adversely affected by increased erosion. Attached as Attachment A to this letter are photographs documenting the erosion that has taken place around the Lake as a consequence, at least in part, of the elevated Lake levels. The erosion taking place is not minor and will soon change, and in some cases has already changed, the aesthetic of the shoreline around the Lake due to loss of trees and other vegetation.

In addition to erosion issues, the change in currents and sediment flowing out of the tributaries to the Lake, the Cockermouth and Fowler River, are resulting in a change in vegetative growth which impacts swimmers, including those at the Hebron Town Beach, for example, as well as private property owners and the ability of the public to navigate the Lake by boat or other water craft.

### **1. The testimony submitted supports lower lake levels**

Pursuant to Env-Wr 703.02(c), the department shall consider all information and testimony presented as part of the lake level investigation when making its determination. The initial petition triggering the lake level investigation had 30 signatories including 25 shorefront owners and the towns of Bridgewater and Bristol. At a public informational session held on July 10, 2018 and put on by New Hampshire Audubon Association at the Red Barn in Hebron, there were over 70 private residents in attendance.

Following that meeting, the Dam Bureau held a formal public hearing on August 28, 2018. Over 100 people attended this meeting and the vast majority spoke in favor of lowering lake levels and raised concerns regarding increased erosion issues. The Newfound Lake Region Association submitted a formal letter of support for the proposed interim management plan. There can be no question that the testimony presented in response to this investigation has been overwhelmingly in support of lowering the Lake level. The department must take this into account in reaching its determination as to what action to take moving forward.

Pursuant to Env-Wr 704.01, as part of the lake level investigation, the Dam Bureau is required to make findings with regard to whether the management and control of the outlet is “adversely affecting the rights of owners of property above the outlet by eroding shorelines...or interfering with the use and enjoyment of the water for recreational purposes.” The testimony and documentation that has been submitted by Dr. Rick Van de Poll, as well as property owners and the Newfound Lake Region Association, all demonstrate that the management of the dam, at least prior to the implementation of the interim management plan, is adversely affecting property owners and the public’s use and enjoyment of beaches surrounding the Lake and the Lake itself due to erosion of the shoreline. Given this information, it is clear that the Dam Bureau should find that a change in management is appropriate under the statute and regulations.

### **2. The interim lake management plan should be continued indefinitely**

The proposed interim lake management schedule was submitted to NH DES on September 4, 2018. The initial proposal included the following:

- Drop the summer (June 1<sup>st</sup>) target by 0.5 feet to 5.5 feet on the gauge
- Gradually lower the lake level beginning on Labor Day and ending on Columbus day to 3.0 feet on the gauge
- Hold this level until March 30<sup>th</sup>, whereupon the level can be gradually increased until June 1<sup>st</sup>

- To the extent practicable, hold each level at or below the target, not above.

Aside from changing the proposed interim winter level from 3.0 feet to 3.5 feet, this proposal was adopted as the interim management plan by the Dam Bureau. The McLanes acknowledge and understand that proper management of the Lake requires a balancing of interests. This includes, but is not limited to: recreational users to public beaches; private property owners; and boaters and fishermen. The interim plan was designed, in part, to take into account these various interests. For example, under the interim plan, the summer levels would be maintained through Labor Day, which results in higher levels than those historically maintained through the end of the summer months to accommodate boat users. As a trade-off for this increase, however, the Lake level drops off more dramatically into the fall in order to minimize erosion events in the fall and early spring following ice-out. This balanced approach best serves all public interests as required by the regulations and applicable statutes.

In order to evaluate if the interim plan is sufficient to reduce the level of erosion and changes in siltation and tidal flow evidenced by the testimony submitted, it is imperative that the Dam Bureau maintain this management plan until such time as sufficient data has been collected. If, after sufficient data is collected, it is decided that the plan has reduced the rate and level of erosion, the Dam Bureau can and should adopt the plan as a final management plan. In addition to the work being performed by Dr. Rick Van de Poll to evaluate the level of erosion, the Dam Bureau should similarly be taking steps to evaluate the effectiveness of the interim management plan in order to determine if changes to the management of the Lake and the dam “would be of benefit to the public and private interests concerned.” RSA 482:79.

In addition to adopting the interim management plan for an extended period of time, it is just as critical, if not more critical, that the Dam Bureau consistently reach the targets outlined in the plan. To date, the data available through the NH DES website demonstrates that the lake level on Newfound Lake is consistently above the targets outlined in the interim plan. As evidenced by the graph included as Attachment B, in the past year, there have only been 61 days where the Lake level has been at or below the target level. In contrast, there have been 298 days where the level has exceeded the target level. While there are a number of different factors involved in managing the Lake level, which makes consistent management challenging, there have been several instances in which significant erosion events have occurred as a result of the failure of the Dam Bureau to draw down the Lake level in advance of a well-known major storm event.

For example, on or about July 11, 2019, there was a well-documented storm event. Yet despite having ample warning of the storm, the Lake level was not drawn down until the day of the storm event or even the day after. See Attachment C (tables showing dam releases and lake level from July 7-14). As a result, there was a significant spike in the elevation of the Lake level – well beyond the level prescribed in the management plan. See Attachment C. This type of dramatic elevation of the Lake level results in increases in erosion events that are entirely preventable if the appropriate early action and response is taken. The July 11, 2019 storm event

August 27, 2019

Page 4

is provided as one example of the type of inaction that must be prevented in order to adequately protect the shoreline and both private and public use and enjoyment of Newfound Lake.

Pursuant to RSA 482:4, the NH DES is authorized to investigate practices to control high or low water levels to ensure such levels are being controlled "in a manner consistent with public and private rights and interests, and will best promote the public health and safety and the enjoyment and value of such public waters." The testimony submitted and documented evidence support a determination that a change in the management of the Lake is appropriate and necessary in order to protect both public and private rights. The McLanes respectfully request that such a change include a continuation of the interim management plan for the indefinite future and more stringent adherence to the target levels outlined in the plan.

Please feel free to contact me directly regarding these comments.

Very truly yours,

*Rebecca Walkley*

Rebecca S. Walkley

RS3:

Enclosures



Cummings Beach



Hebron Town Beach



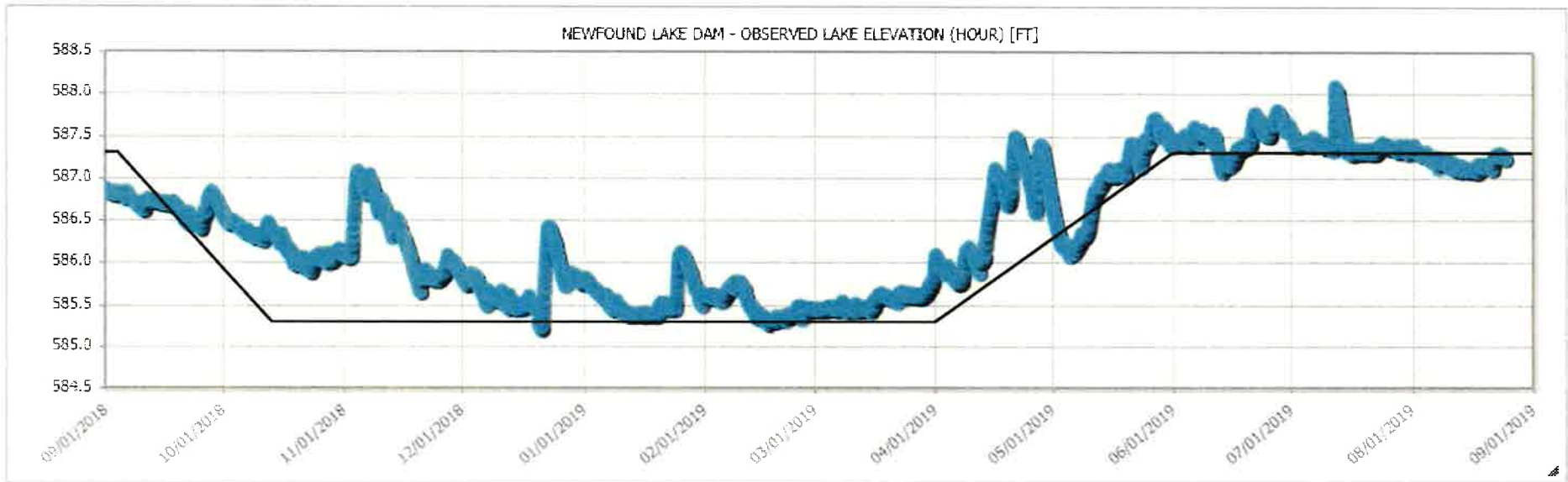


Grey Rocks Beach



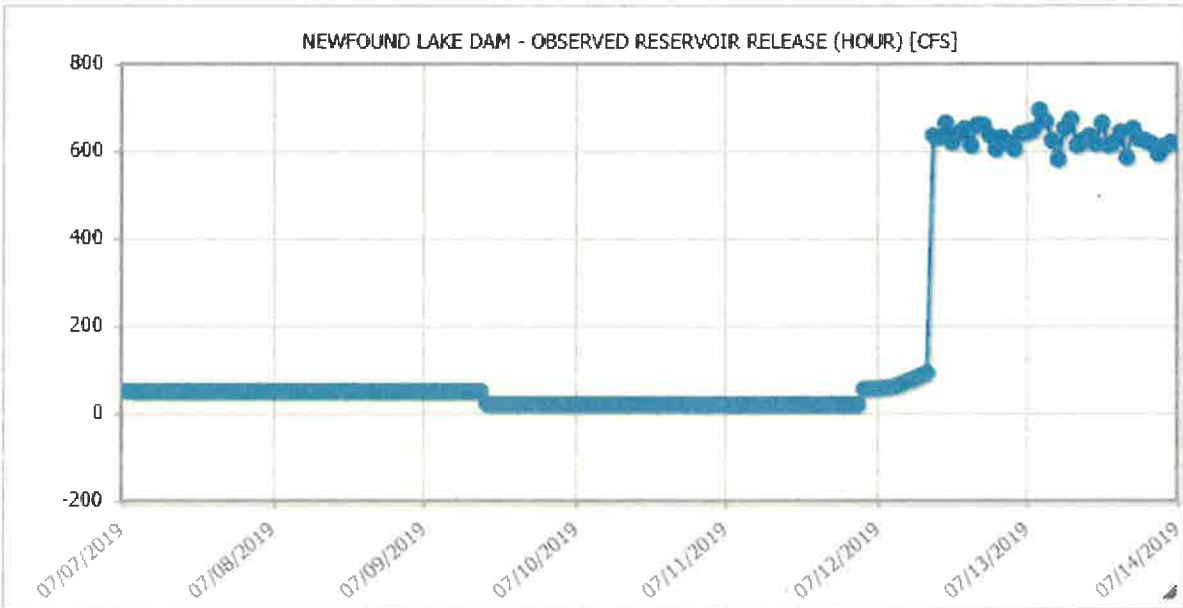
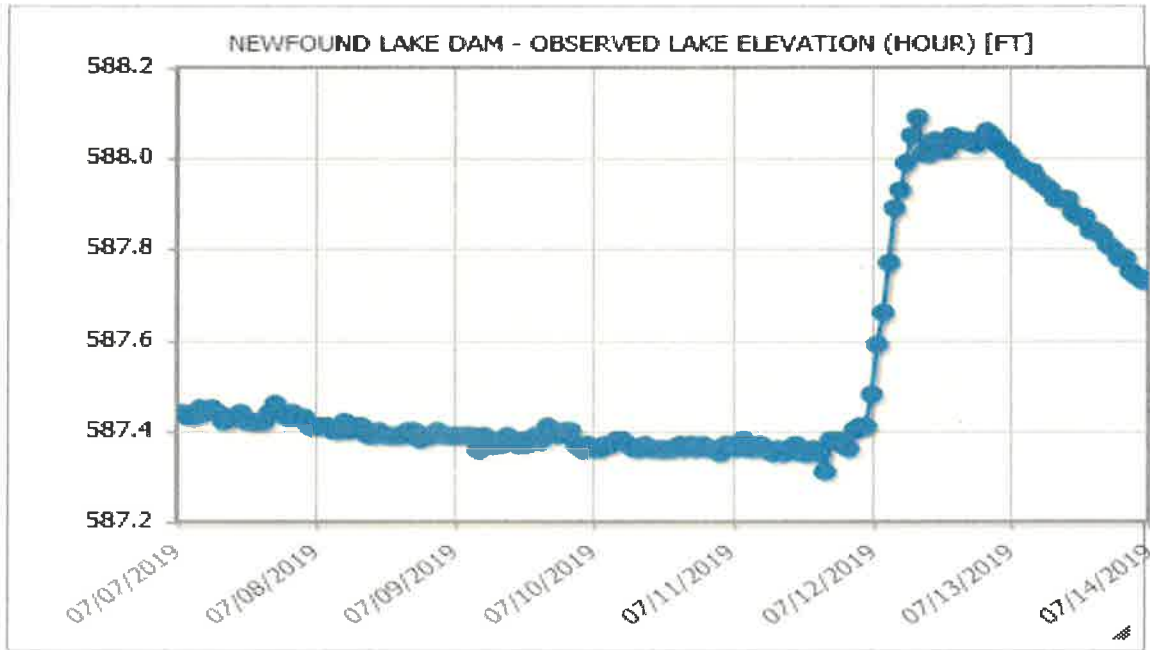
Wellington Beach

## Newfound Lake Levels September 1, 2018 to August 25, 2019



**Above: Observed Lake Elevation from NH DES Web Site; Black line indicates the target "Interim Management Plan" levels for this past year**

**Total number of days at or below the target level: 61 days; Total number of days above target level: 298 days**



**Baillargeon, Nancy**

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**From:** melissa mullen < [REDACTED] INV OF PRIVACY >  
**Sent:** Tuesday, August 27, 2019 9:02 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Level Concerns

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Mr. Finemore,

I am reaching out to you since I am unable to attend the public meeting this coming Friday evening about the Newfound Lake levels. I have done my research and understand the reasoning behind the desire to lower the lake level. While I was initially concerned about the 5.5ft vs. 6ft levels during summer, this has proven to be okay. However, I did not realize that the levels were dropping by 2 feet before boating season was over. That will dramatically impact so many boaters I know in both Bridgewater and Bristol.

I own property at [REDACTED] INV OF PRIVACY in Bridgewater on Pasquaney Bay. We are on a 100+ foot sandbar. If you go to Google Earth, like the state does to approve moorings for our area, you will see how large that sand bar is and how many boats/moorings are on it. Many of the moorings are located between 100-150 feet from shore because the average depth is 3 ft deep in prime summer. To drop the lake an additional 2 feet before boating season ends in October will force all the owners to pull their boats out prematurely. As it is, many of the boats on moorings or docks located in the 3ft deep sections are constantly in fear during high winds and storms as the propellers hit the bottom, despite having the trim all the way up.

The same concern is the case for the rental property I own in Pasquaney Shores in Bristol, NH off of West Shore Road. We are at the foot of the lake and have moorings and docks for 8 different owners. There have been dry September months in the past years where the bow of my boat is on the sand of my beach when I come up on a weekend from Massachusetts. Unfortunately, the state only allows for a maximum of 40ft long docks on the lake, so we cannot extend our docks any more than that. Therefore, our boats are constantly in very shallow water and always at risk at the current lake levels, even in prime summer. Dropping the lake by 2 feet after Labor Day will force me to not be able to use the docks in our association (or for most of our neighbors up and down West Shore Road) and will not allow me to rent my cottage to boaters, as the dock becomes useless.

While I understand the desire to stop lake growth and I understand the concerns about fall storms, I am seriously concerned about the potential boat damage and loss of use of rental properties and boating season with a sudden drop down of the lake after Labor Day. I feel that keeping the lake

steady until Columbus Day is a much safer and boater user friendly option for many of us in Bristol and Bridgewater.

I encourage you and the commission to walk on my property with my permission and measure the lake levels at my dock at [REDACTED] INV OF PRIVACY [REDACTED] and at my dock and the 8 properties to the right of my cottage (properties to the right of me while facing the water from my beach) at [REDACTED] INV OF [REDACTED] INV [REDACTED] in Bridgewater. Particularly in Bridgewater, you will see that I can't even get my paddle board through that sandbar without it getting caught in the sand with its fins. So dropping the lake level will be detrimental to myself and all of the 30-40 homeowners I refer to who will no longer be able to use our boats in September and October. The boating season is so short as it is, so this would be devastating.

Thank you for hearing these concerns and for sharing them with the meeting and commission. I hope they are represented in my absence.

Please feel free to email or call with any questions or for more clarification.

Melissa and John Mullen

[REDACTED] INV OF PRIVACY [REDACTED]

[REDACTED] INV OF PRIVACY [REDACTED]

Owners: [REDACTED] INV OF PRIVACY [REDACTED] Bridgewater and [REDACTED] INV OF PRIVACY [REDACTED], Bristol

**Baillargeon, Nancy**

---

**From:** Alex Bonner < [REDACTED] >  
**Sent:** Thursday, August 29, 2019 9:27 AM  
**To:** Finemore, Kent  
**Cc:** Scott, Robert  
**Subject:** Proposed Newfound Lake Level Investigation

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My concerns about proposed lake level changes at Newfound Lake are focused the small mouthed bass who live in the shallow water in front of my place in Bridgewater. In past years with the long-time existing lake levels, large numbers of small mouth bass....nice fat ones weighing 1-3 pounds....have become like family pets in these waters off Whittemore Point. The fish love the shallows around my place and they regularly nest out there in the Spring. In fact, one day last year, we caught the same nesting bass seven times one afternoon and I expect she is still out there in the waters that are usually 2-3' deep. These waters attract many people in boats who come to Newfound lake to enjoy fishing in the shallow waters and contribute to the local economy. Accordingly, I simply want to note my concern that lower lake levels will be deleterious to well established habitat for fish and for fishermen.

In conclusion, lower lake levels are not wanted and not needed. They are not good for the fish nor are they good for property owners. In addition, it is my understanding and belief that the DES's lake level investigation is an unnecessary violation of the public trust doctrine, it is in conflict with the riparian rights of lakeshore property owners, and it is not covered by the application of the powers allowed by RSA 482:79. Thus, specifically in the matter of Newfound Lake, the DES has no jurisdiction in investigating claims or arbitrating disputes as this waterbody does not meet the definition of a public water in accordance with RSA 482:79.

Sincerely,

A Newfound Lakeshore Property Owner.

**Baillargeon, Nancy**

---

**From:** S Gunn < [REDACTED] >  
**Sent:** Friday, August 30, 2019 9:55 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake

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First I am against the earlier dates for fill and draw down. The levels are fine, just need to extend the time out. Second, I am for keeping the same plan as has been the case for 37 or so years and attempting to better regulate the dam to keep within the targets, that should be done before any changes to the plan are made. Third, I have been doing lake monitoring for about 12 years and this year is the lowest average visibility I have seen, the lake did not recover from the storm any near as quickly as it did from when Irene came through the area. Fourth, I keep hearing from the petitioners scientist that the lake rises 14" for every 1" of rain. Please ask for specific examples as I am an avid weather enthusiast and I have never seen this happen. Even this year we have had multiple 1" rain events and it never rose a foot as a result of them, not even for the storm on the Cockermonth River. Most all of his comments to me seemed very slanted towards the folks that hired him, which should be of no surprise. Data can be and is used selectively to support a predetermined outcome. Fifth and last is I was wondering if the people that showed up at todays meeting were at the first meeting, would you have made the same decision for a trial period? Please put the drawdown on hold until more people can provide input and the State can hire an independent scientist to review the data presented by the petitioners scientist.

Thanks you.

Steve Gunn  
Bristol, NH and property owner in Hebron NH.

Sent from [Mail](#) for Windows 10

**Baillargeon, Nancy**

---

**From:** Ivan Quinchia <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Saturday, August 31, 2019 8:41 AM  
**To:** Finemore, Kent  
**Subject:** Re: 8-30-19 Public Meeting Notice - Newfound Lake Level Investigation

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Good morning Kent,

Unfortunately, I was not able to make the meeting at the Bridgewater town hall last night where the proposed drawdown was discussed. I did attend the meeting last year.

In hearing about the meeting this morning from several people that attended, there're seemed to be some concerns about a certain parties influence in this decision and their plans for the construction of a boat house. I'll leave the politics to others.

Because of the many local boaters that still use the lake during the month of September and the first two weeks of October, I am opposed to the radical draw down that is proposed. I do support the lower lake level however the timing, needs to take into account the many boats that still remain on moorings and docks on the lake. Many of these boats will be resting on the bottom or precariously close to the bottom so when a wind comes up, the wave action will cause thousands of dollars in damage.

The other issue that has to be taken into account is that the boats that are still in the water and will be taken out at the various boat ramps in the next few weeks, will find very shallow conditions making it impossible to get the boats to the trailers.

Being a year round resident we enjoy this time of year particularly because the lake is quieter and more friendly to scenic cruises. I know many locals feel the same way I feel relative to the drawdown and its implications.

Thank you for all the work that you are doing to help protect our precious and loved waterways.

Ivan & Barbara Quinchia  
Hebron

Ps: On another subject, who can I talk to relative to bad logging practices within the Newfound watershed?

Sent from my iPad

On Aug 20, 2019, at 9:32 AM, Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)> wrote:

Yes thanks Ivan, once I heard you pronounce your name on your voice message I was able to figure out the spelling. Have a good day.

---

**From:** Ivan Quinchia <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Monday, August 19, 2019 7:26 PM  
**To:** Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
**Subject:** Re: 8-30-19 Public Meeting Notice - Newfound Lake Level Investigation



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Thanks Kent,  
I did receive your voice mail.

Ivan  
Sent from my iPad

On Aug 19, 2019, at 4:36 PM, Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)> wrote:

You are receiving a copy of the attached Notice of Public Meeting because you provided an email address on a sign-in for one (or both) of the previously held meetings for the Newfound Lake Level Investigation. We hope to see you on August 30 at 7 PM at the Bridgewater Town Hall.

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES Water Division – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)*

**Baillargeon, Nancy**

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**From:** Charlotte Skiffington < [REDACTED] >  
**Sent:** Sunday, September 01, 2019 7:34 PM  
**To:** Finemore, Kent  
**Cc:** Rick Skiffington  
**Subject:** reasonable compromise lake level - Newfound Lake

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>>  
>>  
>>  
>> HI Kent,  
>>

>> Thank you for scheduling the recent meeting regarding the Newfound Lake water level at Bridgewater town hall. Unfortunately we were not aware of the previous two meetings. Our home and our neighbors homes are located in a very shallow area near Pikes Point Bristol called Gramps Cove. The water depth this season was about 20 inches. This made it very difficult to get our boat in and out. A wet lands area abuts a section of our property and our neighbors that is no more the 16 inches deep. Our concern is lowering the lake another 2 ft will completely dry up wetlands area that is loaded with wildlife.

>>  
>> We would suggest a compromise to not lower the lake any more than this past summer season. The level should be brought up at least 3 weeks before Memorial Day to allow the public time to get their boats and docks in before the Holiday weekend. At the end of the season we think the lake level should be kept high until Columbus day then slowly draw it down over the next few weeks to allow plenty of time for property owners to schedule repairs before winter. Going forward its obvious that the majority of Public is not aware of these meetings regardless of what NRLA does to get the word out. I suggest all Lake level meetings should be scheduled after taxes are sent out so the public can be notified on their tax bills prior to the meetings..Please include this email when you send out your decision late next week.

Thank you

Charlotte & Rick Skiffington

>

**Baillargeon, Nancy**

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**From:** Willi Zankel <[REDACTED]>  
**Sent:** Monday, September 02, 2019 10:51 AM  
**To:** Finemore, Kent  
**Subject:** Lake level

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Hi Kent

I went to the meeting last Friday it was very interesting to listen to all the opinions . My concern is I have low lake level in front of my property 3to4ft in the summer my suggestion is don't lower it more then the past summer season . The level should be brought up 2 to3 weeks before Memorial weekend to allow people to get there boats and docks in . The lake level should stay until Columbus day weekend then be slowly drawn down.

Thank you

Willi & Christa Zankel  
Sent from my iPad

**Baillargeon, Nancy**

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**From:** Peter McDonald <INV OF PRIVACY >  
**Sent:** Monday, September 02, 2019 1:46 PM  
**To:** Finemore, Kent  
**Cc:** Peter McDonald  
**Subject:** Lake level-Newfound Lake

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Hi Kent,

My name is Peter McDonald. My wife Barbara and I own a home in the Gramps Cove section near Pikes Point in Bristol. Unfortunately, we were not able to attend the recent meeting in Bridgewater.

We share the concerns expressed by our neighbors that lowering the lake level another 2 feet would damage the wetlands near our properties. It would also make it very difficult for us to keep our boat at our dock.

The last several years we have had such low water levels that it has taken several friends to help me "rock" my boat free from from just a couple of inches of mud and water. I'm not sure when the proposed dramatic reduction in water level is to take place. If it is soon it would mean that I would have to take my boat out before that and miss several weeks of boating.

I fully endorse the recommendation to leave the lake level high until Columbus day and slowly draw it down thereafter.

Thank you for your time,

Peter McDonald

**Baillargeon, Nancy**

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**From:** Richard James <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Monday, September 02, 2019 3:01 PM  
**To:** Finemore, Kent  
**Cc:** 'Deb James'; [REDACTED] INV OF PRIVACY [REDACTED]; [REDACTED] INV OF PRIVACY [REDACTED]  
**Subject:** Newfound Lake levels

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Dear Kent,

I attended the meeting this past Friday night in Bridgewater regarding the interim plan for the lake level management. I own two properties in Hebron, one of which is at the Hillside Inn Condo Association ([REDACTED] INV OF PRIVACY [REDACTED], Hebron, NH 03241). I am a year round resident and President of the Condo Association. I keep a 23.5 foot boat in the mooring field at that property and greatly enjoy using it on the lake in the fall months.

First, let me thank you and the DES for holding these events so that peoples voices and concerns can be heard. This is the first such meeting that I have attended, as notifications of these events have not been conspicuously posted in past. I fully support efforts to keep the lake as pristine as possible, and have no problem with the levels that have been chosen for the high and low. My only quibble is with the timing of raising and lowering the lake. I would think that the vast majority of concerns that boaters have with this interim plan is how it drastically shortens their boating season. I would suggest raising the level of the lake in the Spring two weeks earlier than the current plan and lowering the lake 4 weeks later. I think that this would still take into account the overall goals for lake preservation while still allowing owners boat access for the prime boating season. Most of the people I have spoken with regarding this issue feel much the same.

I hope that you will take these comments and those of all of the many others your receive into account to balance the needs of the many stake holders on and around the lake.

Thank you for your consideration,

Rich

Rich James  
[REDACTED] INV OF PRIVACY [REDACTED]  
Hebron, NH 03241  
[REDACTED] INV OF PRIVACY [REDACTED]  
cell: [REDACTED] INV OF PRIVACY [REDACTED]

**Baillargeon, Nancy**

---

**From:** Mary O'Neill < [REDACTED] >  
**Sent:** Monday, September 02, 2019 10:11 PM  
**To:** Finemore, Kent  
**Cc:** [REDACTED]  
**Subject:** Lake level at Newfound Lake

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Hi Kent. My wife Mary and I were in attendance last Friday for the open meeting regarding lake level at Newfound Lake. There were lots of opinions and concerns from many individuals and agreement seemed only that everyone loved Newfound and wanted to keep it clean and beautiful.

We spend about 5 months of the year here in Bristol across from the lake on Rte 3A North, and also have shorefront with easy access to the lake nearby. We are more fortunate than some of our friends and neighbors at Pops/Gramps Cove near Pikes point as we have good water depth for our dock and boat. They are more severely affected than us by any draw down of the lake and are forced to curtail their boating activities and pull their boats prematurely.

I think it is tragic to start the lake draw down so early and so dramatically. After Labor Day the activities on the lake slow down and there is a calm for those who are fortunate to be here. Boating on the lake in September through the Columbus Day weekend are special. The anticipated draw down will negatively affect many boaters and uses of the lake. Count myself and my wife as against proposed the September drawn down.

Sincerely, Paul and Mary O'Neill

[REDACTED]

Bristol, NH. 03222

**Baillargeon, Nancy**

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**From:** FC Kohout < [REDACTED] >  
**Sent:** Monday, September 02, 2019 10:33 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Levels

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Dear Kent:

We attended the DES meeting this past Friday night in Bridgewater regarding the proposed plan for Newfound Lake level management. First, we thank you and the DES for holding these events so that peoples' voices and concerns can be heard. This is the first such meeting that we have attended, as notifications of these events have not been conspicuously posted in past. We fully support efforts to keep the lake as pristine as possible, and have no problem with the high and low levels that have been proposed. However, we think the timing of raising and lowering the lake level is a problem. We own a home in Hebron ([REDACTED], Hebron, NH 03241) that is part of the Hillside Inn Condos and have a boat that is kept in the Hillside mooring field.

We believe the vast majority of boaters at the meeting expressed concern with the proposed plan since it essentially requires all boats be off the lake by early October, and lower lake levels create a hardship at the Wellington State Park boat launch (not enough water to float the boats). ***We strongly support the idea of raising the level of the lake two weeks earlier in the Spring and lowering the lake 4 weeks later in the Fall.*** We think that this would take into account the overall goals for lake preservation while still allowing owners boat access for the prime boating season. The majority of people we have spoken with regarding this issue feel much the same. If there is a good reason to lower the lake to the low target level by mid-October we would appreciate hearing of it.

We look forward to hearing from you on this very important matter.

Thanks,

Fred and Barbara Kohout

--  
Fred Kohout

[REDACTED]

**Baillargeon, Nancy**

---

**From:** Glenn B. Dorr Jr. < [REDACTED] >  
**Sent:** Tuesday, September 03, 2019 8:21 AM  
**To:** Finemore, Kent  
**Cc:** Mike Bartlett; Greg Wagner; Marshall Dorr; Doug Dorr; Chris Reinke  
**Subject:** Lower water levels On Newfound lake..

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Please do not lower the level of the lake in the fall at all..because !.there is no proven erosion problem AND erosion of exposed land would be greater during heavy rains Just look at how the dirt roads get washed out during heavy rains..gravity and water running down hill..

Lowering the lake level increases erosion always..

2. The spawning level off of Pikes point and all spawning areas are highly effected by the water level ..  
The water level should be 3 and 1/2 feet all year long... consistant ...Thank you, Glenn Dorr



**Baillargeon, Nancy**

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**From:** PedutoJr, Edward  
**Sent:** Tuesday, September 03, 2019 9:08 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake

Kent:

I live on Newfound Lake and I hear the banter through my wife who is on Facebook about the reasons that the water level on Newfound has been lowered. According to the banter, the level was dropped at the beginning of the summer so that a group of more "well to do" waterfront owners could have more of a beach. Supposedly, the level will be dropped quickly this week by 2 feet so that this same group will be accommodated.

Can you tell me what the real reasons are and if the 2 feet this week is even real.

Any info will be greatly appreciated.

Edward Peduto

[Redacted signature block]



[twitter.com/NHDES](https://twitter.com/NHDES) Please consider the environment before printing this email.



[des.nh.gov](http://des.nh.gov)

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**Baillargeon, Nancy**

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**From:** Marshall <[REDACTED] INV OF PRIVACY >  
**Sent:** Tuesday, September 03, 2019 9:19 AM  
**To:** Finemore, Kent; Glenn B. Dorr Jr.  
**Cc:** Mike Bartlett; Greg Wagner; Doug Dorr; Chris Reinke  
**Subject:** Re: Lower water levels On Newfound lake...

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Agreed! It is unnecessary...

Best,

Marshall Dorr

[REDACTED] INV OF PRIVACY

Sent from Xfinity Connect App

----- Original Message -----

**From:** Glenn B. Dorr Jr.  
**To:** Kent.Finemore@des.nh.gov  
**Cc:** Mike Bartlett, Greg Wagner, Marshall Dorr, Doug Dorr, Chris Reinke  
**Sent:** September 3, 2019 at 8:20 AM  
**Subject:** Lower water levels On Newfound lake...

Please do not lower the level of the lake in the fall at all..because !.there is no proven erosion problem AND erosion of exposed land would be greater during heavy rains Just look at how the dirt roads get washed out during heavy rains..gravity and water running down hill.. Lowering the lake level increases erosion always.. 2. The spawning level off of Pikes point and all spawning areas are highly effected by the water level .. The water level should be 3 and 1/2 feet all year long... consistant ...Thank you, Glenn Dorr

**Baillargeon, Nancy**

---

**From:** Tom Whitman [REDACTED]  
**Sent:** Tuesday, September 03, 2019 9:34 AM  
**To:** Finemore, Kent  
**Cc:** Gallagher, Jim  
**Subject:** RE: Minutes of the February 26, 2019 Newfound Lake Level Investigation

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Thank you Kent. It was very helpful and I know a challenge for you. The 08/30 meeting was well attended and DES got a lot more of the property owners involved. I would recommend putting a questionnaire in all the four towns tax bill that have property on the lake what they think of the change. They are due in December. All four town Selectmen supported the petition so they should hear what there property owners want.

Thomas Whitman



---

**From:** Finemore, Kent [mailto:Kent.Finemore@des.nh.gov]  
**Sent:** Thursday, August 29, 2019 1:49 PM  
**To:** Tom Whitman  
**Cc:** Gallagher, Jim  
**Subject:** RE: Minutes of the February 26, 2019 Newfound Lake Level Investigation

Hi Tom –

Sorry it took so long to get this, attached is a best effort at capturing the discussion from the February 26 meeting. Hope to see you Friday night.

Thanks,  
Kent

---

**From:** Finemore, Kent  
**Sent:** Friday, July 26, 2019 2:34 PM  
**To:** 'Tom Whitman' [REDACTED]  
**Cc:** Gallagher, Jim <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)>  
**Subject:** RE: Minutes of the February 26, 2019 Newfound Lake Level Investigation

Hi Tom –

I just tried to call you at WMI but missed and was informed you might be on vacation next week. Regarding minutes for the Feb 26 meeting, we don't have written minutes for the meeting but we do have a recording of the hearing. Unfortunately the electronic file of the recording is 58 MB, so I can't send it as an attachment to an email. You are more than welcome to come to our offices and listen to the recording and/or possibly get a copy of it. Please contact me at your convenience to discuss it further.

Thanks,  
Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES Water Division – Dam Bureau  
PO Box 95 – 29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

---

**From:** Tom Whitman [REDACTED]  
**Sent:** Thursday, July 25, 2019 10:19 AM  
**To:** Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
**Subject:** Minutes of the February 26, 2019 Newfound Lake Level Investigation

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Dear Mr. Finemore:

Could you direct me to where I could find the minutes of the above public meeting held in Bristol NH. On 02/26/19. I have owned property on Newfound Lake in Sanborn Bay since 1982 and have been a member of the NLRA for just about as long. I know the NLRA held a meeting where some members expressed concerns about issues with the lake associated with the water levels but I was not aware of a meeting where the decision was actually made to lower the levels by 6 inches. I became aware of this on 05/04/19 when I when to put my docks in and the level was at the Columbus day mark which it has never been since I started in 1982. I contacted the NLRA and your office to try to determine why there were changes being made. I was told this was a recommendation and a trial period based on the results of this meeting, thus the request for the minutes.

Thank you.

Thomas Whitman



**Baillargeon, Nancy**

---

**From:** Jim Geraghty <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Tuesday, September 03, 2019 10:04 AM  
**To:** Finemore, Kent  
**Subject:** Re: 8-30-19 Public Meeting Notice - Newfound Lake Level Investigation

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Hi Kent,

I was in attendance at the 8/30 meeting. I'm a bit hard of hearing, so I had difficulty understanding many the speakers from the floor. However I I could tell there were a lot of different "opinions" expressed.

As a full time resident of Bridgewater, a shore front owner and a boat owner I would like like add my thoughts to the list.

First off I'll say I am not opposed the lower winter level, only the timing of the draw down. I am one of a very few people who have concrete structures on the lake so for that reason I support the lower level. Mine is a 100 year old concrete pier that is 8' wide extending 20' into the lake. The dock suffers from extensive ice damage very similar to what Frank Bednaz described about his dock. Most of the damage has occurred in the last 20 years or so. I believe this is due to higher water levels in the winter, but that is just my opinion. I have been on this site since my family bought the property in 1962, just to put it in perspective.

As a boat owner, I am deeply concerned by the Columbus Day target for the draw down. If it is completed as proposed, there must be hundreds of boat owners - especially on Whittemore Point, as I am - who will need to get their boats out of the water by the last week in September at the latest. This is much earlier than usual for many of us.

I have spoken to a few people since the meeting who had no idea of the plan. So, I believe it is imperative that the Bureau find a way to notify all boat owners on the lake about the draw down schedule. This is reminiscent of what we faced last year when Fish & Game closed the boat launch early for repairs.

Please let me know if the plan changes.

Lastly, thank you and the Dam Bureau for putting on this very informative meeting.

Regards,

Jim Geraghty

[REDACTED] INV OF PRIVACY [REDACTED]

Bridgewater, NH

[REDACTED] INV OF PRIVACY [REDACTED]

On Monday, August 19, 2019, 4:05:35 PM EDT, Finemore, Kent wrote:

You are receiving a copy of the attached Notice of Public Meeting because you provided an email address on a sign-in for one (or both) of the previously held meetings for the Newfound Lake Level Investigation. We hope to see you on August 30 at 7 PM at the Bridgewater Town Hall.

*Kent R. Finemore, P.E. – Assistant Chief Engineer*

*NHDES Water Division – Dam Bureau*

*PO Box 95 – 29 Hazen Drive*

*Concord, NH 03302-0095*

(603) 271-0566

[Kent.Finmore@des.nh.gov](mailto:Kent.Finmore@des.nh.gov)

**Baillargeon, Nancy**

---

**From:** Derek Karner <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Tuesday, September 03, 2019 10:24 AM  
**To:** Finemore, Kent  
**Subject:** Newfound lake level

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Hello Mr. Finemore,

I am writing to express my discontent with the current plan to lower the lake level before October. Many people (taxpayers) enjoy the lake during September and with the lower lake will not be able to leave boats in. Wellington will become unusable if the full lowering takes place leaving many boat owners unable to pull boats out.

We hope a delay will be implemented until Oct. If not please publish a full explanation for the early draw-down.

Thank you, Derek Karner

29 September 2019

Department of Environmental Services

Robert R. Scott, Commissioner, State of New Hampshire

P. O. Box 95-29 Hazen Drive

Concord, NH 03302-0095

Attention, DAM BUREAU, State of New Hampshire:

Kent R. Finemore, P. E., Assistant Chief Engineer, Dam Bureau NH

Douglas McLane, Dam Bureau NH

**Re: Public Hearing of Friday, August 30, 2019, Bridgewater Town Hall, 237 Mayhew Turnpike (Route 3A), Bridgewater, NH.**

This letter is in response to Douglas McLane's request, to provide a copy of the NEWFOUND LAKE Depth Contour Chart, prepared and published by THE NEW HAMPSHIRE FISH & GAME DEPARTMENT, Field data collected as a segment of Dingell-Johnson Federal Aid Project F 10 R, **February 1966**. [Please see attached copy of requested chart].

The February 1966 chart shows the intact natural peninsula barrier at the outlet of the Fowler River that controlled river outflow into Hornet's Cove watershed, Newfound Lake. The narrow single-lane outlet extended from the northwest tip of the land-barrier peninsula to the southeast shoreline of Wellington Peninsula, western area of Hornet's Cove. The narrow single-lane outlet was naturally shallow, consisting of pure sand, necessitating carrying a canoe over the shallow outlet. All river debris remained in the river--did not flow into Hornet's Cove, Newfound Lake. That fact changed in the early 1980's, with [1] dredging of the Fowler and [2] raising Newfound Lake level:

- \* Until the 1980's, the natural peninsula barrier was intact. The Fowler River was dredged to enable boat traffic to navigate into/out of Newfound Lake--a boat marina having been constructed up the Fowler River.
- \* Erosion and destruction of the natural land-barrier peninsula at the Fowler River's mouth is a direct result of **two** man-made interventions--dredging the Fowler river up to the marina and raising the lake level.



- \* The complete erosion of the natural land-barrier peninsula enables unopposed dumping of complex debris from the Fowler River into Hornet's Cove watershed after heavy rainfall and melting snow.
- \* The expanding massive sand bar--sand from upstream dumps into Hornet's Cove--unopposed.
- \* Debris, plant growth, silt, mud, thick-black-dead foliage dumps into Hornet's Cove--unopposed.

**Recommendation:**

Replicate the original land-barrier at the mouth of the Fowler River. Construct a reef with large boulders.

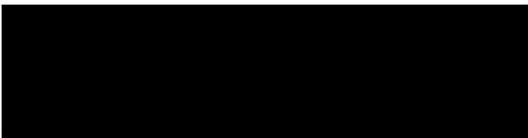
At the southwest edge of Wellington Peninsula, enable access for single-lane boat traffic in/out of Newfound Lake and control for adequate water depth in that single-lane.

The primary purpose of the boulder-reef peninsula is to reverse negative effects of Fowler River outflow into Hornet's Cove, Newfound Lake.

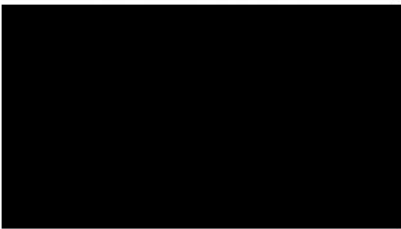
Respectfully submitted,

Helen C Hanecak Noel, PhD

*Helen C Hanecak Noel, PhD*



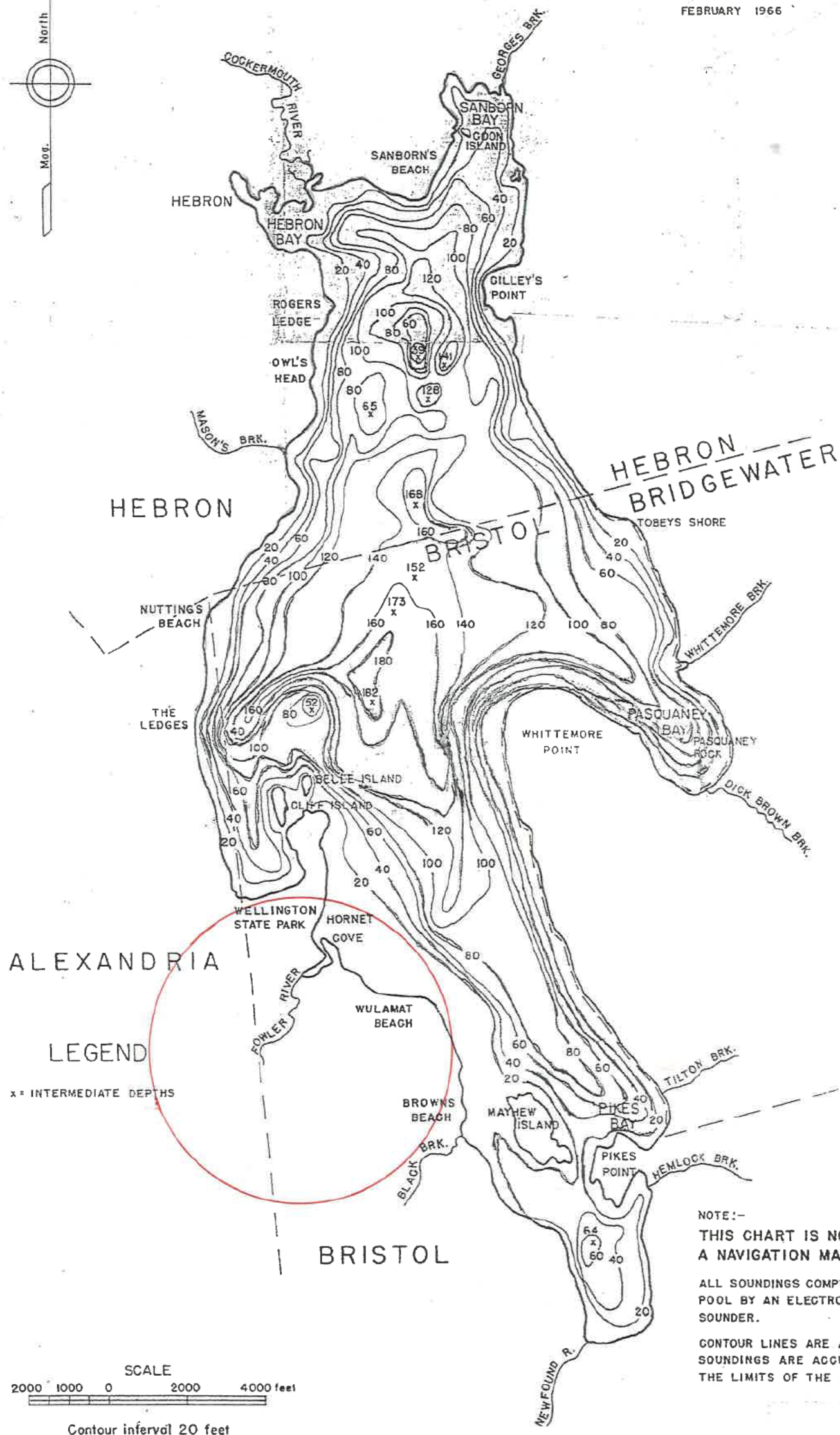
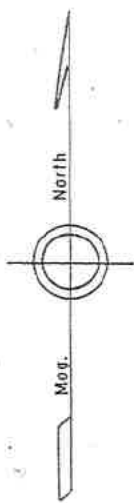
&



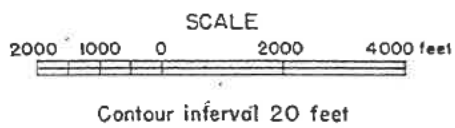
# NEWFOUND LAKE DEPTH CONTOUR CHART

PREPARED AND PUBLISHED BY  
THE NEW HAMPSHIRE FISH & GAME DEPARTMENT

FIELD DATA COLLECTED AS A SEGMENT OF  
DINGELL-JOHNSON FEDERAL AID PROJECT F 10 R  
FEBRUARY 1966



LEGEND  
x = INTERMEDIATE DEPTHS



NOTE:-  
THIS CHART IS NOT INTENDED AS  
A NAVIGATION MAP.  
ALL SOUNDINGS COMPUTED AT NORMAL FULL  
POOL BY AN ELECTRONIC RECORDING  
SOUNDER.  
CONTOUR LINES ARE APPROXIMATE AND  
SOUNDINGS ARE ACCURATE ONLY WITHIN  
THE LIMITS OF THE FIELD METHODS USED.

**Baillargeon, Nancy**

---

**From:** Kevin Miller [REDACTED]  
**Sent:** Wednesday, April 08, 2020 2:25 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake water level

This message was sent securely using Zix®

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Mr. Finemore,

Please receive this email as a request by this Hebron waterfront resident to maintain the lake levels at a higher level than the current draw down.

As it is, it will be very difficult for us to use our waterfront, when in prior years we have had no problem.

Sincerely,  
Kevin

*Kevin D. Miller, CPA*

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**Baillargeon, Nancy**

---

**From:** william morrison <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Sunday, August 02, 2020 8:19 AM  
**To:** Finemore, Kent  
**Subject:** Fwd: Re: New found river

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Good morning Kent, I spoke with Ben Nugent and TU a short time ago concerning the Newfound River. Please review this email. I would like to know how a selfish few can impact this wonderful stream. Flows 10-20 CFS is appalling. I fish this stream from January 1st and throughout the year up until recently. I have had many a conversation with other anglers and the consensus is consistent with all. Lets save the Newfound. I look forward to hearing from you.

Kind regards,  
William

----- Forwarded Message -----

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**X-UIDL:** UID31868-1141773963  
**X-Mozilla-Status:** 1011  
**X-Mozilla-Status2:** 00000000  
**X-Mozilla-Keys:**  
**Return-Path:** <[Benjamin.Nugent@wildlife.nh.gov](mailto:Benjamin.Nugent@wildlife.nh.gov)>  
**X-Original-To:** [REDACTED] INV OF PRIVACY [REDACTED]  
**Delivered-To:** [REDACTED] INV OF PRIVACY [REDACTED]  
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**Received:** from <http://mx0a-001f7b01.pphosted.com> (<http://mx0a-001f7b01.pphosted.com> [[67.231.144.22](http://67.231.144.22)]) by [pineapple.metrocast.net](http://pineapple.metrocast.net) (8.14.7/8.14.4) with ESMTP id 06DImLBU024805 (version=TLSv1/SSLv3 cipher=AES256-GCM-SHA384 bits=256 verify=FAIL) for <[REDACTED] INV OF PRIVACY [REDACTED]>; Mon, 13 Jul 2020 18:48:22 GMT  
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by <http://hzndoitmta2ent.doit.nh.gov> with ESMTTP id 326tkqu8m7-1  
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15.1.1979.3; Mon, 13 Jul 2020 14:48:18 -0400

**Received:**from [HZNGRANMAIL11.GRANITE.NHROOT.INT](http://owa2016.doit.nh.gov)  
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2020 14:48:18 -0400

**From:**Nugent, Benjamin <[Benjamin.Nugent@wildlife.nh.gov](mailto:Benjamin.Nugent@wildlife.nh.gov)>

**To:**Pemigewasset Chapter Trout Unlimited <[pemitu@gmail.com](mailto:pemitu@gmail.com)>, william morrison  
<[\[REDACTED\]](mailto:INV OF PRIVACY)>

**Subject:**Re: New found river

**Thread-Topic:**New found river

**Thread-Index:**AQHWLJ179EV9Oc6wESUqbQwGdm8+KkF1V4e

**Date:**Mon, 13 Jul 2020 18:48:18 +0000

**Message-ID:**<[ef688b110970442c9f6f2c33f936bd6@wildlife.nh.gov](mailto:ef688b110970442c9f6f2c33f936bd6@wildlife.nh.gov)>

**References:**<[ecb8f521-0e9f-11b5-8c3f-484f7b8d623b@metrocast.net](mailto:ecb8f521-0e9f-11b5-8c3f-484f7b8d623b@metrocast.net)>,<[CAOOBQKM=SK2Y7qUZcYU-snlmaWoaepwwb\\_NM6dyCB2qj4tL3-w@mail.gmail.com](mailto:CAOOBQKM=SK2Y7qUZcYU-snlmaWoaepwwb_NM6dyCB2qj4tL3-w@mail.gmail.com)>

**In-Reply-To:**<[CAOOBQKM=SK2Y7qUZcYU-snlmaWoaepwwb\\_NM6dyCB2qj4tL3-w@mail.gmail.com](mailto:CAOOBQKM=SK2Y7qUZcYU-snlmaWoaepwwb_NM6dyCB2qj4tL3-w@mail.gmail.com)>

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**x-originating-ip:**[[10.6.13.26](http://owa2016.doit.nh.gov)]

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**X-Proofpoint-Virus-Version:**vendor=fsecure engine=2.50.10434:6.0.235,18.0.687 definitions=2020-07-10\_10:2020-07-10,2020-07-10 signatures=0

**X-Proofpoint-Spam-Details:**rule=notspam policy=default score=0 spamscore=0 suspectscore=0 phishscore=0  
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engine=7.0.1-1810110000 definitions=main-2002290046

**X-Proofpoint-Spam-Details:**rule=notspam policy=default score=0 mlxscore=0 mlxlogscore=999  
malwarescore=0 adultscore=0 phishscore=0 bulkscore=0 spamscore=0  
suspectscore=0 classifier=spam adjust=0 reason=mlx scancount=1  
engine=8.12.0-2006250000 definitions=main-2007100104

**X-Proofpoint-Virus-Version:**vendor=fsecure engine=2.50.10434:6.0.235,18.0.687 definitions=2020-07-13\_15:2020-07-13,2020-07-13 signatures=0

Thank you for your concerns, Mr. Morrison. It was good to speak with you today. My best guess for someone to reach out to from the Dam Bureau at NHDES would be Kent Finemore ([Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)). He was

identified as the person to receive comment's about last year's investigation of levels of inland waters at Newfound Lake.

This website

[https://www4.des.state.nh.us/Rti\\_home/station\\_information\\_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+=+6+ft.+Local+=+587.88+ft.+above+sea+level](https://www4.des.state.nh.us/Rti_home/station_information_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+=+6+ft.+Local+=+587.88+ft.+above+sea+level) provides information describing recent river flows, lake elevation and recording precipitation at the Newfound Lake dam. Here is a report <http://alexandrianh.com/wp-content/uploads/2017/12/WMP3-A-through-I-Final-Rpt-30Dec14.pdf> which has a recommendation for flow rate of the Newfound River (page 11).

I hope this helps. Please let me know if you have any questions or need anything else.

Thanks.

Ben

---

From: Pemigewasset Chapter Trout Unlimited <[pemitu@gmail.com](mailto:pemitu@gmail.com)>  
Sent: Sunday, July 12, 2020 9:10 PM  
To: william morrison  
Cc: Nugent, Benjamin  
Subject: Re: New found river

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William, I'm not sure, but cc'd Ben Nugent at NH Fish & Game. He may be able to point you in the right direction.

- Dave Pushee

On Sun, Jul 12, 2020, 8:53 PM william morrison < > wrote:

I am TU member. I fish Newfound river year round. Who would I speak with regarding the Newfound river? River flows 12 CFS 24 CFS after a rain for a day or two. Biggest drop down rainbows I've ever caught in jeopardy. What can be done about the low flow? I believe I know why and what happened what can be done and who can I speak with?

William Morrison





**Baillargeon, Nancy**

---

**From:** Mattaini, Dan  
**Sent:** Tuesday, August 11, 2020 7:30 AM  
**To:** Finemore, Kent  
**Subject:** FW: Newfound Lake level

I'll come up with a response. Do you want to add this to the record, or contact them?

Dan

---

**From:** DES: Watershed <Watershed@des.nh.gov>  
**Sent:** Monday, August 10, 2020 10:13 AM  
**To:** Mattaini, Dan <Daniel.Mattaini@des.nh.gov>  
**Subject:** FW: Newfound Lake level

Dan, does this one have a dam? If so, can you respond?

Lisa A. Fortier, Executive Secretary  
For the Watershed Management e-mail account  
Water Division, NH Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Phone: 603-271-3503

**From:** Don Sorrie [INV OF PRIVACY] <[redacted]>  
**Sent:** Sunday, August 9, 2020 3:25 PM  
**To:** DES: Watershed <[Watershed@des.nh.gov](mailto:Watershed@des.nh.gov)>  
**Subject:** Newfound Lake level

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

We are at [INV OF PRIVACY], Bridgewater. The water level this summer is concerning. If the level continues to drop we will have to add another section to the dock. Maybe my memory is bad but don't remember the lake being this low at August 9.

Trusting you will not be lowering any further.  
Thanks for your attempting to satisfy all at Newfound.  
Katherine Miller  
Donald Sorrie

**Baillargeon, Nancy**

---

**From:** Don Sorrie <[REDACTED] INV OF PRIVACY >  
**Sent:** Thursday, August 13, 2020 9:04 AM  
**To:** Finemore, Kent  
**Cc:** Gallagher, Jim; Mattaini, Dan  
**Subject:** Re: New found river

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Appreciate your response. Certainly it is a dry summer. However, it points out that keeping the lake lower means during times like this there is no cushion to keep lake at an acceptable level. I understand lowering the level had to do with concerns of shore erosion and repairs. Was this problem because of the level or more due to the bigger waves from more and more powerful boats.

Thank, Don

On Aug 11, 2020, at 10:56 AM, Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)> wrote:

Hi Mr. Sorrie –

We do understand that the flows in the Newfound River are low right now, but we do really appreciate your message as it gives us additional testimony for our continued effort to collect data on best practices for operating the Newfound Lake Dam throughout the year. NHDES received a petition in April 2018 to conduct an investigation of conditions affecting the use and enjoyment of any such public water on Newfound Lake under NH RSA 482:79 (see <http://www.gencourt.state.nh.us/rsa/html/L/482/482-79.htm>), commonly referred to as a Lake Level Investigation (LLI). NHDES held a public hearing to accept testimony related to the LLI in September 2018, at which we received considerable testimony in support of lowering levels in Newfound Lake throughout the year. NHDES informed the public of an interim operating plan at the Newfound Lake Dam at a public meeting in February 2019. NHDES held another public meeting in September 2019 to accept additional testimony, and in January 2020 NHDES issued an interim decision to continue the interim operating plan for another season to collect more data and continue to receive testimony on the LLI (see attached Interim Operating Curve).

The target levels for operating the Newfound Lake Dam the way it had been between 1982-2018 and the Interim Operating Curve actually coincide on or around the first of August. Unfortunately, with the extremely dry summer we've had so far this year (low in-flows to the lake and higher than average evaporation), it's been difficult to maintain the lake at desired levels. Right now the water level in Newfound is about a half a foot lower than our target for early August (see [http://www4.des.state.nh.us/Rti\\_home/station\\_information\\_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+=+6+ft.+Local+=+587.88+ft.+above+sea+level](http://www4.des.state.nh.us/Rti_home/station_information_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+=+6+ft.+Local+=+587.88+ft.+above+sea+level)), even as we minimize outflow to the extent possible. Also on the website is a graph of outflows from the dam that shows it has been 15-16 cfs for several days, which is about as low as we can go to minimally sustain the Newfound River. We really are trying our very best to balance things overall.

Thank you again for your message and we will include this as part of testimony received for the LLI we are conducting for Newfound Lake. I've cc'd Jim Gallagher, the Chief Water Resources Engineer for NHDES, and Dan Mattaini, the Administrator of our Operations and Maintenance Section in the Dam Bureau, they are tuned in to all of these issues as well.



Thanks,  
Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Don Sorrie <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Sunday, August 9, 2020 3:25 PM  
**To:** DES: Watershed <[Watershed@des.nh.gov](mailto:Watershed@des.nh.gov)>  
**Subject:** Newfound Lake level

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

We are at [REDACTED] INV OF PRIVACY [REDACTED], Bridgewater. The water level this summer is concerning. If the level continues to drop we will have to add another section to the dock. Maybe my memory is bad but don't remember the lake being this low at August 9.  
Trusting you will not be lowering any further.  
Thanks for your attempting to satisfy all at Newfound.  
Katherine Miller  
Donald Sorrie

<Modified Interim Operating Curve.pdf>

**Baillargeon, Nancy**

---

**From:** Mattaini, Dan  
**Sent:** Tuesday, August 25, 2020 3:47 PM  
**To:** 'INV OF PRIVACY'; 'INV OF PRIVACY'  
**Cc:** Finemore, Kent; Gallagher, Jim  
**Subject:** RE: Newfound Lake Water Level  
**Attachments:** Modified Interim Operating Curve.pdf

Good afternoon,

The interim plan has not changed. However, due to the drought it has not been possible to maintain the new target summer water level, and currently it is about 9 inches below that target for this date, being about where the plan had indicated it would be planned to be on Sept. 15<sup>th</sup> (based on keeping it level until September 1<sup>st</sup>, then dropping the level from that date forward. Following the new operating procedure could result in these conditions during dry summers for this part of the season.

As you may know, NHDES received a petition in April 2018 to conduct an investigation of conditions affecting the use and enjoyment of any such public water on Newfound Lake under NH RSA 482:79 (see <http://www.gencourt.state.nh.us/rsa/html/L/482/482-79.htm>), commonly referred to as a Lake Level Investigation (LLI). NHDES held a public hearing to accept testimony related to the LLI in September 2018, at which we received considerable testimony in support of lowering levels in Newfound Lake throughout the year. NHDES informed the public of an interim operating plan at the Newfound Lake Dam at a public meeting in February 2019. NHDES held another public meeting in September 2019 to accept additional testimony, and in January 2020 NHDES issued an interim decision to continue the interim operating plan for another season to collect more data and continue to receive testimony on the LLI (see attached Interim Operating Curve).

In looking at the attached graph which displays the prior and interim operating plans, we are at about 4.75' (see the left axis), vs. being at the summer target of 5.5'. This is despite releasing very minimal amounts of water out of the dam throughout the summer.

If you have any comments on this year's procedure, please forward them to Kent Finemore (he is cc'd in this email). We will include your message as part of the testimony received for the LLI we are conducting for Newfound Lake.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Dam Bureau  
Water Division  
New Hampshire Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867  
Fax: (603) 271-6910  
Real-Time Data and Information for Watersheds in New Hampshire web site:  
[http://www4.des.state.nh.us/Rti\\_home/](http://www4.des.state.nh.us/Rti_home/)

---

**From:**  
**Sent:** Monday, August 17, 2020 3:18 PM

**To:** DES: Watershed <[Watershed@des.nh.gov](mailto:Watershed@des.nh.gov)>

**Cc:** Slaski Jeffrey

**Subject:** Newfound Lake Water Level

We are noticing a constant drop in the lake level at Newfound Lake. Last year, the lake level was maintained at a constant for the summer then rapidly dropped by Columbus Day

Has that plan changed?

As Harbor Master for our condo community, the dropping of the lake level causes issues with shallow moorings.

Thanks in advance for your response.

Bruce Traumuller

Harbor Master

Manor Estates

**Baillargeon, Nancy**

---

**From:** btrau < [REDACTED] >  
**Sent:** Tuesday, August 25, 2020 7:43 PM  
**To:** Mattaini, Dan; Finemore, Kent  
**Cc:** Gallagher, Jim; [REDACTED]  
**Subject:** Re[2]: Newfound Lake Water Level

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Dan and Kent,

Thank you for the explanation and this is very helpful as it helps us plan for the end of the season. This has been an unusual year with the drought. As a matter of testimony, my preference would be to maintain the interim operating curve (Red) with a shift one month later where the rapid drop happens in Oct-Nov time frame.

From a swim area and mooring field perspective, this allows a safer environment as it allows us to position moorings, docks, and swim platforms in locations where there will be ample water for the season which, at our location, ends on Columbus Day.

Thanks again for you work and please keep us posted.

Bruce Traumuller  
Harbor Master  
Manor Estates

----- Original Message -----

From: "Mattaini, Dan" <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
To: "[REDACTED]" < [REDACTED] >; "[REDACTED]" < [REDACTED] >  
Cc: "Finemore, Kent" <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>; "Gallagher, Jim" <[JAMES.W.GALLAGHER@des.nh.gov](mailto:JAMES.W.GALLAGHER@des.nh.gov)>  
Sent: 8/25/2020 3:46:51 PM  
Subject: RE: Newfound Lake Water Level

Good afternoon,

The interim plan has not changed. However, due to the drought it has not been possible to maintain the new target summer water level, and currently it is about 9 inches below that target for this date, being about where the plan had indicated it would be planned to be on Sept. 15<sup>th</sup> (based on keeping it level until September 1<sup>st</sup>, then dropping the level from that date forward. Following the new operating procedure could result in these conditions during dry summers for this part of the season.

As you may know, NHDES received a petition in April 2018 to conduct an investigation of conditions affecting the use and enjoyment of any such public water on Newfound Lake under NH RSA 482:79 (see <http://www.gencourt.state.nh.us/rsa/html/L/482/482-79.htm>), commonly referred to as a Lake Level Investigation (LLI). NHDES held a public hearing to accept testimony related to the LLI in September 2018, at which we received considerable testimony in support of lowering levels in Newfound Lake throughout the year. NHDES informed the public of an interim operating plan at the Newfound Lake Dam at a public meeting in February 2019. NHDES held another public meeting in September 2019 to accept additional testimony, and in January 2020 NHDES issued an interim decision to continue the interim operating plan for another season to collect more data and continue to receive testimony on the LLI (see attached Interim Operating Curve).

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If you have any comments on this year's procedure, please forward them to Kent Finemore (he is cc'd in this email). We will include your message as part of the testimony received for the LLI we are conducting for Newfound Lake.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Dam Bureau  
Water Division  
New Hampshire Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867  
Fax: (603) 271-6910  
Real-Time Data and Information for Watersheds in New Hampshire web site:  
[http://www4.des.state.nh.us/Rti\\_home/](http://www4.des.state.nh.us/Rti_home/)

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**From:**  
**Sent:** Monday, August 17, 2020 3:18 PM  
**To:** DES: Watershed <[Watershed@des.nh.gov](mailto:Watershed@des.nh.gov)>  
**Cc:** Slaski Jeffrey  
**Subject:** Newfound Lake Water Level

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Has that plan changed?

As Harbor Master for our condo community, the dropping of the lake level causes issues with shallow moorings.

Thanks in advance for your response.

Bruce Traumuller  
Harbor Master  
Manor Estates

**Baillargeon, Nancy**

---

**From:** Nancy Lincoln <[REDACTED]>  
**Sent:** Wednesday, September 16, 2020 2:24 PM  
**To:** Finemore, Kent  
**Subject:** Newfound lake

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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## Hello Mr Finemore

We are lakeside owners on Newfound Lake and are loving the lower lake levels. Please continue this level moving forward in future years

We'd appreciate a heads up in future years so we can plan our lakefront permits and work to be done.

We have "sea walls" (stone walls) along part of our property that are in need of repair... the sea walls are getting eroded by the many boaters who proceed faster than headway speed close to shore and the wake board boats who throw huge multiple waves that result in a washing machine motion to our shore front ...they literally erode the stone walls and it's mortar with their shenanigans

Any questions please reach out to us. Thank you

Nancy and Michael Lincoln

[REDACTED]

Alexandria NH

-N-

"Take the high road. It's easier, there's less traffic"

Sent from my iPad so pardon the AutoCorrections

**Baillargeon, Nancy**

---

**From:** Garry Lahey <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Thursday, September 17, 2020 9:22 PM  
**To:** Finemore, Kent  
**Subject:** Newfound lake level.

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Hello, I live and keep my boat on Newfound near Hebron bay. The last two years have been difficult to say the least. I have a small boat and it has been sitting on the bottom the last two weeks. I will get help dragging it out into water to get to the launch area.

The prior years I was able to get it out just before the Columbus day low.

Just as important, the shallow water of Hebron bay that was mostly under water and filled with life has become pretty much a meadow, especially this year.

I am not a fresh water biologist, but am a highly educated scientist. You don't have to be highly educated to see the dozens of acres of shallows have been essentially lost due to this two year lake level trial time.

I guess you know where I stand.

Sincerely

Garry Lahey PhD

[REDACTED] INV OF PRIVACY [REDACTED], Hebron, NH 03241

**Baillargeon, Nancy**

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**From:** Steve Gunn <[REDACTED] INV OF PRIVACY >  
**Sent:** Friday, September 18, 2020 11:57 AM  
**To:** Finemore, Kent  
**Subject:** Testimony For Newfound Lake interim Lake Level plan  
**Attachments:** DSCN0080 (Small).JPG; DSCN0081 (Small).JPG; DSCN0082 (Small).JPG

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Kent,  
I would like to say that I think the test of the interim lake level plan for Newfound lake has demonstrated that it would be a mistake to continue.  
It was stated in previous meetings that the lower level would allow runoff to move dirt and debris out in the deeper part of the lake. I have attached some pictures to show that is not the case. any movement of material on our beach is only piling up close to shore and thus filling in areas where we dock or boats and use the beach for swimming. Basically it has destroyed our beach and our enjoyment of the beach.  
I also feel that the current plan does not take into consideration conditions from a severe drought. As one individual stated, you can always drain the lake down, but you can not fill it back up if there is no rain. Take this year for instance, had the lake been allowed to fill as was the case before this plan, we would still be able to enjoy our lake, as even with the lack of rain, the lake would be higher at this date. We are currently much lower than any previous levels for this date, looking back at least 12 years. We are currently below the old Columbus day target.  
I know that many different aspects must be considered, however one of those is boating. I have lost a month in the beginning of the season and a month & 1/2 now at the end of the boating season due to the interim plan. There water is not deep enough to safely navigate to my dock, which has been in use for many, many years. These are the most enjoyable times for locals as it is mostly locals on the water at these times.  
I was told by a reliable source that the buildup from the runoff with the lake being lower is also affecting the area where the Cockermonth dumps into the lake.  
I also fear for the dry hydrant in Hebron that pulls water from the Cockermonth as the lake level affects the level of the Cockermonth in Hebron.  
I also fear for the fish as I see areas that were once filled with water, now either dry or only inches deep, I would imagine that the water temperature in those extremely shallow areas are heating up to higher temps and quicker on our sunny days, what effect does this have on the fish?  
During one of the meetings you mentioned that you were not able to adequately control the lake level at the dam, because there was no automated method to open and close it. I would suggest that instead of changing the lake level management and ruining our way of life at the lake that the dam be upgraded to better allow it to be controlled in a timely fashion.  
It seems to me that going back to the previous plan and reacting better to heavy rain event would be the best solution. Changing the management of the lake levels because of 1 or two events in a 20+ year period is not the solution. In addition it was mentioned in the meetings that 1" of rain raises the lake 10-12". I disagree, that is not the case. Look at the past two years data and you will see that with over 2" of rain in the watershed, the lake has only risen a few inches at the most. That statement is false and misleading. Do not take one individuals mention of that statement, please have someone review actual historic rain data and how it affect the lake level. Can the lake rise quickly, yes, but it takes a very large rain making system, that are usually predicted ahead of time. All the data is readily available to match lake level rise with actual rainfall data, you just need someone to analyze it. Please make decisions based on data. Also please use rainfall data from the Newfound Watershed, not Lakeport data, they can and are many time very different.  
As for erosion, I am out and around the lake weekly during the boating season and I have not seen any large changes in erosion around the lake, I would be very surprised to find that it all of a sudden became worse. Are there areas of erosion, I am sure there is. The best method for controlling the erosion is not to lower the lake, but to take action on the areas that may have an issue. If an improperly built wall is perhaps collapsing it is probably the wall that is the problem, not the lake level. We have done that in our area, easy to blame the lake level, but as was the case in our area it was actually building a wall that was not built to withstand years of water working against it. Our new wall, works well and shows no sign of being deteriorated by the water. I do believe that lowering the lake level after so many years at a higher level has exposed shoreline that was previously underwater and now that it is exposed has no growth to stop it from being washed out into the lake, so the lower level may have had the opposite effect you were hoping to achieve.  
Please consider the trial as a failure and go back to the old management program.



If you do choose to make the interim plan final, there must be procedures put in place to allow dredging and dock and mooring changes, as too many of us have lost the use of the lake and can not afford the expensive permitting process needed to allow us to enjoy our lake as we have for generations.

Please, please do not implement the interim plan, we have too much to loose by implementing it.

Remember that the original meeting was attended primarily by the petitioners, as you stated, the DES did not do a good job of getting the word out about the meeting. Please find a way to get all involved in the decision, hoping some folks will provide e-mail testimony is again failing to involve all those who live and enjoy Newfound Lake. Some kind of ballot vote would be great, if promoted properly.

Thank you Kent for taking time to read this.

Steve Gunn

INV OF PRIVACY

Bristol, NH 03222

INV OF PRIVACY

also property owner on the lake in Hebron, NH







**Baillargeon, Nancy**

---

**From:** Brian Thamel [REDACTED]  
**Sent:** Sunday, September 27, 2020 8:15 AM  
**To:** Finemore, Kent  
**Subject:** Newfound water level

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Hi Kent,  
I am writing with concerns over the low water level. I have enjoyed the Fall on Newfound for many years. I typically take my boat out Columbus Day weekend. Last year due to the low water level I had to hire someone to get my boat off my lift as the water was too low. This year I decided to be wise and take my boat out earlier this weekend and when I got here and saw the level once again I couldn't get my boat off even after preadjusting a few weeks ago . Very unhappy that I can't enjoy the Fall on Newfound lake due to the extreme low water level! I also feel it is dangerous out there as many rocks sticking up and need to be so cautious not to bottom out. Not sure the reasoning for this but please reconsider for the future.  
Sincerely,  
Brian Thamel

Sent from my iPhone  
**BRIAN S. THAMEL, O.D.**



**Baillargeon, Nancy**

---

**From:** Donna Manning [REDACTED]  
**Sent:** Thursday, October 01, 2020 11:23 AM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake Dam Setting

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Dear Mr. Finemore,

My name is David Manning, my wife and I own property at [REDACTED] We have been on North Shore for 16 years and have been a frequent visitors since 1986. Just wanted to share my testimony regarding the two year experiment with Newfound Lake's lower levels and the timing of those levels.

Not sure how we actually got to this point, but I believe there was a focus group formed regarding this activity. I was told that a group of "stakeholders" formed, hired a scientist and followed some recommendations. I was told that there were meetings, but did not hear about them. Did not see info on social media or hear about the initiative thru word of mouth until after the process was well underway. Also, not sure of the definition of a stakeholder is. I do know what it is not. It is not just waterfront property owners, NLRA, conservationist or business owners. I would submit to you that stakeholders are all of the aforementioned and anyone who visits any of the town beaches, Wellington, fisherman, boaters, kayakers and any day tripper to the lake. I believe that Newfound stakeholders are all of the residents of New Hampshire and beyond who appreciate this natural gem that has been entrusted to us.

I would humbly request that perhaps that when the next meeting is scheduled that it be better publicized thru email chains, social media and both state and local media outlets. Perhaps this request is not part of your responsibility, but anything you could do to help influence this would be most appreciated.

I know the new levels and advanced timing of draw dawn has had a negative effect on boaters being grounded and difficulty pulling boats out at the state launch.

6 inches may not seem like much, but it has definitely effected the Hebron Town Beach, which was already a very shallow swim and wade area. In the past you could at least go to the outer limit of swim area and swim laps. Not anymore, for at least the last two summers.

The channel at the mouth of the Cockermonth has become non navigable for some boats. At one point this summer, I had to wade out from the town beach to help push the Marine Patrol boat thru it, which became grounded. They dock the state boat at the Gray Rocks area off North Shore Rd. I believe one of the expected benefits was better flow and better distribution of the river silt deposits in this area. I don't have hard evidence that this hasn't helped, but appears not to have.

In general I have noticed a much higher degree of aquatic weed growth around the shallow areas at the perimeter of the lake over that last few seasons.

It has also had a very negative affect on us personally. For the previous two years and now this the 3<sup>rd</sup> year our dug well has failed us. Last winter when it happened, pulled the cover and found the water level, right at bottom of well to be approx. two inched below the pump intake. That 6 inches made the difference of having domestic water or not. The ground water table is directly related to the lower lake levels. Now we are embarking on a very costly process to go deeper into the aquifer at the base of our well. Do you know, if the state or this group associated with the "experiment" have funds set aside to help assist with hardships caused such as this??

I know everything has been exacerbated by this year's draught, but it is not the reason for us not having water. It has accelerated the lower levels, we are dry now, last year took till mid-October and doesn't come back until mid-May.

People have mentioned to me that the water clarity has improved dramatically this year as well as less silt because of this lowering endeavor. The lake has always had the best clarity. It would submit that it was more clear and less silt due the lack of rain and resulting silty run off.

For the record, we are extremely opposed to this experiment and hope that things return to previous levels sooner rather than later. We, also, hope this testimony along with others helps in the decision making process. Hope to get to meet you at next meeting. I know there will many people there, judging by the public outrage that I am hearing from the majority of the local community that we encounter.

Best regards and be well!

Respectfully,

David Manning

**Baillargeon, Nancy**

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**From:** Finemore, Kent  
**Sent:** Monday, October 05, 2020 8:21 AM  
**To:** Finemore, Kent  
**Subject:** FW: Testimony For Newfound Lake intermim Lake Level plan

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

---

**From:** Steve Gunn <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Saturday, October 3, 2020 7:31 AM  
**To:** Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>  
**Cc:** Gallagher, Jim <JAMES.W.GALLAGHER@des.nh.gov>; Mattaini, Dan <DANIEL.J.MATTAINI@des.nh.gov>  
**Subject:** Re: Testimony For Newfound Lake intermim Lake Level plan

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Kent,  
A good example of the lake rise from a rain event was the rain we received at the end of September. In general in the Newfound Watershed we received around an 1 1/4". Some areas were higher some a bit lower. Based on DES data the dam does not appear to have been opened. The lake rose approx 2 1/4" from this rain. a far cry from the 10-12" that were mentioned at the meetings. As I mentioned in my previous e-mail if one was to go back and match the rainfall in the watershed with the lake level increases you will find this is about a normal rise for this amount of rain. This happens even when we are not in a drought. I truly believe that a review of actual data from rainfall in the Newfound Watershed, matched up with actual data of lake level increase will show that the 10-12" increase per inch of rain is not true.  
If the DES could control the release of water in a more timely fashion even when we have rainfall in the 3-5" per 24 hour period we would not have substantial increase in lake levels due to rain events. In addition we would not have the excessively low levels during time of drought as we are experiencing now.

I have heard (hearsay) that folks have been damaging propellers removing their bots at the Wellington boat ramp due to these low conditions.

Please remember that the boat ramp, docks, moorings were all established based on the past Lake Level Management plan. Even at our beach we recently worked with the State DOT on some drainage issues. They pulled the proper permits for a spillway, the length of which was based on the previous maintained lake levels. The spillway is far too short now.

I hope a decision is made to revert back to the previous lake level management plan as soon as possible. If indeed it is determined that the plan should be changed, please delay the implementation, give proper notice to all involved and work on a plan to allow docks, moorings, dredging, etc to be accomplished without the existing cost and time delays of the permitting process.

Thank you for listening again.

Steve



On Friday, September 18, 2020, 01:55:45 PM EDT, Finemore, Kent <[kent.r.finemore@des.nh.gov](mailto:kent.r.finemore@des.nh.gov)> wrote:

Steve –

Thanks very much for your testimony including the pictures, it's important for us to get comprehensive testimony and this will be included in the record for the Lake Level Investigation.

Thanks,  
Kent

Kent R. Finemore, P.E.

Assistant Chief Engineer

NHDES – Dam Bureau

(603) 271-0566

[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

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**From:** Steve Gunn <[REDACTED] INV OF PRIVACY >  
**Sent:** Friday, September 18, 2020 11:57 AM  
**To:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>  
**Subject:** Testimony For Newfound Lake intermim Lake Level plan

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Kent,

I would like to say that I think the test of the interim lake level plan for Newfound lake has demonstrated that it would be a mistake to continue.

It was stated in previous meetings that the lower level would allow runoff to move dirt and debris out in the deeper part of the lake. I have attached some pictures to show that is not the case. any movement of material on our beach is only piling up close to shore and thus filling in areas where we dock or boats and use the beach for swimming. Basically it has destroyed our beach and our enjoyment of the beach.

I also feel that the current plan does not take into consideration conditions from a severe drought. As one individual stated, you can always drain the lake down, but you can not fill it back up if there is no rain. Take this year for instance, had the lake been allowed to fill as was the case before this plan, we would still be able to enjoy our lake, as even with the lack of

rain, the lake would be higher at this date. We are currently much lower than any previous levels for this date, looking back at least 12 years. We are currently below the old Columbus day target.

I know that many different aspects must be considered, however one of those is boating. I have lost a month in the beginning of the season and a month & 1/2 now at the end of the boating season due to the interim plan. There wate is not deep enough to safely navigate to my dock, which has been in use for many, many years. These are the most enjoyable times for locals as it is mostly locals on the water at these times.

I was told by a reliable source that the buildup from the runoff with the lake being lower is also affecting the area where the Cockermouth dumps into the lake.

I also fear for the dry hydrant in Hebron that pulls water from the Cockermouth as the lake level affects the level of the Cockermouth in Hebron.

I also fear for the fish as I see areas that were once filled with water, now either dry or only inches deep, I would imagine that the water temperature in those extremely shallow areas are heating up to higher temps and quicker on our sunny days, what effect does this have on the fish?

During one of the meetings you mentioned that you were not able to adequately control the lake level at the dam, because there was no automated method to open and close it. I would suggest that instead of changing the lake level management and ruining our way of life at the lake that the dam be upgraded to better allow it to be controlled in a timely fashion.

It seems to me that going back to the previous plan and reacting better to heavy rain event would be the best solution. Changing the management of the lake levels because of 1 or two events in a 20+ year period is not the solution. In addition it was mentioned in the meetings that 1" of rain raises the lake 10-12". I disagree, that is not the case. Look at the past two years data and you will see that with over 2" of rain in the watershed, the lake has only risen a few inches at the most. That statement is false and misleading. Do not take one individuals mention of that statement, please have someone review actual historic rain data and how it affect the lake level. Can the lake rise quickly, yes, but it takes a very large rain making system, that are usually predicted ahead of time. All the data is readily available to match lake level rise with actual rainfall data, you just need someone to analyze it. Please make decisions based on data. Also please use rainfall data from the Newfound Watershed, not Lakeport data, they can and are many time very different.

As for erosion, I am out and around the lake weekly during the boating season and I have not seen any large changes in erosion around the lake, I would be very surprised to find that it all of a sudden became worse. Are there areas of erosion, I am sure there is. The best method for controlling the erosion is not to lower the lake, but to take action on the areas that may have an issue. If an improperly built wall is perhaps collapsing it is probably the wall that is the problem, not the lake level. We have done that in our area, easy to blame the lake level, but as was the case in our area it was actually building a wall that was not built to withstand years of water working against it. Our new wall, works well and shows no sign of being deteriorated by the water. I do believe that lowering the lake level after so many years at a higher level has exposed shoreline that was previously underwater and now that it is exposed has no growth to stop it from being washed out into the lake, so the lower level may have had the opposite effect you were hoping to achieve.

Please consider the trial as a failure and go back to the old management program.

If you do choose to make the interim plan final, there must be procedures put in place to allow dredging and dock and mooring changes, as too many of us have lost the use of the lake and can not afford the expensive permitting process needed to allow us to enjoy our lake as we have for generations.

Please, please do not implement the interim plan, we have too much to loose by implementing it.

Remember that the original meeting was attended primarily by the petitioners, as you stated, the DES did not do a good job of getting the word out about the meeting. Please find a way to get all involved in the decision, hoping some folks will provide e-mail testimony is again failing to involve all those who live and enjoy Newfound Lake. Some kind of ballot vote would be great, if promoted properly.

Thank you Kent for taking time to read this.

Steve Gunn

INV OF PRIVACY

Bristol, NH 03222

INV OF PRIVACY

also property owner on the lake in Hebron, NH

**Baillargeon, Nancy**

---

**From:** Steve Gunn <[REDACTED] INV OF PRIVACY [REDACTED]>  
**Sent:** Thursday, October 15, 2020 5:29 PM  
**To:** Finemore, Kent  
**Subject:** Newfound Lake

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Kent,  
Another example of Newfound Lake not rising at the rate mentioned at the meetings. The most recent rains where 1.5" or higher in the entire watershed in less than 24 hours. The lake rose approx. 3" yet the dam is basically closed up.

Steve

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Otter Brook Dam LOD Response  
**Date:** Thursday, February 18, 2021 12:39:00 PM

---

Hi Nancy –

I'm going to start sending emails your way. Please let me know what the last date of emails rec'd was, I just had to do some archiving.

Thanks,  
Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Rick Van de Poll <rickvdp@gmail.com>  
**Sent:** Friday, November 6, 2020 3:44 PM  
**To:** Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>  
**Cc:** Gallagher, Jim <JAMES.W.GALLAGHER@des.nh.gov>  
**Subject:** Re: Otter Brook Dam LOD Response

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Hi Kent;

Thanks for forwarding the letter and the OBF site survey on.  
And yes, I owe you a report on our limited monitoring this year. As you know, water levels struggled with the drought so there were fewer demands on erosion issues. That said, I did get some spring and summer data and will shortly do a fall check on the Cockermouth to round this out, with a short report coming your way soon thereafter. I'll keep you informed.

Rick

PS. I hope you told your water level "complainers" to do a rain dance!

On Fri, Nov 6, 2020 at 2:13 PM Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)> wrote:

Hi Rick –

Hope things are well with you and yours. Thanks for forwarding the LOD response for Otter Brook Dam, I forwarded that to our Dam Safety section. Regarding Newfound, we have definitely received additional testimony over the last several months, predictably enough a lot in the second half of the summer relative to lake levels with the drought. We've been wondering if we're going to hear more about the monitoring that you and others have been doing this year. Feel free to

give me a call sometime to talk more, I'm working from home but my office number is directed to my cell phone.

Thanks,  
Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Rick Van de Poll <[rickvdp@gmail.com](mailto:rickvdp@gmail.com)>  
**Sent:** Friday, November 6, 2020 8:06 AM  
**To:** Gallagher, Jim <[JAMES.W.GALLAGHER@des.nh.gov](mailto:JAMES.W.GALLAGHER@des.nh.gov)>; Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>  
**Cc:** Michael ODonovan <[REDACTED]>  
**Subject:** Otter Brook Dam LOD Response

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Hi Jim and Kent;

Please see the attached, thanks.

Rick

PS. Any concerns voiced from Newfound this fall?

--

Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC  
30 N. Sandwich Rd  
Center Sandwich, NH 03227  
[rickvdp@gmail.com](mailto:rickvdp@gmail.com)  
[www.rickvandepoll.com](http://www.rickvandepoll.com)

--

Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC  
30 N. Sandwich Rd  
Center Sandwich, NH 03227  
[rickvdp@gmail.com](mailto:rickvdp@gmail.com)  
[www.rickvandepoll.com](http://www.rickvandepoll.com)

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**Baillargeon, Nancy**

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**From:** Finemore, Kent  
**Sent:** Tuesday, December 01, 2020 11:43 AM  
**To:** Baillargeon, Nancy  
**Subject:** FW: Feedback on Newfound Lake water level

Hi Nancy –

Hope things are well. Attached is the latest for Newfound testimony, please include this along with the others.

Thanks,  
Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

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**From:** Rick Butterfield  
**Sent:** Tuesday, December 1, 2020 11:28 AM  
**To:** Finemore, Kent  
**Subject:** Feedback on Newfound Lake water level

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Hello Kent,

I've been informed that inquiries and feedback may be written to your email address regarding the summer water levels at Newfound Lake. Please excuse the intrusion if this information is incorrect.

My wife and I are summer residents in Bridgewater and are members of the Whittemore Improvement Association (WIA), a group of residents who share beach rights at the WIA Beach in Bridgewater. The beach has 12 moorings and a dock for picking up and discharging boat passengers. It also has a swim area that is roped off to allow for the passage of the boats to the dock.

With the reduction of the water levels, the boats are in danger of hitting rocks as they come in to dock. The boaters need to use extreme caution to avoid them. In addition, due to the water levels, the members who are using the swim area are unable to swim as they normally would, because at the point where the roped off area ends, the water level is still somewhat shallow. There are many restrictions by the state that prevent the changing of these beaches, such as dredging, etc. The return of the water level back to its original summertime levels is the only option to resolving many of these issues.

I'd be interested in understanding the logic and reasoning behind the desire to keep water levels lower than they have been for years. So many structures, docks, piers, etc were built based on the water levels that were present when they were constructed. Designs for these structures, as well as rafts, moorings and other devices were made based on those water levels. To change the water

levels without consideration for the effects that this has on the many residents seems inconsiderate and ill-conceived.

I hope that the voices of the lake residents will be heard.

I appreciate your time.

Sincerely,

Rick Butterfield



20201205 am 1006 R

**Baillargeon, Nancy**

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**From:** Finemore, Kent  
**Sent:** Saturday, December 05, 2020 10:06 AM  
**To:** Baillargeon, Nancy  
**Subject:** FW: Thank you for your work on Newfound Lake water levels

Fade out of scene to a parade with me in a 70's vintage sky-blue Cadillac convertible waving to the masses. I'm a rag top guy...

**From:** Miles Nogelo <[REDACTED]>  
**Sent:** Friday, December 4, 2020 10:15 PM  
**To:** Scott, Robert <[Robert.R.Scott@des.nh.gov](mailto:Robert.R.Scott@des.nh.gov)>  
**Cc:** Miles Nogelo <[REDACTED]>; Patrick Moriarty <[REDACTED]>; Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>; Joe Nogelo <[REDACTED]>; Liisa Nogelo <[REDACTED]>  
**Subject:** Thank you for your work on Newfound Lake water levels

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Robert R. Scott, Commissioner NH Department of Environmental Services

As a seventy year summer resident in Hebron, NH on Newfound Lake, I and my family and neighbors want to thank you, your department, and particularly Kent Finemore, for the time, thought and effort that you have put into the issue of water levels on Newfound Lake, particularly during the past few years.

The decision to manage the lake's water to lower levels seemed to us a great success as the water was clearer and the vegetation / slime levels lower than in recent decades. The lake water was delightful. The lack of any large, weather driven runoff may have contributed to the improvement, but the test management to the "old" levels certainly was a significant contributor to the gains. Bravo!

It is also wonderful to see that you have followed through and repeated the lower levels again this fall. Here's hoping next summer will be as excellent as last summer.

Thank you very much.

Sincerely,

Miles Nogelo  
[REDACTED]  
Atlantic Beach, FL 32233

Summer address:  
[REDACTED]  
Hebron, NH 03241

**From:** [Finemore, Kent](#)  
**To:** [REDACTED]  
**Cc:** [Gallagher, Jim](#); [Mattaini, Dan](#)  
**Subject:** RE: Results of water management  
**Date:** Sunday, January 17, 2021 9:08:00 AM

---

Hi Teresa –

Thanks very much for your testimony. We are still accepting testimony so this will absolutely be included in the record for the Lake Level Investigation.

Thanks,  
Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Teresa Adams [REDACTED]  
**Sent:** Saturday, January 16, 2021 3:42 PM  
**To:** Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>  
**Subject:** Results of water management

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

I'm not sure if you are still taking testimony in regards to the issues being caused by the current water management plan at Newfound Lake, but thought I'd give it a shot. I live at [REDACTED] Bristol. We own the strip of beach at the mouth of the Newfound River. We have so much more beach now because of the low water level, that we no longer have enough water for our boat dock and our 2 moorings to be in water deep enough. We have to practically be in the boat channel to even have enough water to swim. We need the water level back.

Teresa Adams

From: [REDACTED]  
To: [Finemore, Kent](#)  
Subject: Newfound Lake Level  
Date: Sunday, January 17, 2021 2:21:18 PM

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dear sir,

I would like to make some comments on the current new lake management trial being conducted on Newfound Lake. I hope you will delay a final decision until such time that another public hearing can be scheduled. The pandemic, I'm sure, will have an affect on this. Before a final decision is made I would hope that information will be made public as to the observations made over the last two years.

With that in mind, I would like to contribute some of my own. I've been on the lake since 1964 and a resident since 1981. I have seen little erosion around the lake shore. All the major beaches, such as Wellington, the southern end of Pasquaney Bay and the foot of the lake all face north and are exposed to the biggest waves. I have noticed no erosion to these beaches. As for the Hebron town beach it faces south and exists on the delta of the Cockermouth river and is composed of shifting sands and buried rotting vegetation washed down over many years. My guess is that no matter how much the lake is lowered this will continue to be a problem.

As you know Newfound is orientated to the northwest and it's largest waves come from that direction. Because of this people (on the east and west shores) over the years have built stone breakwaters out from the shore to catch sand and create modest small beaches. In some cases these structures have been removed resulting in the loss of the accompanying beach. This is quite evident in the area of Cummings beach. A quick visit to Google maps (satellite view) of this area will show the remnants of these old structures that have been dismantled, but enough remain to see where they existed. An example of the effect of these breakwaters still exist along the same shore a little to the north. In fact a large one of these still exists on the lakeside of Manor Estates (formerly Woodburys) and has maintained a rather large beach ever since it was built probably more than 60yrs ago.

I believe this may be the reason for the loss of a large portion of lakefront belonging to an owner just to the south of Cummings Beach. If you access the Bristol Town tax maps of this area and compare to Google satellite view, there does appear to be a large loss of beachfront, however the tax maps show a waterfront in the past that could only have existed had there been a large breakwater just to the south that had been removed years before.

In closing of this topic. I'd like to say there maybe other reasons for apparent beach loss that are not due to lake level or erosion. The lowering of the lake level in 1982 has resulted in vegetation growing closer to the lake. This may have some believing that the lake is being raised or that their beach is eroding.

Another more important observation/speculation involves the timing of refilling the lake in the spring. As part of the new lake management trial, the lake refill has been delayed to the 1st of April. I think this could be a big mistake.

Having attended the last two meetings on the lake level, I heard overwhelming support for maintaining the "health" of Newfound Lake.

On May 27th 2020, A lake assoc. member Steve Gunn, reported a lake surface temperature taken in Hebron bay that was the warmest he had recorded in the last ten years for that time frame. I thought this was odd as we were coming to the end of May which was reported to be colder than normal. I accessed the online information provided by the NH.DES

buoy at Weirs Beach and found it to be recording 10 degrees cooler than Newfound's surface water temp. I monitored the difference between both lakes surface temp. throughout the summer and observed that they did not align until late August.

Why is this important? Any farmer will say that you can water and fertilize your fields as much as you want but crops will not grow until the temperatures rise.

As part of the trial lake level, snow and ice melt is drained from the lake in favor of rain and runoff to fill the lake. After looking at past data graphs of the Newfound lake levels, the lake full pond level is now achieved a full six weeks later than in the past. This warmer water will lengthen the growing season of aquatic plant life which over time will change the ecology of our lake.

Some may point out that rain run-off will still happen contributing to the warming of the surface waters. This is true, but only partially. One of the things that makes Newfound somewhat unique is its geology. It is long and relatively narrow. Warmer rain runoff that enters the lake does not readily mix with the colder water that is already there. Following a rain event the lake usually experiences a northwest wind which drives the surface water south where it overflows the dam at the south end of the lake and is the only outlet.

Newfound has always been known for its' cold and clear waters, as I've pointed out there is a reason for this.

The lake was lowered some 15 inches from full pond in 1982 and now the new trial lowers it even further. I don't think this is a long term solution, as it only serves a small interest.

I think there is a risk here that could damage Newfound Lake which is considered one of New Hampshire's gems.

Sincerely,  
Steve Maloney



**From:** [REDACTED]  
**To:** [Finemore, Kent](#)  
**Cc:** [Mattaini, Dan](#); [Edwardson, Ken](#)  
**Subject:** Erratic Wintertime Flows on the Newfound River  
**Date:** Thursday, February 04, 2021 3:17:21 PM

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dear Kent,

Per Dan Mattaini's suggestion, I wish to submit the following request as part of the testimony stating that proper consideration be taken allowing lake water height to remain high enough above the minimum 3.5' level that Fish and Game has requested (to protect the fish eggs) and while providing steadily higher river flows throughout the winter period for the health of native landlock salmon, brooktrout, and holdover rainbow trout that inhabit the river as a result of the fall draw down. Thank you.

Sincerely,  
John Carlton

----- Forwarded message -----

**From:** **Mattaini, Dan** <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Date:** Thu, Feb 4, 2021 at 2:48 PM  
**Subject:** RE: Erratic Wintertime Flows on the Newfound River  
**To:** Carlton, John [REDACTED]  
**Cc:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>, Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>

Good afternoon,

I would suggest you contact Kent with a statement that will be submitted as part of the testimony, stating that in the winter the level be allowed to stay high enough above the minimum 3.5' level Fish and Game had requested to protect the fish eggs so that there is a cushion of water above that level which could be doled out to allow for higher flows throughout the winter period for good river flow for the Salmon.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

**From:** Carlton, John [REDACTED]  
**Sent:** Thursday, February 4, 2021 12:34 PM  
**To:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Cc:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>; Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>  
**Subject:** Re: Erratic Wintertime Flows on the Newfound River

Thank you Dan,

While I certainly understand the erosion control of homeowners and appreciate the consideration to maintain a certain lake level to appease fish eggs, it seems counterproductive to protect the fish eggs while negatively impacting the very fish in the river that came as a result of some of those very same eggs. The late fall drawdown brings an abundance of landlock salmon, lake trout, rainbow trout and brook trout into the river where most remain.

I can tell you that with the present flow rates at 22cfs, many if not most all of those fish in the Newfound river will not survive long. And it's a shame, not only due to the fact that these fish are protected through stringent NHF&W fly fishing catch n release enforcement but more to how truly impressive these trout and char are in size and weight (up to 30"). See photos attached.

It seems there should be a better way to provide more sustained median flow ranges that keep the lake erosion, fish eggs protections in place while also protecting trout and char in the river.

Any thoughts on this?

Your feedback is greatly appreciated.

Thank you,

Jack Carlton

On Thu, Feb 4, 2021 at 12:06 PM Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)> wrote:

Good afternoon,

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<https://drive.google.com/file/d/19vkUCqicb9K2Pig9DvL0DTP0eD84Kcwd/view>

Attached are the lake level graphs for both calendar year 2020 and 2021 covering the period we have been trying to follow the new plan.

On the graphs, the solid blue line is the historical average, the green line is the old operating curve with target elevations, the dashed blue line is interim operating plan, and the brown line is the actual levels in those years.

Part of the new procedure has been to drop the lake level in the fall in mid-November, and hold it close to that level throughout the winter until April 1st. In order to achieve that, when there are high inflows the release rate must be significantly increased, and when the inflows drop off, then to hold the water level the releases must be cut back to match it. While in the past we still needed to adjust outflow for high and low inflow events to stay near the seasonal target elevations, there was more leeway in terms of release rates to accomplish this.

One reason not to let the level drop much below the winter target levels is to do so could possibly impact fish eggs deposited in the lake in shallow waters. When this starts to occur the release rate needs to be reduced.

Much information on the subject can also be found here:

<https://newfoundlake.org/lake-level/>

We are still taking testimony on the new lake level operating curve. Comments on the impact on river flows due to this new procedure are welcome. I have included Ken Finemore in this email, and if you wish to participate in the lake level investigation process please submit any related comments to him. If you have any other questions, please let me know.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

---

**From:**

**Sent:** Thursday, February 4, 2021 6:37:16 AM

**To:** Edwardson, Ken; Walsh, Ted; [michelle.comdon@des.nh.gov](mailto:michelle.comdon@des.nh.gov)

**Subject:** Erratic Wintertime Flows on the Newfound River

Dear DES Department,

Can you direct me to the proper authorities that oversee waterflow regulation on the Newfound River? I want to understand why the lake dam, which historically maintains relatively consistent wintertime flows has been so erratic the past month in spite of a relatively mild winter. The present low flows (see graph) are severely impacting the wild trout and salmon populations in the river.

A contact person would be greatly appreciated.

Thank you,

Jack



**From:** [REDACTED]  
**To:** [Finemore, Kent](#)  
**Cc:** [Edwardson, Ken](#); [Gallagher, Jim](#); [Mattaini, Dan](#)  
**Subject:** Re: Erratic Wintertime Flows on the Newfound River  
**Date:** Thursday, February 04, 2021 4:58:11 PM  
**Attachments:** [image.png](#)

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Thank you Kent,

I greatly appreciate the timely response from both you and Dan on this matter. As further evidence of testimony I might suggest someone within the department visiting the dam outflow and make stops down river while the river continues to run at 22cfs. Maybe a quick camera recording to confirm lack of depth. With the exception of the dam pool and a few smaller pools down river, the amount of inhabitable holding water during winter time is extremely limited for fish. I'm sure there is a better approach to water management that would allow both the lake fish eggs and river conditions to complement one another. In my years of following the cfs flow rates while fly fishing and walking/wading the river, I would estimate a safe minimum winter flow rate for salmon and trout would be 65cfs -75cfs while an ideal winter flow rate would be 130cfs to 165cfs.

Thank you again.

Sincerely,

Jack Carlton

On Thu, Feb 4, 2021 at 3:52 PM Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)> wrote:

Mr. Carlton –

Thanks very much for your testimony message below, we will include it in the record for the Lake Level Investigation we are currently conducting for Newfound Lake. It is very important for us to hear from people like you who have real time experience with the lake, the watershed and the river, your testimony is much appreciated.

Thanks,  
Kent

Kent R. Finemore, P.E.

Assistant Chief Engineer

NHDES – Dam Bureau

(603) 271-0566

[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Carlton, John [REDACTED]  
**Sent:** Thursday, February 4, 2021 3:17 PM  
**To:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>  
**Cc:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>; Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>  
**Subject:** Erratic Wintertime Flows on the Newfound River

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Dear Kent,

Per Dan Mattaini's suggestion, I wish to submit the following request as part of the testimony stating that proper consideration be taken allowing lake water height to remain high enough above the minimum 3.5' level that Fish and Game has requested (to protect the fish eggs) and while providing steadily higher river flows throughout the winter period for the health of native landlock salmon, brooktrout, and holdover rainbow trout that inhabit the river as a result of the fall draw down. Thank you.

Sincerely,

John Carlton

----- Forwarded message -----

**From:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Date:** Thu, Feb 4, 2021 at 2:48 PM  
**Subject:** RE: Erratic Wintertime Flows on the Newfound River  
**To:** Carlton, John [REDACTED]  
**Cc:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>, Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>

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Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
[29 Hazen Drive](#), PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

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**Sent:** Thursday, February 4, 2021 12:34 PM  
**To:** Mattaini, Dan <[DANIELJ.MATTAINI@des.nh.gov](mailto:DANIELJ.MATTAINI@des.nh.gov)>  
**Cc:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>; Edwardson, Ken <[KENNETHJ.EDWARDSON@des.nh.gov](mailto:KENNETHJ.EDWARDSON@des.nh.gov)>  
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It seems there should be a better way to provide more sustained median flow ranges that keep the lake erosion, fish eggs protections in place while also protecting trout and char in the river.

Any thoughts on this?

Your feedback is greatly appreciated.

Thank you,

Jack Carlton

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<https://newfoundlake.org/lake-level/>

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Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
[29 Hazen Drive](#), PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

---

**From:**

**Sent:** Thursday, February 4, 2021 6:37:16 AM

**To:** Edwardson, Ken; Walsh, Ted; [michelle.comdon@des.nh.gov](mailto:michelle.comdon@des.nh.gov)

**Subject:** Erratic Wintertime Flows on the Newfound River

Dear DES Department,

Can you direct me to the proper authorities that oversee waterflow regulation on the Newfound River? I want to understand why the lake dam, which historically maintains relatively consistent wintertime flows has been so erratic the past month in spite of a relatively mild winter. The present low flows (see graph) are severely impacting the wild trout and salmon populations in the river.

A contact person would be greatly appreciated.

Thank you,

Jack

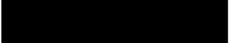
--

Jack Carlton  
National Accounts Manager



**BostonGlobeMedia**

300 Constitution Drive  
Taunton, MA 02780



20210204 pm 0948 R

**From:** [Finemore, Kent](#)  
**To:** [MERRILL](#)  
**Cc:** [Gallagher, Jim](#); [Mattaini, Dan](#)  
**Subject:** RE: Killing the Newfound River Trout and Salmon  
**Date:** Friday, February 05, 2021 4:04:00 PM

---

Hi Mr. Harper --

Thanks very much for your message, it is important for us to hear this. Included in this reply are Jim Gallagher, the Chief Engineer of the Dam Bureau and Dan Mattaini, the Administrator of the Operations and Maintenance Section of the Dam Bureau. We will be discussing your concerns this week in the context of plans for operations at the dam moving forward.

Thanks,  
Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566  
[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

-----Original Message-----

From: MERRILL <[INV OF PRIVACY](#)>  
Sent: Thursday, February 4, 2021 9:48 PM  
To: Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>  
Subject: Killing the Newfound River Trout and Salmon

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Kent,

My name is Merrill Harper and I live in Pembroke NH. Anything you can do to put a stop to the negligent management of the flow rates from Newfound Lake would be greatly appreciated. My family and I make regular trips to the river to flyfish and this fishery is one of only a couple in the state that motivates me to buy a NH fishing license every year. Please feel free to forward this email to others that may have some influence on the matter. With such a valuable ( and rare) quality fishery in NH I find it beyond comprehension that we don't have MINIMUM guaranteed release rates to ensure the survival of the fishery and preserve this great resource. The huge releases just prior to January 1 were extremely out of scale.....only to lead to shutting off the water virtually completely now.....killing an entire river of fish that look like this (pictured and released). The incompetence has cost the state of NH a hugely valuable resource ....the paying sportsmen their beloved fishery....and countless trophy trout and salmon their lives. The right people need to read this.

Thank you sir,  
Merrill Harper

Sent from Xfinity Connect Application







20210204 pm 1206 R

**From:** [REDACTED]  
**To:** [Mattaini, Dan](#)  
**Cc:** [Finemore, Kent](#); [Edwardson, Ken](#)  
**Subject:** Re: Erratic Wintertime Flows on the Newfound River  
**Date:** Thursday, February 04, 2021 12:34:57 PM

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Any thoughts on this?

Your feedback is greatly appreciated.

Thank you,  
Jack Carlton

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Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
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Concord, NH 03302-0095  
Tel: (603) 271-8867

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**From:**

**Sent:** Thursday, February 4, 2021 6:37:16 AM

**To:** Edwardson, Ken; Walsh, Ted; [michelle.comdon@des.nh.gov](mailto:michelle.comdon@des.nh.gov)

**Subject:** Erratic Wintertime Flows on the Newfound River

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A contact person would be greatly appreciated.

Thank you,

Jack





20210222 am 1011 R

**From:** [REDACTED]  
**To:** [Gallagher, Jim](#)  
**Cc:** [Finemore, Kent](#); [Mattaini, Dan](#)  
**Subject:** Re: Newfound Lake Level Investigation  
**Date:** Monday, February 22, 2021 5:24:36 PM

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Hey Jim;

Thanks for the advance notice. Time does go by too fast. The NLRA, Doug, I and others have been gathering some data across the time period of the Interim Management Plan. Without looking at this data in any detail, I can tell you that the plan has appeared to have some positive benefits on the erosion and sedimentation issues Newfound. While it has not taken away all of the erosion concerns (which I certainly hear about from Doug), it has lessened the impacts somewhat. We were lucky this last year not to have any excessive storm events until very late, so that helped. The drought also forced boaters to head offshore a bit, so all in all, I cannot say exactly how much of the erosion lessening was a result of an abnormal rainfall year or actual lake level lowering.

The channel scour on the Cockermouth seemed to have worked out well as we saw steady gains in benthic capacity each season. I have not tried to check after our big late season storms, but I suspect that they had limited effect given the time of year.

I will say that whenever I checked the online numbers I was impressed at how close you held it to the stated goals. Kudos to you and Kent and Dan for keeping an eye on this. I am curious to know how many complaints you received about lower levels, in spite of the fact that we hadn't had much rain all summer and fall. In the meanwhile, let me know when you would like to see some data.

Rick

On Mon, Feb 22, 2021 at 10:11 AM Gallagher, Jim <[JAMES.W.GALLAGHER@des.nh.gov](mailto:JAMES.W.GALLAGHER@des.nh.gov)> wrote:

Hello Rick,

I hope you have been well.

We are starting our work on the Final Decision on the Lake Level Investigation at Newfound Lake. As you may recall, we implemented an Interim Operating level for the past two years to provide you and the petitioners an opportunity to collect data on the effects of the Interim Operating Plan on shoreline erosion. If you have collected any data, please forward it to us as soon as possible so we can evaluate it and incorporate it as appropriate in our Final Decision.

Thanks,

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

Dam Bureau

Water Division

New Hampshire Department of Environmental Services

P.O. Box 95

29 Hazen Drive

Concord, NH 03302-0095

(603) 271-1961 Tel

(603) 271-2982 Fax

[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

--

**Rick Van de Poll, PhD**

Ecosystem Management Consultants of New England, LLC

30 N. Sandwich Rd

Center Sandwich, NH 03227





20210326 am 1118 R

**From:** [REDACTED]  
**To:** [Finemore, Kent](#)  
**Cc:** [Mattaini, Dan](#); [Edwardson, Ken](#); [Gallagher, Jim](#); [REDACTED]  
**Subject:** Re: Erratic Wintertime Flows on the Newfound River- Follow Up  
**Date:** Friday, March 26, 2021 11:45:05 AM

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Please find Newfound Lake water release link graph below;

<https://www.eaglecreekre.com/facilities/operating-facilities/newfound/newfound-river-streamflow-gage>

Thank you,  
Jack Carlton

On Fri, Mar 26, 2021 at 11:18 AM Carlton, John [REDACTED] wrote:  
Good morning Kent,

I wanted to follow up with you regarding our prior discussion on the Newfound River flow regimen based on the current "trial season" that has been in play.

On February 4th, I communicated with you about my concerns regarding the drastic reduction of flows on the Newfound river (the river had dropped from 130 cfs to 100cfs, to 80cfs to 22cfs and remained there) and the negative impact those boney flows had on the landlock salmon , rainbow and native brook trout in the river as a result of the fall draw down.

As of this past Wednesday, the flows (which just within the past few weeks had slowly crept back up to 100cfs), are now blowing at more than 420cfs.

Based on our prior conversations with regard to the reason for new flow trials- NLHO Association looking for ways to reduce beach erosion- these dramatic flow changes run counter to that point.

It only seems logical that the NLHO Association would be better served maintaining a consistent winter time dam release of 125-150 cfs rather than drastically reducing flows to 22cfs for weeks in February only to now spike flows over 400cfs.

Equally as important to both New England conservationists and sportsmen, by maintaining consistent winter flows on the Newfound river, it will ensure the Landlock salmon, rainbow trout and native brooktrout populations that entered the river during the fall drawdown are able to survive and flourish during the harsh winter months.

I thought it important to make you aware of these extreme flow changes and look forward to hearing from you department.

Thank you,  
Jack Carlton

On Thu, Feb 4, 2021 at 3:52 PM Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>

wrote:

Mr. Carlton –

Thanks very much for your testimony message below, we will include it in the record for the Lake Level Investigation we are currently conducting for Newfound Lake. It is very important for us to hear from people like you who have real time experience with the lake, the watershed and the river, your testimony is much appreciated.

Thanks,  
Kent

Kent R. Finemore, P.E.

Assistant Chief Engineer

NHDES – Dam Bureau

(603) 271-0566

[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)

**From:** Carlton, John <[REDACTED]>  
**Sent:** Thursday, February 4, 2021 3:17 PM  
**To:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>  
**Cc:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>; Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>  
**Subject:** Erratic Wintertime Flows on the Newfound River

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dear Kent,

Per Dan Mattaini's suggestion, I wish to submit the following request as part of the testimony stating that proper consideration be taken allowing lake water height to remain high enough above the minimum 3.5' level that Fish and Game has requested (to protect the fish eggs) and while providing steadily higher river flows throughout the winter period for the health of native landlock salmon, brooktrout, and holdover rainbow trout that inhabit the river

as a result of the fall draw down. Thank you.

Sincerely,

John Carlton

----- Forwarded message -----

From: **Mattaini, Dan** <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>

Date: Thu, Feb 4, 2021 at 2:48 PM

Subject: RE: Erratic Wintertime Flows on the Newfound River

To: Carlton, John <[REDACTED]>

Cc: Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>, Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>

Good afternoon,

I would suggest you contact Kent with a statement that will be submitted as part of the testimony, stating that in the winter the level be allowed to stay high enough above the minimum 3.5' level Fish and Game had requested to protect the fish eggs so that there is a cushion of water above that level which could be doled out to allow for higher flows throughout the winter period for good river flow for the Salmon.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

**From:** Carlton, John <[REDACTED]>  
**Sent:** Thursday, February 4, 2021 12:34 PM

**To:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>

**Cc:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>; Edwardson, Ken <[KENNETH.J.EDWARDSON@des.nh.gov](mailto:KENNETH.J.EDWARDSON@des.nh.gov)>

**Subject:** Re: Erratic Wintertime Flows on the Newfound River

Thank you Dan,

While I certainly understand the erosion control of homeowners and appreciate the consideration to maintain a certain lake level to appease fish eggs, it seems counterproductive to protect the fish eggs while negatively impacting the very fish in the river that came as a result of some of those very same eggs. The late fall drawdown brings an abundance of landlock salmon, lake trout, rainbow trout and brook trout into the river where most remain.

I can tell you that with the present flow rates at 22cfs, many if not most all of those fish in the Newfound river will not survive long. And it's a shame, not only due to the fact that these fish are protected through stringent NHF&W fly fishing catch n release enforcement but more to how truly impressive these trout and char are in size and weight (up to 30"). See photos attached.

It seems there should be a better way to provide more sustained median flow ranges that keep the lake erosion, fish eggs protections in place while also protecting trout and char in the river.

Any thoughts on this?

Your feedback is greatly appreciated.

Thank you,

Jack Carlton

On Thu, Feb 4, 2021 at 12:06 PM Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)> wrote:

Good afternoon,

Recently in the past few years a new trial seasonal operating plan for the level of Newfound Lake has been followed in response to a formal request from among others the Newfound Lake Region Association, the Towns of Bristol, Hebron, and Alexandria. The response to that request can be found here:

<https://drive.google.com/file/d/19vkUCqicb9K2Pig9DvLODTP0eD84Kcwd/view>

Attached are the lake level graphs for both calendar year 2020 and 2021 covering the period we have been trying to follow the new plan.

On the graphs, the solid blue line is the historical average, the green line is the old operating curve with target elevations, the dashed blue line is interim operating plan, and the brown line is the actual levels in those years.

Part of the new procedure has been to drop the lake level in the fall in mid-November, and hold it close to that level throughout the winter until April 1st. In order to achieve that, when there are high inflows the release rate must be significantly increased, and when the inflows drop off, then to hold the water level the releases must be cut back to match it. While in the past we still needed to adjust outflow for high and low inflow events to stay near the seasonal target elevations, there was more leeway in terms of release rates to accomplish this.

One reason not to let the level drop much below the winter target levels is to do so could possibly impact fish eggs deposited in the lake in shallow waters. When this starts to occur the release rate needs to be reduced.

Much information on the subject can also be found here:

<https://newfoundlake.org/lake-level/>

We are still taking testimony on the new lake level operating curve. Comments on the impact on river flows due to this new procedure are welcome. I have included Ken Finemore in this email, and if you wish to participate in the lake level investigation process please submit any related comments to him. If you have any other questions, please let me know.

Dan Mattaini, PE  
Operation & Maintenance Engineer

Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

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**From:**

**Sent:** Thursday, February 4, 2021 6:37:16 AM

**To:** Edwardson, Ken; Walsh, Ted; [michelle.comdon@des.nh.gov](mailto:michelle.comdon@des.nh.gov)

**Subject:** Erratic Wintertime Flows on the Newfound River

Dear DES Department,

Can you direct me to the proper authorities that oversee waterflow regulation on the Newfound River? I want to understand why the lake dam, which historically maintains relatively consistent wintertime flows has been so erratic the past month in spite of a relatively mild winter. The present low flows (see graph) are severely impacting the wild trout and salmon populations in the river.

A contact person would be greatly appreciated.

Thank you,

Jack

20210408 am 0822 R

**From:** [REDACTED]  
**To:** [Mattaini, Dan](#)  
**Cc:** [Doug McLane](#); [McLane Andy](#); [Finemore, Kent](#)  
**Subject:** Re: Newfound Lake level  
**Date:** Wednesday, April 28, 2021 9:21:34 AM

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dan;

If I understand your line of thinking correctly, you will continue to ignore the two-year process to develop a reasonable compromise for lake levels because of 1) boater complaints, and 2) hydropower, correct? If that is the case, then I can only quote an unnamed source who has been alerted to this email that the Dam Bureau is "making a mockery of several years of public hearings."

Were we to have a different Governor and his dutiful Commissioner, I would take this issue to your superiors. Knowing who they seem to listen to most, I prefer not to waste my time.

Rick

On Wed, Apr 28, 2021 at 8:22 AM Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)> wrote:

Good morning,

Due to the low inflows we have been seeing so far this year, we have been holding back some of what has been coming into the lake to keep us on track to start the summer season at a useable elevation, and so are ahead of the interim's curve target elevations. We will be dropping it somewhat in the near future, but plan on holding some of the water we have had so far come in, and won't be quite returning to the new curve in order to meet this goal. Inflows generally fall off throughout May, and with current conditions we want to be in a position to capture enough of that flow to adequately fill the lake.

Due the forecasted ongoing projected drought, we will be aiming to fill the level somewhat higher than the 5.5' target summer level, probably closer to the old June 1<sup>st</sup> target elevation of 6.0' by the end of May. Last year we received many complaints that because we had significantly cut flows below the usual release rates in order to hold the level steady at the 5.5' level during the dry summer and into the fall, this resulted in poor conditions for the fish in the river, along with necessitating shutting off the hydropower plant downstream. By keeping some extra water in the lake early, we are hoping we can dole that out during the summer season to supply some water downstream to try to prevent those problems from recurring this year.

Dan Mattaini, PE

Operation & Maintenance Engineer  
Water Division/Dam Bureau

New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

**From:** Rick Van de Poll [REDACTED]  
**Sent:** Tuesday, April 27, 2021 8:25 AM  
**To:** Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>; Mattaini, Dan  
<[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Cc:** Doug McLane [REDACTED]; McLane Andy <[REDACTED]>  
**Subject:** Newfound Lake level

HI Kent and Dan;

Can you tell me why it took a week to adjust the discharge levels after the 4/16-17 snow/rain event and then two days *after* the 4/21-22 event to bring up the CFS at Newfound dam? As you can see we hit the June 1st summer 5.5' target on the 21st and it hasn't changed very much since. By my count that's almost 6 weeks ahead of schedule. I'd be curious to know your rationale here, thanks.

Rick

--

Rick Van de Poll, PhD

Ecosystem Management Consultants of New England, LLC

30 N. Sandwich Rd

Center Sandwich, NH 03227

[REDACTED]

[REDACTED]

--



Rick Van de Poll, PhD  
Ecosystem Management Consultants of New England, LLC  
30 N. Sandwich Rd  
Center Sandwich, NH 03227



20210429 pm 0237 R

**From:** [Mattaini, Dan](#)  
**To:** [Finemore, Kent](#)  
**Cc:** [Gallagher, Jim](#)  
**Subject:** FW: Newfound Lake  
**Date:** Thursday, April 29, 2021 4:17:35 PM  
**Attachments:** [image001.png](#)  
[Newfound Water Use Contract.pdf](#)

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Fyi,

From EagleCreek.

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau  
New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

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**From:** Corey Colby [REDACTED]  
**Sent:** Thursday, April 29, 2021 2:37 PM  
**To:** Mattaini, Dan <DANIEL.J.MATTAINI@des.nh.gov>  
**Cc:** Tom Champagne [REDACTED]; Michael Doiron  
[REDACTED]  
**Subject:** Newfound Lake

Dan,

We understand that an interim lake elevation management plan has been followed for Newfound Lake due to concerns of shoreline erosion. This interim plan has not been favorable for the operations of our Newfound Hydroelectric facility. The interim plan has resulted in significant losses of renewable energy production due to flow releases outside of the Newfound Hydroelectric units hydraulic capacity. We would prefer that the management of the elevation of Newfound Lake revert back to the elevation management plan used prior to the interim plan. Furthermore we would also prefer the releases from the Newfound Lake Dam to align with the flow parameters and schedule identified in the Water Use Contract which I have attached for your reference.

Regards,

**Corey Colby**  
Regional Manager



New Hampshire Region

24 Mill St. Tilton, NH 03276



NEWFOUND PROJECT

CONTRACT WITH WATER USERS

Between the

NEW HAMPSHIRE WATER RESOURCES COUNCIL

and the

NEWFOUND HYDROELECTRIC COMPANY

for their

HYDROPOWER DEVELOPMENT

at their

NEWFOUND HYDROELECTRIC FACILITY

January 1994

This Contract is between New Hampshire Water Resources Council, a public corporation located at 64 North Main Street, Concord, New Hampshire 03301 hereinafter called the "COUNCIL", and the Newfound Hydroelectric Company, a partnership established under the laws of the state of New Hampshire, who is headquartered at Central Square, in Bristol, NH 03222, hereinafter called the "CONTRACTOR".

WITNESSETH THAT

WHEREAS, by Chapter 481 of the Revised Statutes Annotated, entitled "State Dams, Reservoirs, and Other Water Conservation Projects", as amended, the WATER RESOURCES BOARD (Board) was created and empowered, among other things, to construct, maintain, and operate projects;

WHEREAS, by Chapter 420 of the laws of 1973, the General Court authorized the Board to accept conveyance of the Newfound Lake Dam (Dam), the water rights, land, and other facilities connected therewith; to make repairs and modifications to the dam or to rebuild as may best serve the interests of the State; and approved an appropriation of \$50,000 for the repairs, modifications, or rebuilding of the Dam after Governor and Executive Council approval;

WHEREAS, among other actions taken on July 17, 1973 the Governor and Executive Council authorized the Board to expend a sum not to exceed \$50,000 to make necessary repairs at the Dam;

WHEREAS, the deed conveying all rights and title to the Dam was duly executed on March 28, 1974 which, when combined with the

legislative and Governor and Executive Council actions, establishes and constitutes the Newfound Project (Project) for the purposes of maintenance, operation, and management of the Dam by the Board;

WHEREAS, the Board has continued these functions of maintenance operation, and management of this facility;

WHEREAS, the Governor and Executive Council have more recently reaffirmed their 1973 decision on May 13, 1976 by authorizing additional expenditures for needed repairs and on December 23, 1981 by determining that the proposed leasing of the Dam for hydroelectric re-activation was of public use and benefit, within the authority of the Board, and directed the Board to proceed, and on September 14, 1986 by authorizing additional expenditures for more repairs to the Dam;

WHEREAS, by Chapter 202, Laws of 1986, the Water Resources Board was reorganized and its public corporation functions were assumed by the new Water Resources Council on January 2, 1987 and this contract between the COUNCIL and the CONTRACTOR carries all of the same powers and authorities of the former New Hampshire Water Resources Board;

WHEREAS, the COUNCIL now owns the Dam which is located on the Newfound River at the outlet of Newfound Lake, consisting of a concrete, stone, and timber structure 105 feet long by 14 feet high which includes two spillway sections: being 47 feet long by 7 feet high and the second being 22 feet long by 7 feet high, 3 discharge gates each being 6 feet wide by 6 feet high, two buttress piers each being about 12 feet wide by 14 feet high, and a gate house situated

on one of the piers;

WHEREAS, the Dam at the outlet of Newfound Lake is operated to achieve a June first operating level of 588.4 NGVD (local gauge reading of 6.4 feet) with rights of flowage extending to elevation 589.12 NGVD (7.24 feet) creating a surface area with the lake filled to 589.12 NGVD (7.24) resulting in 4106 acres and the impounding of 1.198 billion cubic feet of artificial storage;

WHEREAS, the COUNCIL is empowered to charge and collect fees for the use of delivered water from storage and other related services, subject to and in accordance with agreements water users, developers, and operators as provided by RSA 481:3;

WHEREAS, pursuant to RSA 481:8, to make the Project so far as possible self-liquidating and self-supporting, the COUNCIL shall require, subject to the approval of Governor and Executive Council, compensation for the use of stored water or other benefits created by the Project, which compensation is to be made equitable as among the different users;

WHEREAS, fees charged for water storage may equitably differ among the various water users to recognize, among other considerations, varying headwater benefits;

WHEREAS, the CONTRACTOR is a water user by virtue of operating their hydropower developments downstream of the Project;

WHEREAS, the Governor and Executive Council and the Water Resources Council have determined that the continued operation and maintenance of the CONTRACTOR's hydropower facilities promotes the purposes of the Project as set forth in RSA 481:1 and 13 and is in

the best interest of the State of New Hampshire;

WHEREAS, it is desirable for the COUNCIL to continue to maintain and operate the Project for an additional period of at least fifteen (15) years from the effective date of this contract;

WHEREAS, such purpose with regard to the project will be furthered by the execution by the COUNCIL and the CONTRACTOR of a contract in accordance with the terms hereinafter set forth by RSA 481;

WHEREAS, the Attorney General of the State of New Hampshire has approved this contract as being within the power and authority of the COUNCIL to make.

NOW THEREFORE, in consideration of the premises and of the mutual promises herein contained, the parties hereto, for themselves and their respective successors and assigns, and with the approval of the Governor and Executive Council of the State of New Hampshire, agree as follows:

#### ARTICLE 1. EFFECTIVE DATE AND TERM

1.1 This contract shall become effective upon the approval of the Governor and Executive Council and shall remain in effect for a period of fifteen (15) years from that date, unless sooner terminated as provided in Article 7 and Article 11, infra.

1.2 In the event that the effective date is not the first of January 1994, the water user fee as described in Article 4 shall be computed as of the first of January 1994.

1.3 Subject to the provisions of RSA 481:8, this contract shall



be deemed to renew automatically for successive five (5) year terms, to a maximum total duration of fifty (50) years, unless the CONTRACTOR gives written notice to the COUNCIL of its intent not to renew this contract at least one-hundred twenty (120) days before the expiration of the contract term or any renewal term, except that as of the commencement of any renewal term, the COUNCIL may:

(A) Adjust the water user fee as described in Article 4 to the amount equal to the water user fee charged by the COUNCIL for similar projects at the time of renewal. The COUNCIL shall notify the CONTRACTOR at least one-hundred twenty (120) days before the end of the contract or renewal term, of its intent to adjust the water user fee and the amount of the fee for the following renewal term;

(B) Require the CONTRACTOR to enter into a new contract, in substitution of the present contract, provided such substituted contract does not materially affect the rights granted to the CONTRACTOR under Articles 1, 2, 3, 6, 7, 9 and 10.

## ARTICLE 2. DEFINITIONS

Whenever used in this contract, the following terms shall have the following meaning:

2.1 "Gross Operating Head" shall mean, for each developed site owned by the CONTRACTOR and benefitted by the Project, the greatest difference in elevation, measured to the nearest foot, between the normal level of the pond or headwater above the dam at the site in question, such level being measured to the top of the flashboards

normally used, if any, or to the crest of the dam (or the spillway section thereof, if any) and the elevation of free water surface of the tailwater at the outlet of the power station or the Federal Energy Regulatory Commission (FERC) licensed gross head, whichever is greater.

2.2 "Water User Fee" shall mean the fee payable by the CONTRACTOR under Article 4. This fee shall be paid prospectively on a semi-annual basis for each calendar year on or before the 30th of June or the 31st of December, as appropriate.

2.3 "Calendar Year" shall mean a period of one year beginning January 1 and ending December 31.

2.4 "Water User" shall mean those entities specially benefitted by the Project, pursuant to RSA 481:8.

2.5 "Minor Amendments" shall mean any amendment to the contract which does not alter the expected revenues to be generated during the original term of the contract.

2.6 "Parties" shall collectively mean the COUNCIL and the CONTRACTOR.

### ARTICLE 3. OPERATION OF THE NEWFOUND PROJECT

3.1 Subject to acts of God, war, insurrection other causes beyond its control, and sale, lease, or granting of an easement pursuant to the dam leasing program or federal law, the COUNCIL shall own, operate, repair, and maintain the Project in proper operating condition and in a good state of repair and perform all acts necessary to effect the regulation and release of stored water

in the manner set forth in this contract. In no event will the CONTRACTOR become liable by virtue of this contract for the maintenance, repair, operation, or upkeep of the Dam.

3.2 During the period commencing on or about March 15th and ending on or about June 1st of each year, the Project shall be filled to elevation 588.4 NGVD (6.5 feet on the local gauge) plus or minus 0.3 of a foot as far as the run-off will allow. Thereafter, the stored water shall be released from the Project at such times, and in such quantities as may yield the most overall beneficial use of the stored water to the end that on or about March 15th of the following year, the Project shall be drawn down 3.5 feet to elevation 584.9 NGVD (3.0 feet) plus or minus 0.3 of a foot, if necessary, for the abatement of spring flood waters and the impounding of the spring run-off then anticipated. All of this in accordance with the established operating principles in-view of the prevailing and/or anticipated meteorological conditions. Throughout the duration of this annual fill and drain cycle, the prevailing meteorological conditions will cause the lake level to vary in elevation on a day-to-day basis. By way of the management and operation of the dam and this daily variance of lake level, the averaged actual volume of stored water released from storage is computed to be 0.850 billion cubic feet.

3.3 During the months of June, July, and August, the minimum dam discharge will be 80 cubic feet per second (cfs), 60 cfs, and 40 cfs, respectively for the purposes of maintaining and enhancing the fish and wildlife habitat populations which exists in the Newfound

River below the Dam. These minimum flows may be amended on an as-needed basis in case of emergencies or by negotiation.

3.4 The method of storage and release of water set forth shall be subject to the provisions of RSA 481:13. The day-by-day and hour-by-hour discharge of water from the Project, within the method and in the manner set forth in this article, shall be performed so as to deliver the water stored by the Project, in such quantities and amounts as prescribed, to the CONTRACTOR consistent with the CONTRACTOR's status as a water user. Operating records of the COUNCIL indicate that the annualized amount of water delivered from the artificial storage in Newfound Lake equates to 0.850 billion cubic feet as determined by the definition of stored water in NH RSA 481:12.

3.5 Subject to the provisions of Article 3.4 of this contract, the COUNCIL shall operate the Project so as to maximize the amount and value of the marketable hydroelectricity collectively generated at the dam sites benefited by the Project while balancing the other benefits derived from abatement of damaging floods and recreational uses. The COUNCIL recognizes as a crucial consideration, the intent to maximize hydroelectric productivity utilizing the following goals while maintaining its other obligations:

- (A) Minimization of Project discharges of less than one-hundred (100) cfs as measured by the riverflow gauge at the Dam, except during the period from June 1st to September 1st,
- (B) Minimization of project discharges in excess of three hundred fifty (350) cfs, as measured by the gauge at the Dam.

(C) To maximize the number of days that provide the overall optimum Dam discharge of two-hundred (200) cfs and to provide a minimum of one-hundred thirty five (135) cfs Dam discharge during the month of January.

The fulfillment of these goals being dependent upon the prevailing hydrological and meteorological conditions.

3.6 If new governing laws or rules institute restrictive water use allocations which adversely affect the COUNCIL's ability to release the stipulated volume of water from storage, then the CONTRACTOR may request to negotiate amendments to address the changed circumstances in-lieu of terminating the contract under Article 7. The parties hereby agree to negotiate in good faith in the attempt to agree upon such amendments.

#### ARTICLE 4. WATER USER FEE

4.1 Commencing on the first day of January 1994, the CONTRACTOR as a beneficiary of the stored water and headwater benefits at the Project, shall pay semi-annually to the COUNCIL a Water User Fee (WUF) for the stored water and other benefits calculated in accordance with the following formula:

$$WUF = M \times 6 \times 0.850 \times H$$

Where:

WUF (\$) = Water User Fee (\$)  
 M = \$10.00 per billion cubic feet of deliverable stored water, per month, per foot of gross developed head;  
 6 = Number of months in the billing period;

- 0.850 = Fixed multiplier representing the water delivered from storage from the project in billions of cubic feet which is the result of the management and operation of the Dam and the prevailing meteorological conditions;
- H = Feet of gross developed head at the CONTRACTOR's hydroelectric station at their dam; H=75 feet.

4.2 For the purposes of computing the WUF hereunder, "M" shall never be less than \$10.00 commencing on January 1, 1994. "M" shall automatically escalate or de-escalate on January 1 of each subsequent year at a percentage rate equal to the percentage change in the prior year's Gross Domestic Product Implicit Price Deflator as reported by the United States Department of Commerce . . . Bureau of Economic Analysis. If such a figure is not reported, then by another appropriate national index as designated by the COUNCIL. The prior year's index will be that one which is available for the December invoice and includes the entire year's inflation/deflation computations.

4.3 Invoices for all amounts due under this Article 4 shall be rendered semi-annually by the COUNCIL to the CONTRACTOR for the next semi-annual fee period. If all or any part of any invoice shall remain unpaid for more than thirty (30) days, then interest will be charged at a rate per annum of two percent (2%) above the prime (or comparable) rate as reported by the First National Bank of Boston (on the date of the invoice) shall thereafter accrue and be payable to the COUNCIL either (1) on such unpaid amount, or (2) in the event

the amount of the invoice is disputed, on the amount finally determined to be due and payable. The CONTRACTOR may dispute all or any part of any invoice by mailing to the COUNCIL a written notice thereof within thirty (30) days of receipt of such invoice and by paying to the COUNCIL any amount not in dispute.

#### ARTICLE 5. DAM RECONSTRUCTION

If the Dam and its appurtenance(s) is (are) substantially destroyed or damaged from any cause, then this contract shall terminate automatically sixty (60) days after the COUNCIL's written notice to the CONTRACTOR declaring the occurrence of such destruction or damage. The COUNCIL may initiate reconstruction of the Dam as a new project in accordance with RSA 481:7.

#### ARTICLE 6. CONTRACTOR A LAWFUL WATER USER

The CONTRACTOR shall be deemed a lawful user of stored water from the project under RSA 481 for the term of our contract, provided that all fees due and owing have been paid-in-full.

#### ARTICLE 7. TERMINATION OF CONTRACTOR STATUS

7.1 The CONTRACTOR may terminate its rights and obligations under this contract if the CONTRACTOR gives the COUNCIL at least six (6) month's prior written notice of its intention to both cease power generation at the CONTRACTOR's site and to render said site incapable of immediate re-activation. Included in said written notice will be the date of termination (the "Contract Termination

Date"). If the CONTRACTOR does not in-fact cease to generate power at the facility(s) on or before the Contract Termination Date, then the COUNCIL, at its discretion, may treat the termination notice as non-effective. The CONTRACTOR shall remain liable for the payment of all WUFs incurred by such CONTRACTOR under Article 4 through the Contract Termination Date.

ARTICLE 8. SALE BY CONTRACTOR OF DEVELOPED WATERPOWER SITES

The CONTRACTOR agrees that if it shall sell its developed waterpower site(s) on the Newfound River benefitted by the Project, then it shall require as a condition of the sale that the purchaser enter into a contract with the COUNCIL as of the date of sale that makes the COUNCIL whole against any loss of revenues from the CONTRACTOR under Article 4 resulting from the CONTRACTOR's sale of the site(s). The CONTRACTOR shall remain liable to make payments associated with the site(s) under the provisions of Article 4 unless the purchaser of the site(s) has entered into such a contract provided that the site(s) is(are) still considered to be in commercial operation. Alternatively, the CONTRACTOR may with the COUNCIL's written consent, said consent not to be unreasonably withheld, assign the contract's obligations and benefits; provided, that any such resulting assignee has agreed with the COUNCIL to perform all of the CONTRACTOR's covenants and obligations hereunder. The COUNCIL agrees to respond to the CONTRACTOR's request for a proposed assignment within sixty (60) days from the receipt thereof.



ARTICLE 9. SALE OF NEWFOUND PROJECT

In the event the COUNCIL shall desire, during the term of this contract, to sell or otherwise dispose of the Project, excepting a lease or granting of an easement at the Dam under the State's Dam Leasing Program pursuant to Article 10, then the COUNCIL shall first offer the Project to the water users (excluding any water user who at the time shall be in default of its water user contract), and shall in good faith negotiate with such water user(s) or such of them as may desire to purchase, for a sale to them of the Project upon mutually satisfactory terms. The COUNCIL agrees that if it should sell the Project, it shall require as a condition of the sale, that the purchaser enter into a water user contract which provides the same minimum volume of water and method of reservoir management as does this existing contract with all then existing water users, including any rights to renewal held by the water users.

ARTICLE 10. DAM LEASING PROGRAM

Under any lease or granting of an easement at the Dam, or any lease or granting of an easement of any portion thereof, for hydroelectric or other purposes, under the State of New Hampshire's Dam Leasing Program, or pursuant to federal law, the COUNCIL shall require as a condition of the lease or deed of easement that the Project be maintained and operated in accordance with the terms of this contract. This provision shall not provide the CONTRACTOR any cause of action as against the COUNCIL for acts or omissions of the

lessee or grantee, but shall provide a cause of action directly against the lessee or grantee.

ARTICLE 11. NOTICES

Any notice or other communication required or permitted hereunder shall be in writing and shall be postage pre-paid, return receipt requested or hand delivered:

(a) If to the COUNCIL: NH Water Resources Council  
PO Box 2008  
Concord, NH 03302-2008  
Attn: Delbert F. Downing, Chairman

With a copy to: N.H. Attorney General's Office  
Environmental Protection Bureau  
State House Annex  
Concord, N.H. 03301

Re: Water Resources Council -- Newfound Project

(b) If to CONTRACTOR: Newfound Hydroelectric Company  
Central Square  
Bristol, NH 03222  
Attn: ??????????????????

ARTICLE 12. AMENDMENTS TO CONTRACT

No change of or amendment to this contract shall be made except by a written instrument signed by the parties, executed with the formalities of this contract. Minor amendments may be executed without the approval of the Governor and Executive Council of the State of New Hampshire.

ARTICLE 13. WAIVERS

Failure of either party to enforce any of the provisions of this contract, or to require performance by the other party of any of the provisions hereof, shall not be construed to waive such

provision, nor to affect the validity of this contract or any part thereof, or the right of either party to thereafter enforce each and every provision.

ARTICLE 14. REGULATION

This contract and all rights, obligations, and performance of the parties hereunder are subject to all applicable State and Federal laws and regulations, and to all duly promulgated orders and other duly authorized action of governmental authority having jurisdiction.

ARTICLE 15. INTERPRETATION

The interpretation and performance of this contract shall be in accordance with and controlled by the laws of the State of New Hampshire.

ARTICLE 16. COUNTERPARTS

This contract may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument.

ARTICLE 17. NO WAIVER OF SOVEREIGN IMMUNITY

No provision in this contract is intended to be, nor shall it be, interpreted by any party hereto to be a waiver of sovereign immunity.

ARTICLE 18. HEADINGS

The article, paragraph, sub-paragraph headings throughout this instrument are for convenience and reference only, and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction or meaning of the provisions of the contract.

ARTICLE 19. CERTIFICATES

Pursuant to RSA 5:18-a, the CONTRACTOR shall attach certificates to this contract evidencing the authority of its signatory to execute this contract on behalf of the CONTRACTOR, together with a Certificate of Registration with the Secretary of State of the state of New Hampshire.

ARTICLE 20. SHORTAGE CRISES

Pursuant to the express provisions of RSA 481:8, III, as amended, in the event of a shortage crisis, as determined by the Governor and Executive Council, in either the water resources of the State of New Hampshire or the capacity to fulfill the electrical requirements of the State of New Hampshire, then the Governor and Executive Council, to fulfill the needs and requirements of the citizens of the State of New Hampshire, may suspend the terms of this contract, but only to the extent that services are provided outside of the State of New Hampshire. This provision shall be read consistently with federal law, including *New England Power vs. New Hampshire*, 455 US 331 (1982), as applicable.

ARTICLE 21. THIRD PARTIES

The parties hereto do not intend to benefit any third parties and this contract shall not be construed to confer any such benefit.

ARTICLE 22. SEVERABILITY

If any term or provision of this contract, or the application thereof, to any person or circumstance shall to any extent, be invalid or unenforceable, the remainder of this contract, or the application of such term or provision to persons or circumstances, other than to those which it is held invalid or unenforceable, shall not be affected and each term and provision of this contract shall be valid and be enforced to the fullest extent permitted by law.

ARTICLE 23. MERGER

This contract, including all exhibits attached hereto, constitutes the entire agreement between the parties, and all prior understandings, agreements, and representations have been merged herein.

ARTICLE 24. NON-LIABILITY OF CONTRACTOR

In no event shall the CONTRACTOR be liable to the COUNCIL, any other water user or any third party for any claims, costs, loss, or expense resulting from the sole acts of the COUNCIL.

ARTICLE 25. ADDITIONAL WATER USER CONTRACTS

The COUNCIL shall use its best efforts to contract with each

water user, charging each water user a fee for such water use which is equitable and non-discriminatory as among all water users, including the CONTRACTOR.

ARTICLE 26. SUCCESSORS AND ASSIGNS

This contract shall be binding upon the parties, their successors and assigns, including without limitation any successor owner of the Project.

IN WITNESS WHEREOF, the parties hereto have executed this contract.

NEW HAMPSHIRE RESOURCES COUNCIL

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DELBERT F. DOWNING, CHAIRMAN

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 1993 before me the undersigned officer, personally appeared Delbert F. Downing, who acknowledged himself to be the Chairman of the Water Resources Council, a public corporation created by the State of New Hampshire and that he, as such Chairman, being authorized to do so executed the foregoing instrument for the proposal therein contained.

Before me:

\_\_\_\_\_  
Notary Public/Justice of the Peace

My Commission Expires: \_\_\_\_\_

NEWFOUND HYDROELECTRIC COMPANY

\_\_\_\_\_  
WITNESS

STATE OF NEW HAMPSHIRE  
COUNTY OF GRAFTON

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 1993 before me the undersigned officer, personally appeared, who acknowledged himself to be the \_\_\_\_\_ of the Newfound Hydroelectric Company, a New Hampshire \_\_\_\_\_, and that he, as such \_\_\_\_\_, being authorized to do so, executed the foregoing instrument for the purposed therein contained.

Before me:

\_\_\_\_\_  
Notary Public/Justice of the Peace

My Commission Expires: \_\_\_\_\_

Reviewed by the Department of Environmental Services this day  
of 1993.

---

ROBERT W. VARNEY, COMMISSIONER

Approved by the Attorney General this day of 1993,  
as to form, substance, and execution.

---

ASSISTANT ATTORNEY GENERAL

At this meeting on , 1993 the Governor  
and Executive Council approved execution of this contract.

---

ROBERT AMBROSE, DEPUTY SECRETARY OF  
STATE ON BEHALF OF THE GOVERNOR AND  
EXECUTIVE COUNCIL



CERTIFICATION

The undersigned Secretary of the New Hampshire Water Resources Council (The Council) does hereby certify that at a meeting of the Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 1993 and said Council voted affirmatively as follows:

Upon motion made and seconded, it was voted to approve the Contract with the Newfound Hydroelectric Company for a water user contract to the Newfound Project, and to ratify the preceding signature of Delbert F. Downing, Chairman, in execution of said contract on behalf of the Council.

I further certify that the above vote is official and still in force and effect and that Delbert F. Downing is Chairman of the Council as of the \_\_\_\_\_ day of \_\_\_\_\_, 1993.

NEW HAMPSHIRE WATER RESOURCES COUNCIL

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
Henry Therriault, Secretary

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

The foregoing instrument was acknowledged before me this day of \_\_\_\_\_, 1993 by Henry Therriault, Secretary of the New Hampshire Water Resource Council.

\_\_\_\_\_  
NOTARY PUBLIC/JUSTICE OF THE PEACE

My Commission expires \_\_\_\_\_.

CERTIFICATE OF AUTHORITY

CERTIFICATE OF GOOD STANDING for Newfound Hydroelectric Company

20210429 pm 1229 R

**From:** [Mattaini, Dan](#)  
**To:** [Finemore, Kent](#)  
**Subject:** FW: Newfound Lake Level  
**Date:** Thursday, April 29, 2021 11:22:03 AM  
**Attachments:** [image001.png](#)  
[Newfound Lake 2021.pdf](#)

---

Not sure you got this one,

Dan

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau  
New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

---

**From:** Tom Whitman [REDACTED]  
**Sent:** Thursday, April 29, 2021 11:19 AM  
**To:** Mattaini, Dan <DANIEL.J.MATTAINI@des.nh.gov>; Info [REDACTED]  
**Cc:** Gallagher, Jim <JAMES.W.GALLAGHER@des.nh.gov>  
**Subject:** Newfound Lake Level

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Spring is here again and it is now time to think about opening up the cottage on [REDACTED] and putting in the docks. I just checked the Newfound dam info site and I am wondering if the lake level will be brought up at the same pace as last year. When I installed docks on 04/30 last year the water level was very low and close to the Columbus day level. Is that the plan for this year? Also, I have attached again our position on the lowering of the full lake level by 6 inches. We closed 2 weeks earlier than we normally would have due to the fact the lake level was very low because of the drought. The six inches of water would have certainly made a difference. The weather effects of climate change will certainly add another level to controlling the lake level.

Thomas Whitman



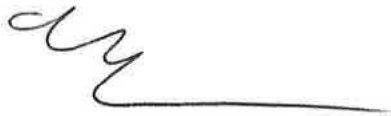
(603) 648-2124

03/30/21

Tom & Teri Whitman

[REDACTED]  
Newfound Lake  
Hebron, NH

We have been on Newfound lake in [REDACTED] for the past 38 summers. The new purposed lake level has made it very difficult for us and our neighbors to get to our docks for the past two years and has also caused an early exit from the lake due to the level. Lowering the lake by 6 inches leaves no capacity to deal with droughts like one we had last summer. At the August public meeting held in Bridgewater in 2019 I spoke that we were very happy with how the lake level has been managed for the past 35 years and I felt the majority of the people who spoke had the same position. The water quality in Sanborn Bay has gone up the past 35 years based on the NFLRA monitoring. Why there are erosion problems on certain sections of the lake could be due to the tripling of boat traffic, and many more houses. The State owns the water but after 35 years at the same level the property owners who abut the lake should have input through a vote in their towns as to the purposed change of 6 inches. It has shortened the summer usage for us and many other people who have shallow docks. Hopefully other property owners feel the same way and will join the effort.

A handwritten signature in black ink, appearing to be 'dy' followed by a long horizontal line.

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound Lake water level  
**Date:** Monday, May 10, 2021 11:43:38 AM  
**Attachments:** [MEMO-Lake Level.doc](#)

---

**From:** John Fischer [REDACTED]  
**Sent:** Sunday, May 2, 2021 5:32 PM  
**To:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Subject:** Newfound Lake water level

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Mr. Mattaini,

I have heard that there is a new proposal to draw down the level of Newfound Lake below the level described at the meeting at the Bristol Library several years ago. That concerns me, as the water level of the lake impacts the water in the Cockermouth River where there are dry hydrants installed. Attached is a letter stating my concern. I understand that you may be concerned about this also.

John

—  
JOHN M. FISCHER  
Chief, HFD  
Commanding



**TOWN OF HEBRON  
HEBRON FIRE DEPARTMENT  
37 GROTON ROAD, PO BOX 97  
HEBRON, NEW HAMPSHIRE 03241**

Office of the Fire Chief

28 April 2021

MEMORANDUM FOR: Daniel J. Mattaini

SUBJECT: Newfound Lake Water Level

1. I recently learned that a request had come to the State to lower the level of Newfound Lake below the levels described several years ago in the meeting at the Bristol Library.
2. Since that meeting I have monitored the water level in the Cockermouth River adjacent to North Shore Road. During dry periods (when it hasn't rained for several days) water over the strainer of the dry hydrant gets down to 6 inches. This is marginal for pumping. Any lower and it begins to cavitate when drawing over 500 GPM. Since most engines are running 1500 GPM pumps they will not be able to draft.
3. The North Shore Road dry hydrant is the main water source for all the buildings in the center of Hebron including the church, the store and post office, and the town offices along with a number of homes. It is also the main water source for homes easterly along North Shore Road.
4. Therefore, I would not want to see the level of Newfound Lake drawn down any lower than the current levels as this would jeopardize fire safety and suppression.
5. For further information contact John M. Fischer (603) 744-9468, email: [hebronfd@metrocast.net](mailto:hebronfd@metrocast.net).

JOHN M. FISCHER  
Chief, HFD  
Commanding

ENCLOSURES: None

20210516 pm 0342 R

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Lake Level  
**Date:** Monday, May 17, 2021 9:17:43 AM

---

New testimony

-----Original Message-----

From: Pierre Henry <[REDACTED] INV OF PRIVACY >  
Sent: Sunday, May 16, 2021 3:42 PM  
To: Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>  
Subject: Lake Level

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Kent,

My name is Pierre Henry from Bridgewater. I have a pontoon boat that I beach in Pikes Cove. I would appreciate your help in not reducing the current lake level. If the lake goes down my boat gets stuck on the beach. Also, The north side of Pikes cove is loaded with Smelly silt. If I have to go into the water to move my boat, I have sunk in the Muck up to my knees. This condition needs attention. Thank you for your consideration in this matter!  
Sent from my iPhone



**From:** [Mattaini, Dan](#)  
**To:** [Finemore, Kent](#)  
**Cc:** [Gallagher, Jim](#)  
**Subject:** Fwd: Newfound Lake Level  
**Date:** Wednesday, August 18, 2021 10:55:47 AM  
**Attachments:** [image001.png](#)

---

One more input. - Dan

---

**From:** Tom Whitman [REDACTED]  
**Sent:** Wednesday, August 18, 2021 10:47:44 AM  
**To:** Mattaini, Dan <Daniel.Mattaini@des.nh.gov>; 'Info' <info@newfoundlake.org>  
**Cc:** Gallagher, Jim <James.Gallagher@des.nh.gov>  
**Subject:** Newfound Lake Level

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Good Morning:

I am emailing you to request that the state stop dropping the lake any further until we get into late September. It was nice to have the lake level at the beginning of the year at 588.788 feet and kept at that level for about a month. Since 1982 the state has maintained that level until this last 3 years when just a few people have decided the lake has an issue and needs to be lowered by 6 inches. As a property owner on the lake since 1982, as well as many other property owners I feel we have been left out of the decision making process. As I stated earlier part of the reason for the erosion problem is caused by the increase of boat traffic since 1982 (100%) and the new wake boats creating artificial wakes. I had to pull early from the lake last year and I do not want that to happen this year. The level as of today is 587.0 which is 7.88 inches below the high water mark. I am requesting the state keep the water management of the lake at the levels that were established in 1982.

Thank you.

Thomas Whitman & Teri Whitman



(603) 648-2124



20220419 am 1044 R

**From:** [REDACTED]  
**To:** [Finemore, Kent](#)  
**Cc:** [Gallagher, Jim](#); [Mattaini, Dan](#)  
**Subject:** Newfound Lake Water Level  
**Date:** Tuesday, April 19, 2022 10:43:44 AM

---

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---

Thank you, Ken, for your thoughtful reply. I understand the considerations on your end and hope you don't mind hearing from time to time from concerned eyes on the Newfound Lake shorefront.

I do have this question - I've heard it said that among the larger dam-controlled lakes in NH, Newfound can be filled and drained the fastest. Is that accurate?

Best regards,

Andy

P Andrews McLane  
Senior Advisor  
TA Associates  
200 Clarendon St - 56th Floor  
Boston, MA 02116

[REDACTED]

[REDACTED]

Sent from my iPhone

> On Apr 18, 2022, at 1:56 PM, Finemore, Kent <KENT.R.FINEMORE@des.nh.gov> wrote:

>

> Hi Andy --

>

> My apologies for losing track of your original message, I was sick for a couple of days in between there and we kind of got our wires crossed there about getting a response out. You are correct that the latest levels are close right now to where we were targeting for this time of year under the Interim Operating Curve. Levels were rising earlier with the frequency of precipitation, and it can be hard to get water out of the lake at times in the spring. We were, and are, doing our best to balance spring levels with making sure we don't get left too low if we experience extended periods of low inflow like we did in 2020. We are trying to remain aware of a desire to avoid surges in spring levels. Most years it isn't a problem to continue to fill the lake at the mid-April time, and we'll continue to monitor it as we always do to try to stay on course.

>

> Thanks,

> Kent

>

> Kent R. Finemore, P.E.

> Assistant Chief Engineer

> NHDES – Dam Bureau

> (603) 271-0566 (office)

> (603) 848-2170 (cell)

> Kent.R.Finemore@des.nh.gov

>

> -----Original Message-----

> From: McLane, Andy [REDACTED]

> Sent: Saturday, April 16, 2022 4:20 PM

> To: Finemore, Kent <kent r finemore@des.nh.gov>; Gallagher, Jim <james.gallagher@des.nh.gov>

> Subject: Re: Newfound Lake Water Level

>

> EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

> \_\_\_\_\_

>

> Gentlemen,

>

> I never received a response to my 26 March email, below, so I'm not sure if you saw it. In any event, looking at a graph of lake elevations since that date, I note that the level kept rising for the next few days to a high of 587.0 ft. That's almost at the 587.4 ft "summer level" and 1.6 ft higher than the 584.5 ft level the State agreed to maintain (target) from Dec 1 until April 1.

>

> But I am pleased to see that the lake level has been lowered back down to 585.9 ft at present, which is right about where it was agreed it would be in mid-April. I'm hoping the State will be diligent in avoiding surges in water levels during the Spring months, when the most damage to our Newfound Lake shoreline occurs.

>

> Yours sincerely,

>

> Andy McLane

>

> P Andrews McLane

> Senior Advisor

> TA Associates

> 200 Clarendon St - 56th Floor

> Boston, MA 02116

>

> [REDACTED]

>

> [REDACTED]

Sent from my iPhone

>

>> On Mar 26, 2022, at 6:55 PM, McLane, Andy [REDACTED] wrote:

>> Gentlemen:

>>

>> I'm writing from our home on the shore of Newfound Lake in Hebron. This had been our seasonal home, but a year ago we made NH our legal residence. Living here now year-round, we have the pleasure of watching the ice come and, as it is doing now, go.

>> I noticed recently that the lake level has been rising earlier than I would have expected. So I checked the Dam Bureau data on the DES website and found that, in fact, it has been steadily rising since mid-March and is now at about 586.5'. The data shows that through the winter, the lake level was maintained close to or lower than 586.4', which is where DES has agreed to keep it from Dec 1 to April 1. However, the Dam Bureau began raising the lake level two weeks too early. And now, still March, the level is more than one above where it ought to be at this time of year. The 584.4' winter water level is supposed to be slowly lifted beginning April 1, with targets of 586.4' on May 1 and 587.4' on June 1.

>>

>> Perhaps the Spring thaw and snow melt has contributed to this more than one month earlier than agreed upon lake level rise, but I do hope the Dam Bureau will soon begin releasing enough water at the dam, so the lake level can be brought back down closer to 585.4'..... and then begin its slow two-foot/two-month rise to the summer level of 587.4'.



20220507 am 0949 R

**From:** [REDACTED]  
**To:** [Finemore, Kent](#)  
**Cc:** [Gallagher, Jim](#)  
**Subject:** Fwd: Newfound Lake Elevations  
**Date:** Saturday, May 07, 2022 9:49:41 AM

---

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

---

Kent,

>>

>> I'm sorry to be bugging you so soon after our good conversation just a few weeks ago in mid-April about dam control of water elevations on Newfound Lake. We noted and agreed at that time that the lake level, after being well above target levels, had been lowered to just about where it should be.

>>

>> Unfortunately, as you can see in the attached graphs, lake levels have been raised way too rapidly since then and we are in a bad place again. Target for May 1 was 586.4', but the actual lake level was 587.3', almost 1' too high. And today the level is 587.8, about 1.2' above the level targeted for this date and 0.4' above the "Summer level" of 587.4', which is not supposed to be reached until June 1.

>>

>> The chart on Flow Rates shows an abrupt drop-off in outflows on about April 27 from 60 cfs to 40 cfs. Why would this have been done? And wouldn't it be reasonable for the Dam Bureau to quickly increase outflows to bring the water level on Newfound Lake back to where it should be now?

>>

>> Regards,

>>

>> Andy

>>

>> [https://www4.des.state.nh.us/rti\\_home/station\\_information\\_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+6+ft.+Local+587.88+ft.+above+sea+level](https://www4.des.state.nh.us/rti_home/station_information_display.asp?WID=pemibaker&ID=NFLNH&NAME=Newfound+Lake&FULLPOND=Full+Lake+6+ft.+Local+587.88+ft.+above+sea+level)

>>

>>

>> P Andrews McLane

>> Senior Advisor

>> TA Associates

>> 200 Clarendon St - 56th Floor

>> Boston, MA 02116

[REDACTED]

>>

>> Home

>> 254 North Shore Road

>> Hebron NH 03241

>>

>> Sent from my iPhone

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20220509 pm 1204 R

From: [Newfound Memories](#)  
To: [Gallagher, Jim](#)  
Cc:



Subject: Re: Newfound Lake - Modified Interim Operating Curve  
Date: Monday, May 09, 2022 12:05:13 PM  
Attachments: [image001.png](#)  
[Screenshot 2022-05-09 at 11.22.40 AM.png](#)

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Why isn't the Dam wide open? It is not open at all! Rocks can be seen in the river and the water isn't flowing. Please see the erosion you are causing at the south end of the lake (and I'm sure everywhere else). Also see the screenshot of the lake level graph. Why are we 8" above the target??? and 2" above June 1st target?? This is unacceptable.

As recorded in the registry of deeds and the town of Bristol, I supposedly own .48 of an acre, on the lakeside. But I have been told by an engineer and surveyor that there is approximately .33 above water.

Thank you for your immediate attention to this matter.  
Julie Converse



On Wed, Sep 25, 2019 at 1:27 PM Gallagher, Jim <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)> wrote:

Tom,

I meant to say that we will be no lower than 4.5 before Columbus Day. Sorry again.







[REDACTED]

Kent <[Kent.Finmore@des.nh.gov](mailto:Kent.Finmore@des.nh.gov)>; Mattaini, Dan <[Daniel.Mattaini@des.nh.gov](mailto:Daniel.Mattaini@des.nh.gov)>

**Subject:** RE: Newfound Lake - Modified Interim Operating Curve

Tom,

I apologize for the error made in operations. We are cutting back outflows right now so as not to go any lower than 3.5 before Columbus Day.

Thanks,

Jim

James W. Gallagher, Jr. P. E.  
Chief Engineer  
Dam Bureau  
Water Division  
New Hampshire Department of Environmental Services  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095  
(603) 271-1961 Tel



[Redacted]

Scott, Robert <[Robert.Scott@des.nh.gov](mailto:Robert.Scott@des.nh.gov)>; Freise, Clark <[Clark.Freise@des.nh.gov](mailto:Clark.Freise@des.nh.gov)>; O'Donovan, Thomas <[Thomas.O'Donovan@des.nh.gov](mailto:Thomas.O'Donovan@des.nh.gov)>; Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>; Mattaini, Dan <[Daniel.Mattaini@des.nh.gov](mailto:Daniel.Mattaini@des.nh.gov)>

**Subject:** RE: Newfound Lake - Modified Interim Operating Curve

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dear Jim:



[Redacted]

Scott, Robert; Freise, Clark; O'Donovan, Thomas; Finemore, Kent; Mattaini, Dan

**Subject:** Newfound Lake - Modified Interim Operating Curve

Attached is the Decision regarding the modifications to the Interim Operating Curve at Newfound Lake. As stated in the Decision in response to public comment, NHDES has decided to modify the Interim Operating Curve so that the lake is no lower on Columbus Day that it would be in accordance with the 1982 Operating Curve, under which the lake level has been managed from 1982 through 2018. Also attached is a chart showing the Modified Interim Operating Curve compared to the 1982-1018 Operating Curve and the former Interim Operating Curve

Please let me know if you have any questions.

Thanks,

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

Dam Bureau

Water Division

New Hampshire Department of Environmental Services

P.O. Box 95

29 Hazen Drive

Concord, NH 03302-0095

(603) 271-1961 Tel

(603) 271-2982 Fax

[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)





















john erickson

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Photos

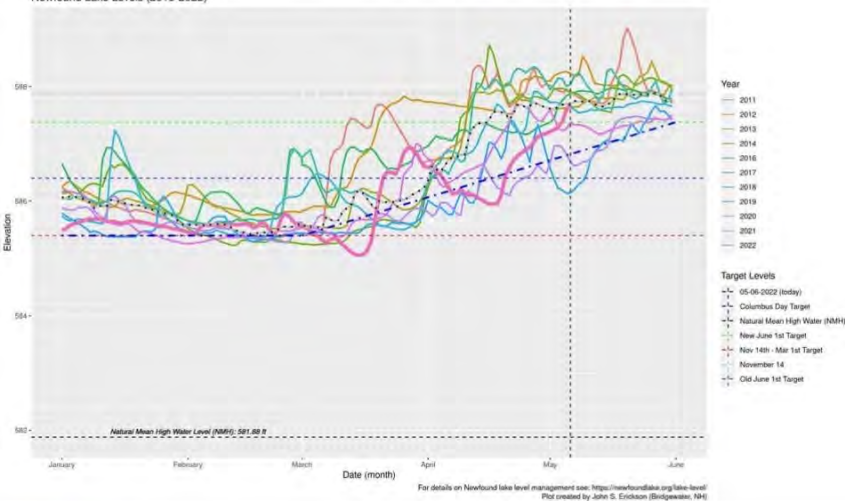


# Newfound Lake Community

John Erickson · 2d ·

CORRECTION (due to glitch with my previous post): The lake level is actually about 2" above the June 1st target and about 8" above the target for today. So it's not your imagination; the lake level is officially "high!" ;)

Newfound Lake Levels (2018-2022)



27

Like

Comment

Send





20220510 am 0843 R

**From:** [Tom Whitman](#)  
**To:** [Newfound Memories](#); [Gallagher, Jim](#)  
**Cc:** [Rick Van de Poll](#); [REDACTED] INV OF PRIVACY

[REDACTED]

INV OF PRIVACY

[Rebecca Walkley@mclane.com](#); [Connell, Lisa](#); [REDACTED] INV OF [REDACTED] [Scott, Robert](#); [Freise, Clark](#); [O'Donovan, Thomas](#); [Finemore, Kent](#); [Mattaini, Dan](#)

**Subject:** RE: Newfound Lake - Modified Interim Operating Curve  
**Date:** Tuesday, May 10, 2022 8:43:35 AM  
**Attachments:** [image001.png](#)

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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i

Thomas Whitman



(603) 648-2124

**From:** Newfound Memories <newfoundmemoriesnh@gmail.com>

**Sent:** Monday, May 9, 2022 12:04 PM

**To:** Gallagher, Jim <James.Gallagher@des.nh.gov>

**Cc:** Tom Whitman <tomw@wmi-t2.com>; Rick Van de Poll <rickvdp@gmail.com>;

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Thanks.

Thomas Whitman



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**From:** Gallagher, Jim [<mailto:James.Gallagher@des.nh.gov>]

**Sent:** Friday, September 06, 2019 4:43 PM

**To:** 'Rick Van de Poll'

**Cc:** 'INV OF PRIVACY'

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WHITE MOUNTAIN  
I M A G I N G

20220510 am 1001 R

**From:** [Ivan Quinchia](#)  
**To:** [Tom Whitman](#)  
**Cc:** [Newfound Memories](#); [Gallagher, Jim](#); [Rick Van de Poll](#); **INV OF PRIVACY**

INV OF PRIVACY

[Rebecca Walkley@mclane.com](#); [Connell, Lisa](#); **INV OF** [Scott, Robert](#); [Freise, Clark](#); [O'Donovan, Thomas](#); [Finmore, Kent](#); [Mattaini, Dan](#)

**Subject:** Re: Newfound Lake - Modified Interim Operating Curve  
**Date:** Tuesday, May 10, 2022 10:01:50 AM  
**Attachments:** [image001.png](#)  
[image001.png](#)

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**Cc:** [REDACTED] INV OF PRIVACY

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**Sent:** Friday, September 06, 2019 4:43 PM

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**Cc:** INV OF PRIVACY

INV OF PRIVACY

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INV OF PRIVACY

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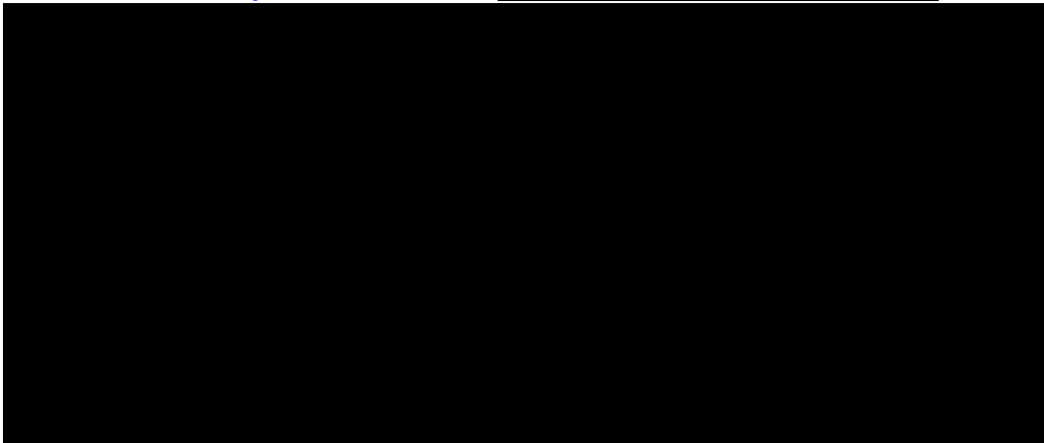
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I M A G I N G

20220510 am 1006 R

**From:** [Steve Gunn](#)  
**To:** [Tom Whitman](#); [Ivan Quinchia](#)  
**Cc:** [Newfound Memories](#); [Gallagher, Jim](#); [Rick Van de Poll](#); [REDACTED]



[REDACTED] [Peduto Jr.](#)  
[Edward](#); [REDACTED] [rebecca.walkley@mclane.com](#);  
[Connell, Lisa](#); [REDACTED] [Scott, Robert](#); [Freise, Clark](#); [O'Donovan, Thomas](#); [Finemore, Kent](#); [Mattaini, Dan](#)

**Subject:** Re: Newfound Lake - Modified Interim Operating Curve  
**Date:** Tuesday, May 10, 2022 10:05:58 AM  
**Attachments:** [image001.png](#)

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Steve

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**Cc:** [REDACTED] INV OF PRIVACY

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Thanks,

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

Dam Bureau

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New Hampshire Department of Environmental Services

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[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

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**From:** Tom Whitman <[tomw@wmi-t2.com](mailto:tomw@wmi-t2.com)>

**Sent:** Wednesday, September 25, 2019 12:35 PM

**To:** Gallagher, Jim <[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)>; 'Rick Van de Poll' <[rickvdp@gmail.com](mailto:rickvdp@gmail.com)>

**Cc:** [REDACTED] INV OF PRIVACY

[REDACTED]

INV OF PRIVACY

[REDACTED]

INV OF PRIVACY

INV OF PRIVACY

INV OF PRIVACY

>; PedutoJr, Edward

<[Edward.PedutoJr@des.nh.gov](mailto:Edward.PedutoJr@des.nh.gov)>;

INV OF PRIVACY

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>; [Rebecca.Walkley@mclane.com](mailto:Rebecca.Walkley@mclane.com)

<[Rebecca.Walkley@mclane.com](mailto:Rebecca.Walkley@mclane.com)>;

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>; Connell, Lisa

<[Lisa.Connell@dncr.nh.gov](mailto:Lisa.Connell@dncr.nh.gov)>;

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>; Scott, Robert

<[Robert.Scott@des.nh.gov](mailto:Robert.Scott@des.nh.gov)>; Freise, Clark <[Clark.Freise@des.nh.gov](mailto:Clark.Freise@des.nh.gov)>; O'Donovan, Thomas

<[Thomas.O'Donovan@des.nh.gov](mailto:Thomas.O'Donovan@des.nh.gov)>; Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>; Mattaini, Dan

<[Daniel.Mattaini@des.nh.gov](mailto:Daniel.Mattaini@des.nh.gov)>

**Subject:** RE: Newfound Lake - Modified Interim Operating Curve

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dear Jim:

Thank you for holding the meeting and listening to the Newfound Lake Concerns.

The Columbus Day Level for Newfound Lake was reached today 09/25/19. The Modified Interim Draw Down Curve dated 09/06/19 has not been followed. It looks like the Purposed Interim Draw down plan has been used instead of the modified one. I had made arrangements for boat removable based on a Columbus Day level (10/14) of 4.5 feet based on the 09/06/19 Modified plan and I bet a lot of other property owners did also. I am quite confused as to why the 09/06/19 Modified Draw Down was not used. It certainly puts in question that some other forces must be going on concerning the lake level. I hope the lake is not lowered any more until after Columbus day to the 3.5 feet.

Thanks.

Thomas Whitman



(603) 648-2124

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**From:** Gallagher, Jim [<mailto:James.Gallagher@des.nh.gov>]

**Sent:** Friday, September 06, 2019 4:43 PM

**To:** 'Rick Van de Poll'

**Cc:** ' [REDACTED] INV OF PRIVACY [REDACTED]'

[REDACTED]

INV OF PRIVACY

[REDACTED]

[REDACTED]

INV OF PRIVACY

[REDACTED]

[REDACTED]; [Rebecca.Walkley@mclane.com](mailto:Rebecca.Walkley@mclane.com); [REDACTED] INV OF PRIVACY [REDACTED]; Connell, Lisa; [REDACTED] INV OF PRIVACY [REDACTED]; Scott, Robert; Freise, Clark; O'Donovan, Thomas; Finemore, Kent; Mattaini, Dan

**Subject:** Newfound Lake - Modified Interim Operating Curve

Attached is the Decision regarding the modifications to the Interim Operating Curve at Newfound Lake. As stated in the Decision in response to public comment, NHDES has decided to modify the Interim Operating Curve so that the lake is no lower on Columbus Day than it would be in accordance with the 1982 Operating Curve, under which the lake level has been managed from 1982 through 2018. Also attached is a chart showing the Modified Interim Operating Curve compared to the 1982-2018 Operating Curve and the former Interim Operating Curve

Please let me know if you have any questions.

Thanks,

Jim

James W. Gallagher, Jr. P. E.

Chief Engineer

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WHITE MOUNTAIN  
IMAGING

20220821 pm 0322 R

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: 2 Bridgewater meetings with lakefront owners newfound lake at Bridgewater New Hampshire a few years ago.  
**Date:** Tuesday, July 11, 2023 11:46:09 AM  
**Attachments:** [20180828 WIP Meeting Transcript.pdf](#)  
[Newfound Lake Erosion Concerns 2018.pdf](#)

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Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
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(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

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**From:** Gallagher, Jim <JAMES.W.GALLAGHER@des.nh.gov>  
**Sent:** Wednesday, August 31, 2022 5:03 PM  
**To:** [REDACTED]  
**Cc:** Daley Frenette <daley.frenette@leg.state.nh.us>; Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>; Bob.Giuda@leg.state.nh.us  
**Subject:** RE: 2 Bridgewater meetings with lakefront owners newfound lake at Bridgewater New Hampshire a few years ago.

Mr. Frost,

Senator Giuda's office forwarded me your email for response.

Attached is the transcript from the meeting in Bridgewater in the summer of 2018 and the information provided by Rick Van de Poll who, I believe, was under contract with Mr. McLane.

Please let me know if you have any other questions.

Thanks,  
Jim

James W. Gallagher, Jr. P. E.  
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Dam Bureau  
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[James.Gallagher@des.nh.gov](mailto:James.Gallagher@des.nh.gov)

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**From:** [REDACTED]

**Sent:** Sunday, August 21, 2022 3:22 PM

**To:** Bob Giuda <[Bob.Giuda@leg.state.nh.us](mailto:Bob.Giuda@leg.state.nh.us)>

**Subject:** Re: 2 Bridgewater meetings with lakefront owners newfound lake at Bridgewater New Hampshire a few years ago.

Andy McLane

On 08/21/2022 6:05 AM [REDACTED] wrote:

Bob, I was hoping to find a way to get the minutes and the environmental report submitted at the second meeting that Andy McClain paid for that was part of those meetings. I'm doing some history on newfound lake and I really need that information.

At dinner last night with some old friends been on the lake for 60 years and old longer we were discussing different historical things and I'm trying to put the things together including pictures that goes far back as I can find.

If there's any way you can help me my number is at 603-674 2246 thank you very much Bob appreciate it.

Just point me in the right direction or maybe help me get this information you were at the meetings at least the first one I think I'm not sure I thought the second one too but anyways appreciate your assistance in this thank you.

## 08/28/2018 Newfound Lake Meeting Transcript

NOTE: This transcription of the recording of this meeting is a best effort attempt to capture the discussion at the meeting.

Kent – Ok. Thank you. Sorry for the brief delay, but we have, obviously a full house. So it's good to get everybody checked in. Just a reminder that if you were intending to speak - you don't have to fill out a card - but we are going to take those who did fill out a card, in the order they filled them out in first. So it might be a few minutes before you get the opportunity to speak if you don't fill out a card. We are recording. I have a small digital recorder I had put it up there near the speakers, are there. We've got sound here. I'm using this microphone. We'd like to welcome anybody that's going to speak, if they could use the microphone, please, so that we could try to get a recording as best we can. These microphones, they get away from me, you have to be close to it. You've got to be right in front of it. You can't be to the side. You've got to be right in front of the microphone to hear the signal. Right. Welcome everyone. For the record it is a little after six on Tuesday, August 28, 2018. We're at the Bridgewater Town hall in Bridgewater NH for a public hearing relative to a lake level investigation for Newfound Lake. My name is Kent Finemore. I'm the Assistant Chief Engineer at the Dam Bureau at the Department of the Environmental Services, which I'll be referring to as DES from here on out. I've been designated by the commissioner of DES, Robert Scott, to serve as presiding officer for this hearing. With me today are the Chief Engineer for the Dam Bureau at DES, Jim Gallagher, and Dan Mattaini is the Administrator of the Operations and Maintenance section. Helping check people in is Jake Ruitter from also from Dan's section. Also in attendance in the back to is Peter Ames. He's our operator at Newfound Lake Dam. Key person, the operator of the dam and more importantly, what happens at the waterbody. I'd like to take this opportunity to thank Selectman Terry Murphy from Bridgewater, for helping to provide the venue.

Terry Murphy – the air conditioned venue I might add (audience laughing)

Kent – DES received a request under the NH revised statues annotated 482:79, to conduct an investigation of conditions affecting the use and enjoyment of the NH waterbody. I'm sorry NH public water, Newfound Lake. We are conducting this hearing to receive testimony. It is part of the process of conducting an investigation. The rules for such hearings, for notices on hearings, are set forth in part Env C 205.04 c of the NH code of administrative rules, and they direct DES to notice by such means as the commissioner determines will notify those persons are most likely to be interested, in the most cost effective manner. This hearing was noticed on August 20th, 2018 in the following ways; We requested to post at the town halls of Alexandria, Bristol and Bridgewater and Hebron. Notice was also posted on the DES web site. We did request to have the notice published in the Newfound Landing publication of the Salmon Press. I was not able to confirm that. We did make a request. The purpose of this hearing is to except testimony from interested parties, relative to an investigation on ciditions

affecting the use and enjoyment of Newfound Lake with a focus on managing levels to control erosion along the shores of Newfound Lake. The agenda for today's hearing includes a brief presentation from Jim Gallagher about Newfound Lake, the Newfound Lake dam and its operations. I will then open the public hearing and comment period to receive testimony from interested parties. We will hear from those, as I said, that have requested to speak and fill out a card first. Then the public hearing is still open, we can hear from anybody that would like to speak at that time. I will close the public hearing at that, after everybody's had the opportunity to speak. Remind everybody that the comment period closes at 4 pm on September 28, 2018. Before we return the hearing. Those cards, I'm intending to call folks in the order that I received the cards. It's not a problem if you have an eight hour card it might take a few minutes to get to you, the speaker. It is our intent to hear from those who haven't spoken yet, before we hear those, from those again, who have already spoken. We'll try to give everybody an opportunity, as best we can, to speak. The New Hampshire Code of administrative rules part Env C 205.07 requires that any individual wishing to testify at a oral public hearing shall submit his or her name and address, that's why we're doing the cards. The presiding officer shall call each individual up present their testimony and also encourage you to submit written testimony if you so desire. Submit that to the presiding officer on the public hearing notice you can see my name, address and also email to send it to. We're using the sound system today. Hopefully everybody can hear. When anybody speaks, again as sort of a reminder, we're using these microphones. You have to be real close to them, you get a signal. Lastly DES is here to conduct a public hearing and accept testimony relative to a lake level investigation on Newfound Lake. With such a hearing we're here to collect testimony for the purpose of compiling a decision ultimately. We're not obligated to respond to questions. We may try to answer some, four or five, questions, but in order to maintain the integrity of the public process and ultimately compile a decision coming out of the investigation, that includes thoughtful and accurate and responsive questions we may not be able to answer. Specific questions here at the hearing. But we will accept everything as testimony. Right, any questions about process before we proceed? Right, I'd like to invite Jim Gallagher to provide a brief presentation to start.

Jim Gallagher – Thank you, thank you Kent. This on? Can you hear? My name is Jim Gallagher I'm the chief engineer for the Department of Environment Services Dam Bureau. We have three sections and we're responsible for the safety of twenty six hundred dams in the state. Whether they're State owned, publicly owned, privately owned. We are also responsible for the engineering and construction sites, and we're responsible for all the repairs and construction needed on the 278 state owned dams. In our operations section, operates this dam and over 200 others on a daily basis. Peter Ames, as we said is the operator for the lakes region. Peter lives in Lakeport, operates some of the big lakes; Squam, Winnepesaukee, the dam on Winnisquam and a lot of smaller dams in the lakes region. So it's a big operations burden, and this is one of our more important ones. I have a presentation on the history of the dam, a little history of the dam. How we currently manage it, how that management plan has developed over the years, and then also some of the resources that we use now to improve our operations. So it could be a little technical, you may have some questions on what gets presented

and I'd be happy to answer them. Perhaps right after my presentation if you have questions on my presentation or we start hearing the testimony on concerns that you may have on the current operations and perhaps what we really hope to get out of, out of these hearings is preferences. From the folks and the stake holders around the lake regarding the operation and maintenance of the dam. I know most of you probably already know this, the lake, I think it's the fifth largest lake in the state, 42 hundred acres. The drainage area though is far larger than we have, the drainage area that drains into that lake is nearly a hundred square miles. So when you drop the water, that falls in that watershed, it runs off the surface of the ground, ends up in Newfound Lake. And because of the large size of the drainage basin, 1 inch of runoff from that drainage basin can raise that lake 14 inches without any releases from the dam. Also because the steepest, the average slope of this drainage area is about 16 percent, which is very steep. So when this rain starts falling, and we start getting that runoff, it gets down to the lake in a hurry, not a lot of time to react. Some history on the dam, there's actually this picture I think is from 1934. The dam was originally built in 1848, constructed by the Bristol Water Company. In 1934 it was owned by Newfound Power Company and then in 38, or by 38, somewhere in between that time, Public Service of New Hampshire took it over. In 1973 Public Service of New Hampshire owned a lot of these dams. They did own the dam on Winnepesaukee, they did own the dam on Winnisquam. A lot of them. A lot of recreation lakes - they had owned. They either bought it from the mills and built these dams that were no longer in business. They provided water storage for their hydro power projects downstream but in the 70's they began to realize that they weren't worth keeping to a new hampstead power, so they'd all become important recreational resources. Certainly Newfound Lake, Winnepesaukee, in that case, Squam, so the state took them over. We got the, the Public Service of New Hampshire was generous enough to sell them to us for a dollar, provided us another \$50,000 dollars, because there was repairs that needed to be done at that time. So with that acquisition of the dams, we also acquired all the land and water rights that the previous owners had before. So the actual mean high water level of the lake is at gage reading of 2.24 on the gage. So before the dam was built that was the natural, that was the natural level of the lake, and then the previous owners acquired, fee ownership, particularly at the end of the lake down by the dam, fee ownership of land up to 7.24 on the gage and we had also flowage rights on other parts of the lake up to 7.24 where we don't have the ownership. Here's just some pictures of 1934, the timber dam. Looks similar to the current configuration. It was all timber crib and stone. Here's again the timber crib spillway. When we got the dam in 1976 we did this, again this was funded by the \$50,000 from the Public Service of New Hampshire which went a lot further then, than it goes now. But we ripped out the side of the dam, the timber side of the dam on the left side, looking downstream and rebuilt the gate house and made concrete stoplog bays. And then, I think it was yeah, this says 76, we also did work on the right side. Replaced timber on the right side of the, with now concrete. So this is the current condition of the dam. Got the gate house, that was built in like 2008. We got on the left side there's a section opening called stop logs. These are just wooden boards that fit into those metal beams you can see, that have to get pulled out during the flood. Manually pulled out. A worker has to

get up on that cat walk and that worker is Peter and any other help we can provide him. Hook on those stoplogs with a metal hook, got eye bolts on either end, then yank them up. It's hard work in that condition and it's really hard work when you've got water flowing over those stoplogs. So water management history. In 1971 we didn't own the dam then, Public Service of New Hampshire had the dam. We received a petition from stake holders around the lake asking us to review PSNH's water management practices because they operated like the mill owners before them, to provide water during low flow periods to the generating facilities downstream. So you can see a six foot drop in the lake level in some years in the summer time. I know before Public Service New Hampshire had it, the mills had it, that drawdown in the summertime could be as much as 9 feet. So the petition, just like the petition we received here to start this lake level investigation, came to the state and we conducted a lake level hearing. You could see the petition came in 1971. The question I've been asked is how long do these procedures take. These lake level investigations take. The economic complexity, they can take even a couple years, while we work out the differences of viewpoints from all the stake holders. This particular one took three years. The fishermen were looking for higher lake levels in the 70's, early 70's. So we came up and I hope you can see this, is it's a little washed out, this was the operating, the agreed on operating rule curve, what we call, after that 1974 lake level hearing. So the idea was that June 1<sup>st</sup> we fill it up at 7.24, that's full flowage rights. Get it up on Memorial Day. Labor Day drop over the course of the summer. Usually due to evaporation and releases made for downstream hydro power operations. Drop it down to elevation 5 on Labor Day and draw it down to elevation 2.5 by Columbus Day. Columbus Day traditionally is the time of our drawdowns. Of the 200 dams that we operate on a daily basis, about 50 of them we drawdown in the fall to protect the shoreline.

Man in audience – Can we ask questions?

Jim Gallagher – Absolutely, yeah

Man in audience – so how does that, what does that equate to the 588 number that we have today?

Dan Mattaini – 6.0

Jim Gallagher – 6.0 is 588, so it's equivalent to 2.5

Man in audience – so it's way down

Jim Gallagher – it's way down, yeah, yes it is. So to operate it under that scheme for about three years. Then we got this request from the Newfound Lake Region Association and the Newfound Region Chamber of Commerce asking us to reexamine that. There was concerns about the drawdown scheme, too low and the full summer lake level being too high. Again we were operating right up to our flowage rights, so if we had a rain storm on top of that, which you can get a high inflow event in June, we'd have flooding of property we didn't even know, or have rights to flow. So out of that came

this point. This 1977 curve which lowered the full lake level, the normal summer level down to 6, still had the lake level drop to 5, 5 on Labor Day, and at Columbus Day we had 3 and half and we stayed at 3 and a half till spring refill. Also again though through the spring refill, our target was 6.0 on Memorial Day. We do have high inflows in the spring time because of the runoff gage. It's not because we have more rainfall in March and April. In New Hampshire we get about the same rainfall every single month. It varies between 3 and a half and 4 inches on average. But the runoff from that same amount of rainfall in March and April before the trees bud out, before the vegetation comes out, while there could be still snow on the ground. The runoff we get in those months is far higher than the runoff, in the same rainfall we would get in August and July and September. So because of that, typically we'd be, we'd see some spikes up above the 6.0, but the goal was, of this management plan, to keep the below 7.2 if at all possible. And operating under that plan for another five years. Then another petition, of property owners around the lake take a look at things, and they're, and what ended up happening there was, this was the plan that was developed at the last lake level hearing investigation, after thousands of different stake holder interests we essentially shifted the target full date from July 1<sup>st</sup> to Memorial Day. And the lake gradually dropped to Columbus Day to an elevation of 4.5 on Columbus Day. And then, as needed, over the course of the winter, drop it down to the maximum, 3.5. To see what we do in January and March, we see how much snow pack we have, whether we need to do that drawdown at all to accommodate the snowpack and runoff we're expecting to get in March. So these are just the three plans that are superimposed. You can see the what we ended up doing really was narrowing the operating range, for the lake largely, and then the one that we're currently right now is, our plan since 1982, shifts the high full date to Memorial Day and has a shallower drawdown March, certainly back in the 70's. and that is, that's the plan that we try to operate to today. It's not though, it's not a bathtub. We have no control over inflow. We have a control of outflow, but even that is limited. So it's certainly a challenge for us to keep on that but that is our target. I'll talk a little bit about how we're doing, over the last year, in a moment.

Man in audience- Why do you do the drawdowns?

Jim Gallagher – We do the drawdowns largely to protect the shoreline structures and provide storage for the high runoff we're going to get, we know we're going to get in the springtime. Ice gets on these structures, or even ice sheets that are still on the lake, can really do a lot of damage to shoreline structures. So that's one of the, one of the reasons and the other is providing the storage. That has to be the Mother's Day flood and you know we had then we are starting to fill it up, I can't remember where we were at Newfound but we are in the process of starting to fill that lake up, but obviously there was still some storage left, to provide some mitigation of downstream flooding. We operated it and tried to minimize, we try to reduce in lake flooding, as well as try to control flooding downstream. There's property that gets damaged downstream on the Newfound River, from the flows on the Newfound river. About a thousand to a few feet per second. So what we try to do is limit our releases from Newfound to about 700 cubic feet per second so that when those releases are combined with

flow that's coming in downstream of our dam, to these damage areas they aren't flooded. We reduce the frequency of flooding. But our primary goal here, in operating all the lakes is that we have including the commerce is recreationists, enjoyment of the lake, the property owners around the lake, and people who come up here to recreate at that lake, and that and our goal every year is to get all these lakes actually up by Memorial Day. But we have other objectives as well. The loons, loons are a threatened species, and we are, to the extent that we can, operate and protect loons and the challenge they show up at ice out, typically when the lake is full at ice out, but we have to control the rate of rise, so we don't inundate the loons' nest, really very closely to the water. We also have to take into account the needs of downstream hydro power users. There is a downstream hydro power on the Newfound River. They actually pay us for what we call a water user fee. That funds the operation. It funds Peter's position, it funds the operation of our costs to operate Newfound Dam. We, in our operations we're storing water during high flow times, during the, during the spring runoff days we're flowing really high and they couldn't use it and then we deliver it to them at other times when the flows a little bit lower, and that will keep them operating. So they have a minimum flow requirement of about 60 cubic feet per second. They have an optimum flow of somewhere between a hundred and eighty, 220 cubic feet per second and a maximum flow up to 280 cubic feet per second, anything beyond that they're spilling water and they're wasting. To the extent that we can we take that into account as well. When we're doing our drawdowns we don't give them the water if we can help it to more than what they can use and in the summer times we're making releases. We try to provide minimum flow when we can, when we can, but not at the expense of the recreation. In, this is downstream pictures taken before we put the gate house on, so it predates 2008, but in that 1982 plan, Fish and Game weighed pretty heavily on our operations there. They insisted on us providing minimum flows during the summer time to support the downstream fishery. That ratchets down over the course of the summer. Starts at 80 cubic feet per second. In July it's 60 cubic feet per second, in August it's 40 cubic feet per second, and to the extent that we can, we make those releases, but during drought times we've been having in the summertime, we curtail those releases and still and when we get down to it there's, still a minimum of 15, between 15 and 12, at least provide some instream flow needs. You know the timing of the drawdown is an issue. We do it on Columbus Day to allow, it's still warm, fairly warm, typically on or around Columbus Day, it allows the amphibians too get to where they're going to go, and hibernate before we draw the lake down. And a big issue here at Newfound Lake is, also some of the other big lakes we operate is, fisheries. The lake trout, big fishery here that's important to the state. The problem with the lake trout, they spawn on Halloween, typically, right on Halloween and so the concern is if they spawn in the shallows of the lake and then we draw it down below what it was on Halloween, then say there's a couple of people that look around on Halloween, then those lakes they would be stranded and a unique fish to Newfound Lake is brown white fish. And you don't see many people catching them because their mouths are so small to get on a hook, but they are actually a threatened species. They are in Newfound Lake and they also spawn in November and December. And they spawn on the shallow, the shallow sand beds and so again, just like with the lake

trout, we started drawing that lake down much lower, than the elevation it was when they started spawning then we could be affecting them. So we've had requests, some of you may be answering for them today we've had requests from folks who had property, or their families had property in the past, property that they owned, that was built many years ago. They have retaining walls on their property and the retaining walls were built 60, 70, 80 years ago when the mills owned the dam and used to draw it down pretty empty in the summertime. And they would like to be able to get in there to that level again to repair those walls. When we've run that idea by Fish and Game Department, again they were really concerned about the impact it would have on the fisheries so this is, they prefer that we don't even draw it down as far as we do now, but keep that drawdown limited to 4.4 to 4.0 on the gage. And so as part of this process we are going to have to have them weigh in on our operations and again balance that with some of the other needs for water in the lake downstream. It's a little washed out so, this is our year to date operations. Up in that top line, I'll be providing this presentation to the Newfound Lake Association to Boyd there, so you'll be able to see a little bit clearer, but the red line is the actual lake level on the top. The blue line is the average over the period we've been operating under this management plan, from 1982 to the present. That shaded blue is what we call standard deviation of water level that day. You can't see, in the plot, you'll see a maximum and minimum of all these days but we got that spike in January, that lake level did come up, we pulled it right down the middle of, that middle graph is the bottom, the inflow into the lake and the discharge. And you can see whenever we get a large inflow we're increasing the releases accordingly. And then over the course of the summer we've really been running very minimum release, till we had a rain event, these rains we get in August bumped up the lake and then we increase releases we get that lake back down to that green line, some green dots, just in this case, just below the blue line, the average lake flow for that period of record. So I just want to get into here now, talk about the history. How we operate, some of the things we try to do over the past couple of years to improve our ability to operate this dam. These, what we've done is on the gates we have eleven stoplog bays and have those stoplogs that Peter has to pull to increase discharge, but we also have three gates in the gate house, three 6 by 6 foot gates and those can be operated automatically. They can be operated from a computer, my computer here, computers in Concord. Jake can be in his pajamas at his house and operate those gates. So it does give us more put a response time, if we see something hot's happening. If we can't get Peter out here. Usually Peter goes out, even in these rain events and operates these gates, but there is still a danger somebody might be downstream and we don't want It's a fisherman's popular fishing area, people kayak down there. When Peter does do his operations, he makes sure there's nobody there downstream. We have a camera on the dam so that if there's a real emergency and we can operate remotely. We can at least look in the rearview to see if anyone's down there, then operate those gates. And even think still I think Peter can, it's still a lot easier operating those hand crank gates we had, that we had in 2008 and that's when we rebuilt the gate house on top of it. Again so these are the stoplogs. We've got eleven of these bays. To increase the discharge beyond those gates, somebody has to get out here and hook on an eyebolt, you can hardly make them out, those



eyebolts on either end of those things. Put the hook, the hook in there, you know that's tricky work, it's tricky work in that condition, when the waters flowing over it you can't even see where those eyebolts are. But we are, that's the only way we can operate, increase the discharge beyond the gates right now. So what we're looking at doing, in the future though, is try to put some spillway gates in place of these stoplogs to give us, again, a way to operate these things during a flood event. The only way we can operate these things is in advance of a flood event. And again this is a picture of that flood event and you can see what had been taken we had to get out on that catwalk with all that water coming through and trying to hook on, hook on a stoplog. But again you have to keep in mind that when we do these sort of operations we've got flooding concerns downstream so we don't want to be causing significant property damage downstream too. And lastly, I just want to speak about our modeling system. We've developed computer models in all our drainage areas including Newfound drainage area where we have a large amount of dams, very important dams and the, get to the output of these, well we get to the data that we use in making our operational decisions on real time data on DES's web page here. This address [www.des.nh.gov](http://www.des.nh.gov) and the quick links on the right has a lake level link, you click on that again these are the drainage areas where we have, where we have computer models and there's a, what a dozen now Dan?

Dam Mattaini – about that

Jim Gallagher – yeah, all and these are where, that's where environmental services has them anyway, that has all their dams and again this is a little washed out but we've got stream gages, lake level gages in the basins, and that data comes out on a real time basis, goes up to the GOES satellite. We get that hourly, hourly move and interrogate them more frequently than hourly if we need to. We get the data down in our receiving station and it automatically goes into our database, into our modeling software. And this model, a computer model, has the drainage area, it has the soil types and the runoff characteristics and it keeps track of the runoff characteristics if they change. After we get a lot of rain we get more runoff from it because the ground is saturated. These computer models track that. These computer models track the amount of moisture, the water content in the snow cover when the snow covers there. And have teams in the computer programs that will take, compute how much melt we're going to get based on the forecast and temperature. We get 48 hours to 78, 72 hour quantitative forecast from the weather service. That gets input into our models and over here on the bottom left, you can't really see it, but it's a projection of the flooding we're going to get in the next few days. So this is our network, over on the right here's our network of stream gages. This is one of these gage boxes look like. You've probably seen one on the dam that measures the lake level and releases. We have our own ground to seed station now. This is another improvement to used to. We started this. We used to have to rely on those, around the seed station on Wallace island Virginia and it never failed during a large event, you know we would have communications breakdown. We would only be able to interrogate that data from a, using telephones. So know we have our own collection of dish and that data goes right there at DES, DES's office in Concord. Again going back now to the web page, you click

on that link, that quick link on the lake level data, you get this page, and you can click on the Newfound Basin, you have and that page has both the Ossipee and the Pemigewasset Basin, with Newfound Lake and Squam Lake. There's an icon on Newfound Lake. There's an icon at the Cockermonth River where we get inflow. So we click on the, click on the Newfound Lake, you can get precipitation for the past two weeks right?

Dan Mattaini – yes

Jim Gallagher – yes two weeks. This is actually this afternoons and you see we've had a couple rain events. Going back to it you want to see how much inflows coming into the lake. Here's how the Cockermonth River behaved in response to that rainfall we got. Going back to Newfound lake again, the daily precipitation at the dam, the lake elevation you got a that's a, that is a Jake can talk about that better, that was a spike, that was just an instrument spike

Jake Ruiter- inaudible

Jim Gallagher – yeah, on that, on that day, yeah that's how the lake level can operate. You see the June 1<sup>st</sup> target levels in light blue on top, the Columbus Day is down at the bottom. The releases you can get in real time, the official releases, so you can do Monday morning quarterback. You can take a look at this see how good a decision we're making and say well is that a good decision? We do get those calls, not from you folks. In that page, this is washed out too, like I said and that's getting take a look at the presentation when it gets on the Boyd's webpage, but this is, this is essentially summary of our operations, plan and what you also get is what we're going to do. In the case right now, you know Newfound Lake, we're not anticipating any inflow over the next few days, so you know so it just says what the lake level is and what the releases are. But if we're going to make a change, tomorrow or the next day, anticipating that, that information will be on there, so if you can have that interest, you can get that real time information. So that's all I had, for my presentation. Again I open it up to questions that if something wasn't clear in my presentation. If you want it clarified and if not if you have any questions then we'll just go right into the testimony. Yes sir

Man in audience – Jim just one question. Do you see rain coming like this, like two, three inches, do they proactively start increasing the flow or do you wait till it's finished?

Jim Gallagher – The question was if we see something coming, three inches of rain do we proactively make an operation. In this case, in the Newfound we do, to a degree. Because of the, it depends on where we are with the lake honestly. If the lake is low and we have the storage we wouldn't do it. If the lake was higher we would do it. We don't want to be adding that increased discharge at the peak of the storm because of the folks downstream. And at Newfound Lake we can get that refilled a little bit easier than we can other lakes. We don't do it at Winnepesaukee. At Winnepesaukee that lake is so big, relative to the size of the drainage basin, as big as it is, if we released water out of Winnepesaukee

ahead of it and we don't get that event it would never refill. Newfoundland we can do that. We've done it at Squam. I think it was Irene, tropical storm Irene we did full. Yes sir

Man in audience – at 2.4, that would be the mean natural water height

Jim Gallagher – yes

Man in audience – the natural water height. How did they get that in 1848 when there was already a dam there?

Jim Gallagher – in 1840 1848

Man in audience – you said that that height was on the dam

Jim Gallagher – oh no, no no. It's on our gage

Man in audience – it's on your dam gage, where is the actual mean high water mark, 50,000 years ago

Jim Gallagher – yeah it would be at that elevation, that elevation that corresponds to 2.4. You say Jake what

Jake Ruiter – 5.88

Jim Gallagher- It's 6.0 right

Jake Ruiter – it's zero

Jim Gallagher – ok, it's zero ok

Man in audience – where is that, when was that, and where was that taken

Jim Gallagher – it's, it is historic we got a lot of historic information on this dam, but it was a determination made many years ago. We have some information if you're interested in it. Yeah Boyd

Man in audience – how fast will the water get out through the dam in starting to tear at least when you're flooding people downstream. How much can you lower the lake in say 24 hours full throttle

Jim Gallagher- Good question. So we try to keep the maximum releases at 750. We've released from the dam about 2,000

Dan Mattaini – yeah about 12 hundred is the maximum

Jim Gallagher – In the mothers day storm

Man in audience – so lets say it was 4,000

Jim Gallagher – 4,000 on mothers day and so Dan you know that, so lets assume it's 1,000 cfs we're releasing. How much, without any inflow, how much is that

Dan Mattaini – the lake level a foot and a half

Jim Gallagher – A foot and a half a day

Dan Mattaini – I'd have to check that though

Jim Gallagher- Yeah I mean I know that number at Winnepesaukee, but I don't know it here, but I can get it for you Boyd. So if that's if for the questions I'll just open it up to hear from you folks

Man- I have one. Do you ever publish this information to the legislature or any part of the public?

Jim Gallagher – Public, well this information on our website is available to the public. Yeah in real time I mean if you go home and you're on our web page you can see all this information on the data we have and what our goals are in the management above the lake. This presentation is going to be prepay the bill. Yeah we do report to the legislature. Up until about five years ago there was actually a legislative dam management review committee that I reported to every year. That committee is no longer in business but there are opportunities for us to work with others

Man – Well it would seem to me it might be wise to distribute some of this information to all these people who are property owners on the lake and very interested in what you're doing with the water levels

Jim Gallagher – Yeah and that's why I appreciate to have this opportunity to come here and explain that all to you. I know last time we had a presentation like this up in this area was probably about eight years ago now and so that's overdue. You know any time we have an invitation, this is a formal hearing that we, that we're conducting now and we set up but I often speak to lake associations in the summer time at their annual meeting and I'd be glad to do that if you folks were interested in that.

Man- I think you touched briefly on the funding of the Dam Bureau. Could you mention that, explain that a little? Is it kind of a general fund with the state of New Hampshire or is it specifically, did you say from hydro or

Jim Gallagher – both, ok it's a mix. It's a mix. Peter's position is funded by downstream hydro power operators at Newfound, upstream of Squam, downstream of Lake Winnepesaukee and the required about hydro power operators down the Merrimack there's another source at the facility because they pay us what to for the storage of this water mostly, downstream projects and that funds, not just Peters position but all the costs associated with operating these dams. I'd say we got 200 dams that we operate on a daily basis and some of these here in the Lakes Region and the dam that we own, Murphy dam on the head waters of the Connecticut River that's also one that we have a outside of

here yeah hydro power operators downstream. But the rest of the operators, all of the, which there are probably another maybe 175 dams, that operation is funded by the general funds and that was a legislative action taken, because up until then our funding source was leases. We leased out 11 state owned dams for hydro power operation and the thing of the water user fees. They're generating power at our dams, we get a percentage of it, revenue that they make, that they got from the generation of hydro power and that's funded, the operation of all these state owned dams, because of the, they had way above market prices, they had power purchase agreements that paid them far above market price. Those power purchase agreements are gone now. The revenue they get from the generation of power is very, very low and it's not enough to sustain the cost of operation for all these dams. So the legislature looked at alternatives and determined that because of the importance of these lakes, public safety, the difficulty with maintaining these dams in a safe condition, that was an appropriate general funds to spend.

Man – so that's how that gets funded

Jim Gallagher – Major repairs get funded with capital appropriations from the legislature. And so, to get the equipment, so every, every biennium I'm in front of the legislature talking to them about needed repairs on the inventory of dams, 276 dams, yes sir

Man – one last question, Are there some lakes that you simply lower the level to allow repairs? Some contractors have mentioned that to me. Some of the lakes like every 2<sup>nd</sup> year or 3<sup>rd</sup> year are lowered to a level that allows repairs.

Jim Gallagher – We, there are some, some lakes are. Winnisquam is one that we normally do a one foot drawdown, but every other year we do a 2 foot drawdown to allow lake shore owners to schedule repairs to their property. Yup, yeah and so all the drawdowns that we do on these other 50 lakes, do provide that same opportunity to do repairs on the lakes. And we try to work with contractors to schedule that work. DOT is famous with u, you know they go to do some bridge work and they like the lake lowered and so we try to work with them on scheduling that drawdown . yes sir

Man – Can I ask you that the people that are asking the questions out loud. I understand the questions can't hear

Jim Gallagher – yeah

Man – could you repeat it so

Jim Gallagher – yes sir I can, so that questions was do we do drawdowns to allow contractors to do work. Certainly on a lot of the state owned dams we have to draw them down to do repairs and like what we just did with Mendums. That lake was drained for a whole year and the question was do we do drawdowns for contractors or we try to coordinate with to work with our drawdowns . ok so yes sir

Man – I have a question. I want to know if the Dam Bureau acknowledges that their management of the water level over the last 25 years or so, up until now, has resulted in the loss of beach width all around. A lot of people here are concerned with that

Jim Gallagher – yeah

Man – but you never mentioned anything about beaches in your talk about there's big concerns

Jim Gallagher – oh yeah I hear you. That is the basis of the petition to us. So we want to hear about that. But this again is a practice that has been going on for a long time. The fluctuations were far worse before the state took over the operation of this dam. Now we operate it within a relatively narrow, certainly a narrower band, but the effect of it we see this a lot, a lot of other lakes you know, but I'm not sure what it is. I don't know if it is dam operations or is it the size of boats that we have now or is it wakeboarding boats. And I'm not denying a role and that's what we trying to get at here is. Is there a different way of operating the thing that addresses erosion as well as satisfies all these other constraints that we have to come up with in operating the dam

Man - I have a series of about twenty pictures or so

Jim Gallagher – oh yeah

Man – photographs of Waldron beach in particular. It used to be a big wide beach years ago. It was actually a lot wider

Womans voice – about three feet

Man- about I don't know, but it's not what it was .it's a fraction of what it was

Jim Gallagher – right

Man – it's, something has gone wrong

Jim Gallagher – somethings causing it for sure

Man – I'm talking the water management

Jim Gallagher – yeah some thing's causing it and whether it's water management or we want to look into that but (audience talking in background) or is it other things or is it a combination. Yeah - Again that's why we're here we accepted the petition, I'm not denying it. I'm not denying that water management has a role. That's why we have a choice to accept the petition or not accept the petition. We've accepted this petition and started to incur the expense of doing a lake level investigation to help answer that question. Yeah are we getting into testimony now?

Audience – yes

Jim Gallagher – so then I would

Man – it just seems to me that mention that there's environmental power this and this. In the hierarchy? We're the land owners, the property owners and change the name that the power companies paying you people to just control the water level. You're sort of, we're at the bottom of the list

Jim Gallagher – Yeah, no, no

Man – the folks are going to be ahead of us

Jim Gallagher – it's just a fact, it's just a fact. I didn't have to tell you that the power company they can tell you. They can shut off. They can shut off. They've been off, How long have they been off this summer?

Dan Mattaini – a couple months

Jim Gallagher - They've been off a couple months this summer. They can be completely shut off. So we're not draining the lake for them. They are, the fact of the matter is, they fund the operation of the lake. We don't operate for those guys. To the extent we can meet all these other things including lake levels, giving lake levels so they meet recreational. The drawdown, do the drawdown at a rate they can accept. We'll do that. But not at the expense of all these other agendas

Woman – testimony

Man- is it

Jim Gallagher – that was. It's all I'm going to cut this off. I think it's a question to me. We want to hear your opinions. That would be an opinion that we'd want to hear if you feel that you're, that you're on the atomic bowl that we respond to that as part of the hearing at a later date. So when asking to do it. Anyone that's making a comment please come to the microphone and we'll be able to record your testimony and respond to it. Not here

Man – I'm sure the mike you can hear my voice, so in the last 10 years I've notice a big difference with the water levels and how they've been going up and down because we lost quite a bit of our shoreline. My neighbor next to me at [REDACTED] totally lost their beach. And they had a beautiful beach and how have they lost been standing there for so long. It's gone. Camp Onaway lost all of their beach, but what I'm asking is what is the lake level going to be. What is your standard that you're going to try to keep it at and how is the state going to try to correct that, this problem for the levels that keep fluctuating drastically for the past ten years?

Woman- can we do testimony (clapping)

Man- I can answer a lot of it but if somebody wants to do that

Jim Gallagher- yeah

Kent - Right, I'll definitely hear Yeah, I'll jump in here as the presiding officer for the hearing. Under the rule that I referenced earlier the presiding officer is obligated to terminate comments if they get way off topic which I don't expect is going to be the case here. But we have a lot of people that would like to speak so it's encouraging to see as good size as possible. All right so we do have cards here filled out and I will call people in the order I received the cards starting with Helen Noel and that will be followed by Gary Cross

[REDACTED] I. Before 1982 my husband went to one of the meetings in this area and he was told that Newfound Lake was one of the three cleanest lakes in the world because it cleans itself out twice a year naturally, and it has spring fed water, and it's glacier dug. Since 1982 this whole concept of this natural lake has been destroyed with this high water level 3 feet plus, the massive erosion. Pleasing stake holders who want the lake level higher at the expense of the large environmental concerns of the lake and its natural state. Before purchasing our lake front cottage in 1985, we rented a summer cottage and late day in 1970 at Camp Greenwood in Hornets Cove. The falls were submitted at the last meeting at the Red Barn in Hebron. Our camp beach, until the early 1980's, could accommodate a volley ball net, picnic table and the people gathering on the beach. Since the early 1980's the beach severely deteriorated to the point of no beach in the last two decades and dropping of the beach front by three feet. Storms, hurricanes, heavy rains would fall and gusty winds with rip tide wave action in the presence of three feet plus lake level elevations together – together, have wiped out our beach, created expansive new sand bars off of Wellington beach, off of Wellington boat launch area encroaching extensively into Hornet's Cove waterfront and also southerly between Mayhew Island and Cummings Beach in the channel. This sand bar has been rising. Septic tank leach fields are likely breached by the three foot plus elevated lake level. For instance, Wellington Beach was closed to swimmers two summers ago caused by elevated unsafe e coli levels. So when will the dam management of Newfound Lake start listening to environmental science and start managing the lake so that it maintains its natural state instead of impending crisis. The lake level, the lake quality has dropped, I understand, to one out of ten locally now, the one out of three prior to 1982. Thank you (clapping)

Kent Finemore – Gary Cross followed by Douglas McLean

Uh thank you. I'm [REDACTED] who resides at [REDACTED]. I've been coming to you a lot in the state but in any event I've lived at Camp Greenwood since 2012 and I know that six out of the seven summers that we have been there, especially in the springtime, that's when we see most of the problems that we have with erosion because the lake level is high during that time which is the choice of the dam folks and it's that time we get a lot of storms that come down from the northwest



because of that we get a lot of beach erosion from the high waves. I know there's probably an unintended consequence when the lake levels were lifted or raised that this is the unforeseen act as problem you probably didn't foresee all the property particulars coming down the power dumping into the lake that impacted the quality of the water in the lake so I do ask that the dam committee look at things such as that of erosion of these properties and see if there could be some adjustment in the level of the lakes especially in the springtime and maybe draw down gradually during the flood of the

Kent Finemore – Thank you Gary. Douglas McLane followed by Terry Murphy

Doug McLane - I didn't know if you got here early you had to speak early. (laughter) Um Thank you for coming. I'm sure it's a tough job balancing this. Watching this for a year and a half now and there are a lot of competing needs. I'm sure it's not easy. We were given a very nice tour by one of the fellows here at the actual dam and much appreciated - a few points I'd like to make. Having actually this year marks 100 years and we've been lucky enough to end up with some of it and I'm 67. I do think, and it's hard to pinpoint changes, but I do think the feeling here is that the lake used to be a lot cleaner. The edges didn't have as much plant growth and the thing that brought it home to me about twenty years ago we started finding lots of Indian artifacts on the sand, on ?? beach, and my father was a well-known, amateur archeologist when he died 20, 30 years ago how would we never have found. We found arrow heads, axe heads, a couple thousand pieces of pottery. The state archeologist had been there and it slowly dawned on me that what's happened is the land is eroding, the turf line. A lot of the edges, especially near the Fowler River and the Cockermouth River, the natural eddys that used to rebuild the sand. I think that people have watched a lot of high levels that floods don't do a lot of damage to the turf line. I've seen floods so high that there was a chipmunk stranded on a mattress in our cabin and those high waters, were not exposing the tree roots like they are now and it gets a little counterintuitive and I'd just just like, what I'd like to submit to you is a graph, I'd even like to pass a couple around. This is not – this is your three graphs just superimposed and the yellow is showing the increase it's not three feet. It's between and foot and a foot and a half of a few months of the year two feet. I think twenty to twenty five years of gradual increase of the lake just got lowered two weeks ago I think that's correct, I watch it right off the edge of the dock and it's been high all summer. It's hitting the turf line getting we now have roots that are four inches sticking out 5 feet out into the lake. That was land ten years ago. I know the solution isn't easy but I hope you'll take all the input. Two more quick things I wanted to mention. I'm hoping that this does not turn into anything against motor boats even though I personally prefer canoes and sail boats, and the very interesting thing is the erosion on the north end of the lake started about, since Newfound Lake marina and more boats have been gone. Gone essentially from every boat in the lake back to very few boats and the erosion has been way worse with no motor boats. So let's, there's something else going on. I do think that the last thing I'll say and I think, I hope this where it ends up, is it's a counterintuitive thing to raise the lake, let's say a foot and a half. Logic would be that it would take the sand and sediment further out into the lake during the spring runoff but that it's just the opposite. If that were true the river, the water across

the river, the velocity drops and the rivers are dropping their sand and sediment load upstream. There's a man here, I hope he'll speak but I don't know, who's been working in Hebron for many, many years and he said I've seen the Fowler, I mean the Cockermouth River get choked off with sediment and the old eddies are no longer there. And I think that's what happened because while a lot of us are here complaining about losing beach, a lot of people are gaining beach. One of our properties is the old fishing camp, owned by the Fish and Game Department where they'd gill net the salmon that supplied all the hatcheries for the State of New Hampshire it's gained a lot in the last ten years. I know what it's like. It's a combination of high water and the change of currents I think. Thank you

Kent Finemore – Thank you sir. Terry Murphy and I apologize for butchering people's names. I Tessian, can't read the first name. I'm really sorry

Woman talking in audience.

Terry Murphy - Thank you for coming. I've been saying this thing for quite a few years. Given the beach sizes something you've done a really great job keeping all things constant. In the past when you're filling something about feet. In the old days more water went under the dam then went through so you would move your docks out two or three times and I remember that because by July you had a lot more beach front, then it kept on going out. But the big thing here is even in the six feet or five feet the real problem is that, since '82, we thought it was a really good idea to turn around and raise the level, half the lake a little higher after Labor day and it does a couple things. You're starting off in spring of the year, when you have the most flow coming out of the lake off these steep hill sides it brings all the organic material in. If you look around the edge of the lake and you look at the lake like a bowl and apron. The apron is collecting more and more sediment, and more and more muck around the lake, and that's going to foster more weed growth. In front of the tax issues abatements that we have to pay attention to, and there's a lot of different things. But the reality is, is that that is getting much much worse. In in the past, the owners of the dam, in the past before it came to the state turned around and would flush this thing down 2.5 feet back to the high water mark of the natural lake. We've stopped doing that and now what ever, now you want during the summer for boating, that's great, six foot or five foot but the drawdown in the fall has been discontinued and we're keeping it at the 4.5 feet. Four to four and a half feet. I haven't seen that lake down, way low, beyond 4 and a half feet. In fact this year is one of the years I've noticed it's rather lower as an average this time of the year. But unless you take it down in the winter time and leave a bigger reservoir to fill up, as well as to use the wave action to pull that material out and put it in deeper water where it can't really foster growth easily, we're going to turn around and we've already watched, if you're in the Fowler area, Fowler River area, remember how sandy that used to be? It's now full of muck. Don't blame it on over development. There hasn't been anything done along the Fowler River we're pulling the natural, organic material whether it's the Dick Brown brook, the Cockermouth River it's turned you around and then you've like a snow globe. To turn around and dribble around the edge of the lake and

once it freezes it drops and stays there and in the summer time it's stirred back up. It couldn't be stirred up before because the winter before they pulled the lake down to two and a half feet. You're getting it back down to the, it isn't as critical along the six and five foot area which is a good average. It's really what you do after September and bringing the lake down closer to it's natural lake even when you went up to three feet to four feet, things have gotten steadily worse in terms of the entire apron around the lake everywhere. You won't have a beach even soon because the lake is turning, it's coming out of the Cockermouth River and it's turning and you're getting more and more weed growth. Between the wave action, frost, cold and so on you'll have a better edge, you'll have better property values, you'll have easy boating because in the summer times it's not a real big yank. If you pick a number between six and five you guys seem to be able to hold that really well and then the next year hold to that. And the Repair of the dam and ever since you've managed it we'll all be out there. But I'm ok and then the issue about the fish going ... well it's not before Labor Day and the fish spawn I guess is my point but we also turn around and watch the Fish and Game and stun the fish; and take a lot of fish out of the lake. And they strip the lake pretty good as much as they can as far as lake trout and salmon in terms of bringing it down to the fishery and that's fine. But more importantly get it down really on Labor Day and Mr. Fry, he'd pull all those batter boards out right down there at the foot of the lake and they would pull it down as fast as they could until October where they could try to get it down around there. If we could get it back to a little bit of that, even to try it for a couple of years then evaluate it rather than you know having lots of studies. The reality is they did it for over 100 years and the lake flourished. It is not over development, it is not the hillside, cause the last time I checked water runs downhill and it holds the organic material and it's the leaves and everything else that's in the woods down into the lake, and we're depositing it in the worst possible place. It's not the quality of water to take all of the quality of issues on the lake, biology in terms of oxygen and all the other studies that you've done. The lake is in excellent shape except for particular that floats along the water of the lake because if we allow it to stir it all up on the edge of the lake. So if you really want a clean lake and a productive lake it seems to me to move that back into the deep water that we back to the 2.5 foot or at least try for a while and then evaluate it. Thank you. (Clapping)

Kent Finemore – Nadine Hession to be followed by Greg Smith

Nadine Hession - I think this may be too high for me. Thank you. I'm being very selfish tonight in front of my house which is on [REDACTED] up in the marsh. We have a dock and a boat, there's about 3 and a half feet of just dirt now where the lake has been lowered way before it ever gets to my \_\_\_\_\_. We built the house in 78 and never had trouble but I'm concerned about being able to take and able to get our pontoon boat out off the lake because of that. Thank you

Kent Finemore – Greg Smith please to be followed by Jim Whittaker

Greg Smith - Good evening. I came here tonight not knowing what I was going to ask or speak about however I have to give you a little background. I've been on this lake for 70 years, on the lake, three

different locations, fifty one years in the same location. The lake is, I've got to get this number right or somebody might kill me, it's about sixty feet from my window. The last twenty years I've lived here year round before that it was somewhat fall, and different seasons. So this is my pet peeve, why I came tonight because my wife told me I better, she's sick of listening to me complain a lot (laughter in audience) Everyone that's spoken so far, and you're going to hear from more people, they're all right (all are correct), but it's different in different parts of the lake. You've got a lot of issues here to try and handle and bring it together and that's not an easy job. However, I'll take exception to a couple things. My big issue and the one I want to talk about is lack of consistency. You people hit on it today about being proactive versus reactive. The reason I mentioned I've been on the lake for 20 years year round. I look at the lake in the morning, I look at my dock, I look at the jettys, I get in my car and until last year and I go to work and I look at the Newfound Road. I listen to the weather and you don't have to be here year round or be here twenty years to realize we're not managing this properly. I know you said you try to manage the outflow. I don't think you're doing a very good job at it. Back more years it was done better and I haven't got the data and I don't hear about the graphs, that's all night. What we worry about is when you get that storm and that lake moves up a foot in a day or two feet in a day. In the old days it used to come up and they got it back down fairly fast. That with, I don't know what the period of time is, if I missed the last ten years that has not happened. We're no snobs for coming here. Everybody knew it. I come home from work, Newfound River's trickling along. Next day it's still trickling. We know we're going to have 5 - this happened a year or 2 ago, well we're going to have rain for five days. Then the rain comes. Go back to work the next day the Newfound River is trickling along. We get all this rain and then it ends. They still haven't opened the dam. And we all know where that water is. And it's coming and it's coming fast. So what's happened over the last ten years is, it's the same thing that happened before, but once that water comes up and all that sediment comes in it does not go away for a long time. In the last five years I can look out in the water and it's two or three weeks before the water clears up and I'm on [REDACTED] Water moves around out there pretty fast and the lake gets pretty clear, we're not in a cove we're right in the middle of it all. It will be two or three weeks before that water clears up. It takes forever for it to go down now and that's what's been happening over the last given period of time. We've had some dates now I think it goes back around (the year) 2000. It's different then. I don't know what the difference is, I don't know if people, if it's management and I mean the day to day management. We heard about the people from years ago that managed that thing, they were up in the morning looking at the lake making the adjustments, they were planning ahead. We didn't have this type of issue along with all the other issues back then. The last ten years it feels like nobody's paying attention to what's happening here and I think it's getting worse. I don't think it's getting better. We've been fortunate this summer. It hasn't varied that much. We don't talk a lot about what happens in the winter around here, but we had a horrendous winter, we have water lots and now lake lots. I've got pictures of it at home from October 30<sup>th</sup> when the water was up for and all the debris coming out of the Fowler River. We get that all. It comes right over. During the winter the water went down so low and then it froze at different levels.

It froze earlier this year than since I've been living up here. Then the water started expanding and forming pyramids. I've got pictures of it's pyramids along the shore going up eight feet high with boulders this big around hanging from the ice, suspended in air. Then it goes away and all the people that are seasonal come back and they wonder why their jettys moved half way around the block (laughter in audience) and then it can be controlled a lot better. Thank you very much. (clapping)

Kent Finemore – Thanks Jim Whittaker followed by Fred Eichner

Hi my names Jim Whittaker and we've been a year round resident since last November. I've come up full times summers since last 10 years. I've spent most of them on Whittemore point. I'm on the beach committee on Hebron. I'm not here to represent that, I'm here to represent myself and some people I talked to. I have a question that might help me somewhat. What do you know exactly what the level of the lake is today?

Jim Gallagher – talking

Jim Whittaker – is it you guys look at the last week and a half it's gone down

Voice's in background (Peter Ames) - it's 5.17, it's 5.17 this morning

Man – so it has gone down? (Yes) so is that because of release or evaporation, was that planned?

Jim Gallagher – yeah. You see my chart it shows that releases we made to get it back down to the rule curve. That release was made by Peter, what three days ago for a period of about two days to get it down to that rule curve

Jim Whittaker – I was standing on Hebron Beach in the water a week and a half ago the waves were splashing at the tree line, going underneath and eroding it out. I was there just the other day and there's a noticeable difference. Two feet away from the tree line and it makes a major difference. So obviously what everybody is talking about would the height of the lake is a critical issue. I think that another thing is when the water's consistently high. The back pressure to Fowler River especially, I mean the Cockermouth River especially creates the sediment there. I think it keeps the Cockermouth from flowing farther out and it actually forces it around to in front of the beach. In the winter and the spring, as the spring came I was, I really haven't spent a lot of time there but the current flows right in front of the beach and that's what thawed out first and I think in terms of why it's coming that way. All I can think of is it's the high water pressure creating a back pressure to force it in that direction. So I'm standing with most of the people here that if you could bring the water level down to more of a reasonable height I think it would help everybody involved. I know you have a tough job that there's a lot of people to please. I guess the other thing too is that the grove down at that end is amazing fishing. It seems higher this year than it has in the last two years. I've always boated down there, that way, There's people, being on the sand bar like three hundred yards in this deep of water and it's that

deep all the way in to the point. So and the growth over there is amazing. It's like this far out of the water plants now. So it's a problem. I know you guys are working at it. I know it takes time but I'm here to act, some people that I've talked to and I do think a lower level of water would be very helpful in and of only keeping the sediment moving out farther where or keeping the erosion out too. Thank you.

Kent Finemore – Thank you sir. Fred Eichman to be followed by John Rohlfs

Fred Eichman - So for the most part you hear the concern of the residents on the lake as far as it goes because everyone's been saying about the levels of the lake rising, falling and rising in an inconsistent way. I know we have a State Rep here and we have one of our Senators here from this area, and hopefully another State Rep that's in the building to and I hope they're listening to the residents of the lake for their concerns and will take their input to the State to see what they can do with a bill, so.

Kent Finemore – Thank you sir. John Rawls followed by Jeff Frost

John Rohlfs - Hello I'm John Rohlfs, [REDACTED]. I'm going to be speaking on what I know about the Wulamat Beach, Camp Greenwood area. I first came to Newfound Lake in 1987, and I stayed at Camp Greenwood, and I stayed there, and I came back for another ten years, every year . and back then there were picnic tables on the beach, in front of every cottage. Double picnic tables one next to the other. I don't mean in a line I mean parallel. It was a quiet place on the beach, with seats for people to sit. There was badminton, volley ball, movies at night, breakfast and dinners on the beach and other games. None of that happens today. The way of life over there has been erased over there due to the high water and I look at this over, over thirty years, and it makes sense to me that the lake level should be lowered, to some level that was there back in 1990, or before then. Back to more of a traditional lake level.

Kent Finemore – Thanks sir. Jeff Frost to be followed by Michael McCammon

Hi I'm Jeff Frost, [REDACTED], 53 years on the lake, since I was 10. There's a lot of people here, how many here. Let me ask you one question – how many here are what they call lake front owners? How many. OK. I hope every one of you realize that you own to the mean natural height of the lake. Now that's why I asked about that 2.4 foot question. Now, you know the plans here, right? I think we're gonna get a major offer. The question that I brought up 5 years ago hasn't been talked about, and it got dillied over, not sure I got a decent answer from them. How is it that the lake front owners have not been able to use their property because it's been flooded since 1974 when you took over floatorial (?water?) rights which in itself is a conflict of interest with a private and public sector. The public sector is the state of NH, the public only owns to the natural height of the lake and then after that the land owners own above that and the natural height of the lake is 2.4 feet. So anytime you've flooded and it's been flooding quite a bit I'm talking about flooding in '73 I think it was , I actually myself over on Adam's Farms I'm not sure what road we made a chain of people with a rope

with a guy named (Rosamisha\_\_\_?) who was a big football player and put a rope around a tree which was so much fun until he almost got killed. Then it's the year 2000, in the early years 2000's we had two major floods one of them was, I know most of it, down in one of the bays, Cullen? Bay actually, was flooded,

I think it was owned by by the people with the Headmaster of New Hampton.

Their places got flooded...inaudible, trying to think of the name of it, was...(audience talking, yeah, Newfound Lodge)

and so my question is, why can't you at least give us landowners some section of time that's not going to affect the environment because obviously the lake has been here for thousands of years and fish have spawned where ever that level was in October ok. You say you need an October height for them to know where to spawn, so it doesn't get flooded or it's below the (woman's voice) Yeah let's figure it out it's real simple and now so why can't we get that and use our rights? Otherwise I don't see what we shouldn't al just get together and think about, have some class action suit because you've been denying us our land rights. We're getting taxed on this so we got unbelievable taxes. We're getting taxed much more than anybody else in these towns for that lake frontage and the State of New Hampshire does not have really the right to take our private ownership flowage rights that were done in the 1840's, 1850's and fraudulently by the way because what happened was the mills down at Lawrence and Lowell got those flowage rights from all 42 lakes. And told everybody when they got those flowage rights we get paid for those flowage rights we're going to start putting factories here and forgive our flowage rights and they never did. And then some people got pretty pissed off at that and they went to jail and they started tearing apart the dams. So the State got those rights from a private corporation and it's in conflict with our rights as landowners and you said basically the state only has the right, only up to the natural height of the lake and yet you've been doing this for years now. Particularly since the 1970's when you took over, when you changed your pattern and I know I've watched it for 53 years like everybody else here and I just think that my wall, I have a picture of it from 1910 and I think you might have seen my emails...

(Jim Gallagher acknowledges the emails)

...so you know what I'm looking at, if that falls in, I'm only four and a half feet from the lake. In 19, in 2003 or 4 when that flood came the water went over because you held it up so high in the fall and the winter then we had a huge amount of rain, a huge amount of melting that that water for the first time in my 53 years went up to our foundation which is at least three feet over the wall or 2 and a half feet over the wall. So if anybody wants to sign the petition I'll have some sheets back here if you're interested in trying to get some organization of Newfound Lakefront owners and hopefully your study will come to some fruition from listening to all these people and you will represent us as property

owners and actually do what the law requires, and even up in the Supreme Court of the United States said if you do damage from flooding that neither the public or private sector can do that to another person's property. And that's what you're doing, you're doing damage to our property (audience clapping)

Kent Finemore – Thank you sir Michael McCammon to be followed by Frank Bednaz

Hi Mike McCammon. Thank you for your presentation. I think it's given me a perspective realizing all the different aspects that go into these decisions, but like this gentleman here, my wall is in the water and when it was built it wasn't. It's 115 feet of rock and mortar, stone and mortar wall. I have a permit for its repair and it's been approved by the State. I've gone through six contractors in my four years of ownership. Many of them come and they look at it, they look at the water, they think about it. They bow out, no I don't do that kind of thing or you'll never get that approved with the State and you here horror stories about getting approval. I have approval to do it. When the stone wall was built and the ground and the property was extended into the lake it was long before any of this occurred and certainly the low water was at its former lower level, as has been discussed here, and the wall was built in the dry. The walls never dry now, as a result of, I believe, of the management that is currently in place. The bottom of my wall you can now reach in a full arm's length at water level. How far it goes in I don't know. One day it will drop off and most of my yard will be in the lake. In the winter time I look at it, the exact place that the rocks have fallen away from is where the ice is. The ice. It's there. It expands, it contracts. The lake moves and it pulls the rocks out. A contractor's ability to repair my wall in the dry would be an entirely different concept. A whole different ball of wax then what's it going to be to try to repair it in the water. And we've discussed it, Frank and I are neighbors about if we could actually share a concrete pier that's also part of this project in line with the same process. It hangs out on the edge. One day I fear that I'll look out and see Frank at the end of the dock and the whole thing will cave in and be in the water. There's no doubt, the consistently high level and the freezing in the winter time. You know people talk about boats going in. That's not a possibility. This is where the water stops at the lowering in the winter time and freezing and thawing has pulled the rocks out. So if not on a more consistent annual basis then at least the people, and I haven't heard from many people, until this gentleman talked about repairing the wall or some other structure but the ability to get that level down for somebody can work in 3 or 4 inches of water instead of 2 or 3 feet of water is really, or preferably even in the dry again, would be very much appreciated by those that own properties like this.

Kent Finemore- Thank you very much sir. Frank Bednaz followed by Ellie Lanske

Lonske

Kent Finemore – Lonske sorry



Frank Bednaz - Thank you for the presentation this evening, every time I see it, I've seen it a couple times, it's educational. I've been on the lake for 42 years. I live on Arrowhead? Point right next to Mike.

We take the brunt of the wave action coming down the lake every day, I've been there. It's like 3 or 4 big waves are smacking on his wall. The effect of the water and the ice has taken the entire bottom of the concrete dock away and good thing there's some rocks under there because - take a picture right underneath the dock and that's happened in the last 25 years. Right now I'm also trying to repair, we're trying to repair the dock, we're together on this, and we've had contractors - none of them are terribly enthusiastic when they look at the logistics and the issues. But I've been trying to repair, even before Mike was there, I repaired my wall back in the early 80's. I could walk there in the fall. They put the new cement wall in in the dry, and on 2 or 3 occasions I've gotten permits since then only to have a contractor bail, have to decide I'm not going to I can handle this. Or, we gotta get in there and do this while the water's down. Rainstorm. 2 and a half feet. Nope can't do it. End of story. And so you know this is the fourth permitting process for this repair on the dock for me and I'm hoping we can be successful. We're not talking \$10,000 folks. It's \$50,000 to fix this. And I showed this to people what the deal is because, you know you try to protect your property it's the same way the hydroelectric pays you, guess what we're funding the communities. Big time. Our taxes are not small we just want to maintain our property and we'd appreciate your consideration. We need to go back to the 2.4 feet ok it's where I think it needs to be. Because again in the fall you can walk out to my property and if I could make my repairs I could, not anymore 2 feet of water 3 feet of water there. Thank you (audience clapping)

Kent Finemore – thank you sir. Ellie Lonske followed by Senator Bob Guida

Ellie Lonske - Hi I guess I want to, tell you what's been happening in Hebron for the past 6 years.

So I want to endorse the comments from Doug and Terry about the erosion at the Hebron Town Beach and so forth. But, now, I have a list of ?\_\_\_? I wrote myself, and by that I mean Georges Brook. Georges Brook comes into the lake in the northeast corner and it is a narrow channel, and I've been on Georges Brook at the mouth of the brook for 50 years and I remember we used to draw water from the brook and the brook was so low in the winter time and with the ice the pump would get frozen, but when spring came the brook was scoured. And it was sandy all those years and there were rocks and sand. One year when I was young enough to wear a bikini I was out in the ?bottom wake? because there was a weed. When I was standing rock to rock and the rock I was standing on started to walk away. I was standing on a snapping turtle large enough to transport me. So that's the back ground. What's happened since then is this isn't about the high water in the summer, though that's a serious matter. Back then the water was dropped very low in the winter and also back the, (somebody who was a bridge engineer) used to trap beavers. And so in recent years I have been letting beaver dams, or what we typically call the damn beavers (laughter), but I noticed this spring when the water had

already been brought up and then there was a heavy, heavy rain event. It was so heavy that the beaver pond filled up and finally after years there was a torrent (current?) coming up under the bridge of North Shore Road. The water was so high that instead of scouring the brook it was riding the top of the brook. So this year the ?\_\_\_\_\_? task, I'm not only the genius out in the you know I'm doing something like this with the lake creek and I feel like a total moron even doing that. The only good thing is all the stuff is all the organic stuff I get to put in my compost and the other plus side is the fisherman tell me that the fishing is better. But what I would ask you to do is to, let the, I understand about the fish spawn. But certainly in November when the fish episode, that's when all their sex is behind them, then let the water get low enough or something achievable enough so we can get the heavy wash in the spring. And once again scours all the silt. Thank you very much (audience clapping)

Kent Finemore – thank you, again Senator Bob Guida followed by Lori Lerner

Senator Bob Guida - Thank you for the opportunity to speak. I'm not going to say a lot. I'm doing a lot of learning and listening tonight but I've already texted my assistant and asked him to help us monitor what the department is going to do to solve the problem. Historically it sounds as though the one or two that have been here a long time, remember the river, the lake being low and the conditions being much better and the cessation of dropping that lake level appears to cause these problems empirically, these folks with the scientific part of it, I'll be watching them, I'll be your advocate. That's my job and thank you for the opportunity to speak. (audience applause)

Kent Finemore – Thank you Senator. Lori Lerner

Lori Lerner - In the interest of time I'll defer mine to written comments.

Kent Finemore – Ok, well thank you very much. Ok Miles Nogelo - is that how you say it? - followed by Rick Van de Poll

Thank you for being here. I'm Miles Nogelo, from [REDACTED]. We've been summer residents for about sixty years, and have a little bit of perspective on what's going on in the water, which I think is what's the most important aspect here. The volume of it and the quality of it. I spent every single summer for sixty years snorkeling and scuba diving a little bit on the west side of the lake and you'd be horrified if you saw the change since the early 1980's. The weeds as people have already said are spreading. This year there's a green, possibly a transparent thing attaching itself to leafs and \_\_\_\_?, and if you get out the lake it's like science fiction you've got to go take a shower. And the worst thing of all I think is the silt on the bottom of the lake and around the edges. It used to be a little bit of that, thirty or forty feet out, it was basically a beautiful sandy bottom. Pristine water. Now you can't go any place, and I go out around once in a while and circle the lake. The silt is, it's not even muck, it's not even leaves, it's just like, it's just like sediment and it's between an inch and four inches deep everywhere. It's really changed. My neighbors know?, \_\_\_ since the early 80's, it all started to change and it gets worse every single year. When they started not lowering the lake down in the fall to

much lower levels. I'm really happy to hear people agree with that. It's an important aspect of it.  
(audience clapping)

Kent Finemore – Thank you sir. Rick Van de Poll followed by Jim Koch

Rick Van de Poll - Hello Rick Van de Poll I live in Sandwich, but I'm here representing some of the north shore land owners that have asked me to weigh in on this and maybe some of you have heard me speak at the Red Barn talk this summer and also I appreciate all of you coming out tonight. This hearing, I think, is a significant step in the right direction. I'm an Environmental Scientist and have been for 35 years, Hydrologist and Wetlands Scientist. I've worked for the Town of Hebron in studying some of the Cockermonth River delta area. I have looked of course along the north shore at erosion sites this summer. Doug McLane and I documented 22 different erosion sites around the lake. I have got pictures and GPS of that and will submit with my testimony in writing. But what I want to do is just summarize, what, in all the work that many people have done before me and all the comments I've taken over the last several months, in fact for a year now, that I believe we have some consensus, if I can say so. And yes, I'm not necessarily representative of all land owners on Newfound, but we have a lot of shore front owners as the hands went up and I think we've got a consensus here that there's a problem and we need to fix it. So here's what I notice, on the basis of the following factors; 22 erosion sites around the lake, turf erosion undercutting at a certain depth in a lot of those sites indicating a certain zone of high energy activity, alright, so that, I'm looking for what would the target level be if we were to lower it. 1982 and 2015 we have this wonderful chart which Jim shared with us in the slide show and whereas he didn't focus on this, I've highlighted in purple the amount of time that the fall levels are actually above the target. I also paid attention to the standard deviation curves because those include normal storm events that happened during that time period. And I think Mr. Murphy is correct in saying, and I've been saying this for quite some time now. In the fall is really one of our greatest times of concern, relative to excessive rainfall, a loss of trans evaporation, shutting down as it were, a sort of metabolic functions of the eco system, thereby increasing runoff rates with the subsequent accumulation of nutrients and so, from a summer's worth of growing activity. So that's another factor that comes into it. The timing of the snowmelt. We have to face the fact that going forward our snowmelt will not be occurring at the same time it used to. And so some of the stuff that we're seeing is I believe embedded in changing climate. We need to pay attention to that and one of my requests that I'll list in a minute attends to that. The depth of the deposition deltas is excessive. In the short five year time period since I've been working for the town I have documented several, sort of organic mats floating out from the Cockermonth that have deposited out in front of the mouth and largely because the river at a higher water level doesn't have the energy to deposit it any farther. That has resulted in an incredible increase in aquatic bed fine material. There's larger Baltic brush, there's also a lot more pond weeds. I would say several acres of floating subversive plants have grown the last few years and that has to be a response to increased silt, increased nutrients and increase, of course, of organic materials that are not going out farther in the lake because of the high levels. So that's

another one of those attributes that are demonstrative in terms of how things change here very quickly. The spawning fish, with all the respect for fisheries and the round white fish and I do a lot of work with Fish and Game on their endangered species. I was working with them today on a site. They have historically, pre-historically, adapted to variable water conditions much more variable than they are today. At other dams, where the round white fish has seen pressure from over fishing and a variety of other factors that have sort of limited their population, the spawning will take place as it does in variable conditions moving forward. So I wouldn't put that high on the list, of course when you're talking to John or Ben maybe they'll disagree with you but, that's something I believe is on the lower level of importance. The nutrient residence time, this is something we haven't talked about but somebody mentioned lake flush, and the time it takes for nutrients to go through the lake. If there's less inflow, let's just say the velocity of river flowing out of the Cockermouth, doesn't have the opportunity to deposit those nutrients in and having those nutrients being metabolized in by the phytoplankton and the zooplankton, in the deeper water columns, then of course the nutrient residence times are gonna be slower. And that's something that I think is largely responsible for microcystis algae and all the other filamentous algae that we see that are coming in at a much larger and faster rate. So that's another consideration is what the nutrient residence time is and that's not just how fast it takes the lake to flush it's as everybody knows it just doesn't happen over night. Before half a year and it's not really done. there are pockets where those nutrients will reside and end up getting taken over by aquatic plant growth for example that will then change the micro chemistry in a particular cove and all those things are changing at a much faster rate than they used to. At least by my observation. And then last but not least the safety of downstream users. I think with enough of our good communications going forward, that safety factor can be dealt with. What ever level we establish. Again I'm not going to put a very high ranking on that. So here's my proposal. Jim, I mentioned that I was going to come at you with this, so here you go. Lower the November to March drawdown to 3.0 feet. It's not natural, but it's a little bit...and I'm talking about a little bit in step-wise. Ok this is, this is a proposal that provides some demonstrative and observable feedback mechanism to see if in fact we're affecting any change. If we're going to go all the way down to natural lake level another .6 feet or so, we can do that too. But I'm suggesting a step wise and believe me, there's no, it's not like we're going to save the beaches by stepping it down 2 feet let's say, because there are a whole host of other factors that can cause other things to occur that we don't like, like swimming quality, water quality because we lowered it too far. So anything that's dramatic in terms of the stabilized, I should say restabilized system, is probably not a good idea, in my opinion. Set the chart, Columbus Day to March 30<sup>th</sup> target at 3.5 feet, again step wise, alright and then that gives you another foot and a half off the average in terms of spring storm after March 30 to accommodate some drawdowns as needed, as those snowmelt and spring storm activities take place. Set the June 1<sup>st</sup> target to 5.5, about a half foot down. You're doing it as the gentleman said before, a great job of keeping the summer the June 1<sup>st</sup> target. That's the best, in terms of the curve data, you know, that's your most successful. All right, that doesn't necessarily take care of wake boats and boater's wakes but it will help. Even six

inches will help based on the turf erosion depth that I've measured at some of these sites. Six inches will mean a lot in the summer time, but of course I'm banging on a fall drawdown as being more important. And then recalibrate your model, which you explained briefly Jim. Recalibrate every five years should be a five year look back and a move forward because it's going to change and it has changed right? We know that to be true. So we can't necessarily plug in variables into models if some of those variables are changing on a regular basis. And then complete the necessary monitoring tasks which admittedly has all kinds of budget implications to it, but there's some basic things that can be done and I think a lot of people, I mean I'm all for anecdotal stories. I'm all for having these reports coming about lost beaches or whatever it is but I'm not seeing data. And I'm a scientist and I like to see data and I want to see, as I said in February, and I'll say it again, you know, monitoring stakes and ground stakes set and whether they're for vertical or horizontal changes in certain high energy sites from the 22 or more then at least we've got some data moving forward to and test back to see if our job has been successful. If we need to ramp it up and bring it down to 3 instead of 3.5 on Columbus Day. At least have a sense we're actually doing making a change happen in a positive way. Thank you very much. (audience clapping)

Kent Finemore – All right, Thank you sir. Jim Koch followed by Steve Hering

I think you're talking about Jim Koch.

Kent Finemore – I'm sorry (mispronunciation)

Jim Koch – That's OK. I'm Jim Koch from [REDACTED] and formally Hebron and I'm glad we're not here to talk about milfoil, and thanks to...(hard to hear) we don't have that issue. We do have an erosion issue I've heard a lot of people talk about, a lot of people on the lake relate to the sedimentation that's happening, and it comes from the finger lakes and it won't be long before we have weeds significantly encroach, actually milfoil, because that sediment precedes (something about the sediment) and it springs up. But I really came here to talk about, in spite of all of it, I want to talk about the boats and I am a boat owner, I am guilty, and somebody gets up and he doesn't think boats is part of his erosion problem. Boats create a wave and that wave travels for a long ways. In fact, if you go to the middle of the lake, where boats traffic is. That's where you're going to find most waves. So I would like you to study as you go forward to potentially look at boat population, the size of the boats, and maybe even talk about wake boards being on a boat that's actually engineered to design a wake for surfing on. And the reason I mention this is my specific issue is I have a bank, I live on a steep bank that has about twelve steps and when the water is high I get erosion on that bank. And over time, it's not immediate, I suspect the boulders are going to come loose I'm going to have to haul them back up and put some spikes through them and maintain them, so I'm trying to avoid that and I just wanted to testify that I do see that the high lake levels are causing erosion around the lake and if you would please look at, take a look at the boat wakes as a potential problem that would be appreciated. I did look at a study that was done on the intercostal waterway and they

actually translated a formula for gallons of gasoline used to the erosion that they would expect and the cost of \_\_\_\_\_. You talk about modeling, they used modeling in the intercostal waterways and they also, for about three hundred dollars, they showed in Popular Mechanics, you can put in a wave monitor to monitor the waves. Cause you have a modeling situation, where you can take rain and calculate how much the water's going to rise I'd like to see this wave monitor, when that first boat wave kicks off and the ice goes out, maybe that's when you want to take that lake down that first 8 or 12 inches. So I guess after having looked at it, thinking that boat wakes are an issue, even in Hebron, that I'd like to see the lake taken down in increments very early in the spring, it's, as early as possible maybe take it down 8 inches or a foot, maintain it there, and/or maybe take it down a couple more increments to whatever you think is best. Thank you

Kent Finemore – Thank you sir. Steve Hering followed by Martha Marshall

Steve Hering - Hey good evening. My name is Steve Hering I live on ( [REDACTED] ) and I've been there... First, very happy to see you come up and hold this hearing, I've been, this is something I've really wanted to do for quite a while and thank you for coming up here. I've been coming up to Newfound since the 1960's and I'd like to think I'm not that old I was just quite that young at the time, but in any case, I've also been fortunate enough to have been on the same stretch of beach on Newfound for that time and looking back at how the lake bed was back in the 60's, 70's and 80's in front of us and over in the area of the shallows which is off the \_\_\_\_? At the time you could probably equate it to a shoreline in Bermuda or a shoreline in the Caribbean, it was that clean but I think the bottom is pristine and very much free of sediment and vines.

Today it's quite a different story. You look out now and what used to be pristine white sand at the bottom of the lake is now dark muck and there's weeds growing now where I honestly never, ever would have envisioned weeds to actually be growing. This has all started since the late 80's, early 90's and it's been getting progressively worse every year. The question is what has changed. Newfound is a very windy lake. Anyone that's been around the lake for a long time can certainly understand how rough it can get as far as the lake goes. Anyone that hasn't been around for a long time can think about the wind farms that were going to be built around on the mountain tops around the lake. Newfound is located in a very geographically windy location. Wave action is a fundamental cause of shoreline erosion. The sediment that comes down from the rivers and gets deposited along the shorelines of the lake also can benefit from the wave action as well, from a positive perspective. With the back wash of the waves, people could think about is undertow in the ocean, dragging along the sediment that's at the bottom of the lake carrying it out towards the drop off. Around a good portion of the lake that drop off exists at roughly five or ten feet of water. It varies a little. Prior to the dam having been built, that water level was roughly, say about five to eight feet. That wave action around the lake is noticeable to roughly three, four, maybe five feet of water before the energy of the waves gets dissipated too much and it doesn't have the ability to carry the sediment off to the drop off. So as

the wave action with the higher water levels along the shoreline , can pick up the organics and erode that away from the shoreline. The wave action at the same time has a positive effect, in that it can pull that sediment back off the lake bed into the deeper waters where the sunlight has less of an effect on the organics and less likely go to weed development. Lowering the lake level by six inches, a foot, two feet, getting us back to the natural water level which today is roughly thirty inches of water, the natural high water mark, 30 inches of water maybe 35 or 36 inches of water today, approximately, I haven't measured it exactly but it's in that ballpark, and bring that dropoff back down to approximately the 6 foot level. The sediment that we're struggling with now and dealing with now would be carried out over into the drop off area where today the wave action cannot perform the beneficial function of \_\_\_\_\_. Lowering the lake level will also drop it down to a lower level where it has had more of an effect over the centuries a lot of the organics have already been depleted from those areas and we're left with larger gravel and larger stone in some cases. So I think in this case the State of New Hampshire is probably our worst enemy and I think the cause of what has been going on and why we're here tonight, the cause of that I believe is on the graphs and charts that were displayed earlier and I also believe that the solution is on those same charts. Thank you very much. (audience clapping)

**Kent Finemore – Thank you sir. That is the last card I have**

Martha Marshall – [REDACTED] Thank you I did not intend to speak tonight. I've heard so many different things that I just felt the I need to, I live on [REDACTED] [REDACTED] and thankfully I'm grateful that our beach has not changed at all. I've heard a lot about what has changed. I know this is a water level meeting, and I know that from my perspective it would be much better if the water was dropped more gradually because we have seen this great fluctuation. But in the 24 years that we've been at our property I have seen a lot more growth and a lot more trees come down. We also own about two hundred acres in Hebron and the property next door to us which is in Alexandria, 600 acres was clear cut. And I am just so afraid of what that is all doing to the lake. We renovated, about ten years ago, and we only cut down a couple of trees to add on to our property. But I have seen, what used to be a campground, down by the beach is over 200 cottage units, paved every where all the trees cut down. I can not believe that there is some connection between that and the Fowler River. And if you have done a study, that's great, but I think more studies need to be done. As far as how many trees can be cut down and it just seems if someone cuts down a tree they get a slap on the wrist. And once trees are gone I think that's what is contributing to the sediment in the lake. I don't know how else to explain it, but if you lived around the lake, drive around the lake, you see all these nice homes. Trees are cut down, all you see, look at the ridges, they're cut down. Where does all that sediment go? Into the lake. And I just think that trees are a filtering system. I'm not an environmentalist but that combined with the nice green lawns and the fertilizer used, I just don't know. I'm just looking at something to put together. So (audience clapping)

Kent Finemore – thank you. So I don't have any more cards so everyone that has asked to speak has spoken. The public hearing is still open. If you're going to speak, yes sir, just please do use the microphone and say your name if you would so we can get it on the record. Thank you

(Doug McLane) Thank you. I wanted to make a comment before too many people left just quick review that there's a mechanism, an RSA, a state law, that gives all of us the right to petition the Dam Bureau and what we have to remember is that in 1982 a petition was filed, two hearings were held at the Bristol Church. I wasn't there. There were two hearings and the public recommended raising the levels so let's not scape goat the Dam Bureau. They did what they were asked to do in 1982. We probably should have, it only takes ten land owners to petition the State. We got 35 land owners to sign maybe that should have been done 20 years ago but I guess that's water over the dam and we should move forward at this point and support the Dam Bureau. They're here to help and I think we have to be very careful to help them get information they need to do a vote. Thank you (audience clapping)

Kent Finemore – Yes if you could just say your name

Jim Frost, in 1985 they actually had a meeting there was about 12 or 14 people cause I got that from you I think, the last time they had to raise it and that's when they did change the raising of it. I don't think that really changed much since the 1970's because before the 1970's they used to lower it down to the natural high mean and sometime 1930's they brought it down nine feet under the old power company, but there's a couple of things maybe the environmentalists, you're, oh, right here. Did you take into consideration acid rain, cause I lived and worked with the Hubbard Brook research and they actually bought my property. The other thing is everybody's correct, since 1980, I left in 1980, came back in 1991. There was at least three times more properties on the lake from when I left in 1980. There had been a huge amount of development obviously, a lot of runoff there. I really appreciate everything you're doing, I think it's advisory, but the only thing you're doing what you're talking about environmentally, a thousand years ago when there was no property on the lake let's say back in 1700 property owners still had the same property rights that they do today. And so property owners have to have, particularly the people like us that have our walls and other things that are, mine's 110 years old. I've got a picture of it in 1910, supposedly it's second oldest property the house that we have on the lake, at that time, so that rock wall had not been able to see the base of it and I had the same problem with the erosion underneath.

I haven't been able to see the base of it since 1970's and I've been able to point up parts of it but literally for me I'm four and a half feet from the lake. When that thing goes down I get washed up, including my house out on the lake. Property owners have rights, legal rights, and legal rights is we own to the natural height of the lake. So everything else excluded, nobody else under the law can take those rights away. That's been tried again and again all the way to the U.S. Supreme Court. We need some relief here, I'm not asking to bring it all the way down to the height of the natural lake for ever



and ever. I'm just asking for a period of time where we can exercise our rights as property owners to do what we have to do on our land. The rest of the time, you ended up with flowage rights and I know from 1970, when you got the flowage rights, we had this debate on that, from the power company, that it was never offered back to the property owners. So that literally the State of New Hampshire took property, property rights without compensation and nobody's been able to disprove that for me, so what I'm saying here is, give us some relief please, because we don't want it to go to ?to court?, and I will. And I'm not trying to threaten or anything but its between my rights and my wall and my home that will go into the lake, or this debate about a foot here or a foot there. That's all I've got to say.

Kent Finemore – Thank you sir yes

Terry Murphy - One last thing. First thing you have a point if you go back in your deed, fortunately or unfortunately the deeds specifically say flowage rights, flowage rights up to 7.0. Whoever owned the dam at the time has a right to turn around and raise it up to 7. If it goes over that then you got a problem. However I find that it points to the north. I always find it amazing that if you guys got a breakwater

Guys sort of break

actually put a grade point out there right now,

one agency at the DES will say you can't put rocks to stabilize the shore front and you're going to have to put a lot of them.. but you can't do that even though you're above the high water mark

so the reality of it is the 20 foot rules out there now that's neither here nor there.

The major thing, and unfortunately I was involved to some degree and at the time back in the 80's, I, everybody at that time thought it was a really good idea, in a meeting like this only even more in the basement of the church, I was there,

house that it was a good idea to keep the lake higher. Of the one thing I believe we've made a huge error that we paid for over those years is by turning around and in the 80's and eventually getting it up so the fall we'd have it around at 4.0 so I think there's the biggest error. Before you know, keeping the water in the lake and before the dam was very, very difficult. You've also got issues associated with

high water

getting yanked out of here. Because not of the dam but because of the bridge abutments in front of the dam, where you drive over them on the west side of the lake. It restricts how much water will go through it. I don't think if the dam falls over I think rightly so it slows down

So the reality is that where I believe the mistake was made, and I've regretted this for some years, about turning around and keeping the lake higher in the fall has been really the down turn for Newfound. And the story about sedimentation that Steve said and Hering said relative to keeping it closer and closer to not using... Listen once the lake is raised

we really need two things to happen to have a really nice environment to turn around and foster tourism as well as lake values and properties. You need to turn around and manage the hillside and Newfound Lakes Association really does a good job of that.

Bridgewater, Town of Bridgewater has slope and soils you have a 100 acres over 15 percent you get muck lot you can't subdivide it. You can avoid that vacuum v8

But the problem is that it's not that way all around the lake. Taking care of the watershed is really important.

The second area was where we're calling shoreline.

We thought it was a really good idea at the time to have more boating after the fall the reality is we want the lake high for that reason is really working against having a clean acre along the edge of the lake.

And I do believe that if you turn around and lower this thing back down closer to get to the 3 foot mark, I would even go for 2.5, but get that down as quickly as you can after Labor Day and I can here a commenter say that you can't do this. Somebody did this from 7.0 on the lake, 7 feet higher and would rip this thing down to 2.5 feet by mid to late October and I remember one time we weren't even around and now we're trying to get their boat out of the lake in the middle of the channel

going to you patup

But the reality is you just get some consensus to get it down even for a short period of three years to be able to same time to study to president to continue and see what impact it has may even help with the management of other lakes. But if you're going to have the dam there it's no longer a natural lake.

And you're going to have that burden put upon the state then it's not only taking care of the hillsides, and the runoff off the hillsides, especially with the steep slopes we have. It is also management of the level of the lake and I think we made a big mistake when we raised that level up to and kept it up in the winter time to four feet and by the way it's remarkably difficult to get the lake in the fall sometimes it's easy. I remember when they fixed the dam and they put a cofferdam in front of it, it didn't last too long because they drained it down very, very low and when they went to fill it they turned around and washed it out and it was one big heck of a rainstorm especially when the ground is frozen and the water comes up like a rocket.

And with it comes all the sticks, organic material and dead animals and everything else that wash into the lake and we're storing it in the wrong spot. I would really, really like to see this experiment at least, if nothing else, to look at what you have and that might make some real changes not only here but on other lakes as well. Thank you

Kent Finemore – Thank you sir. (audience clapping) The public hearing is still open this one yes sir

I'm Boyd Smith From the Newfound Lake Association

Kent Finemore – thank you please

Sorry Boyd Smith from the Newfound Lake Association. And I actually have a question. I want to catch you . It's about process you know you got great testimony and you catch here too and it's a challenging basis. But all I know at this point and we assigned the task of sharing information was this public hearing and the written testimony I got in September and what I'm curious about is what happens down from that? So before we disband for the night perhaps you can talk through some of what happens you got hearing something to think about can you talk through to the end Boyd this process is liken to have that would help me understand where this is going Thank you

Jim Gallagher - The, we have a lot of testimony that we have to consider and respond to and generally respond to in this conference and so that's going to be a challenge and this really is an issue and no fault soon hearing from you folks but for us the shore this hear and now that the publics so I am concerned that we don't repeat what Mr foss said when this decision was made. It was made by the folks on the rised property owners were there with the abutters. It's a small, apparnty a small group, this is not a small, small group. Appreciate you all coming out here at all and providing some testimony and we are going to need to reach out and have another hearing about what we've done it's going to be a challenge here cause of the size of the lake. A survey of the property owners. We have now a poll, a very specific poll that we can circulate to get the feelings of the other, other property owners and that's what I was hoping to come out of this meeting. I will let you specific task and I think we have that. I think there is opportunity to modify that some. I heard from some, from you Terry, trust us to physically do it and think to impress some of the other concerns with fish spawning that sort of thing is going to have to start the roll. We are going to have to start it in September with this so if we wait till October that something nickels we so some of that needs to be done. We have done a lake level investigation we did a really long one and we nakey the about two years and saw with plusses and minuses that's ture and so last time I see what ever this going. This is a plan we want to see for three years and revisit it three years from now. So I think it's important to answer your question just to make sure we're not, we're not neglecting the use of the many other shore front property owners. I'm here and we're going to at least a survey a choice between a feeling of this interim plan versus the current plan of operation. You know I, based on work load, I don't see us doing that before October. I don't see us getting people to respond to last time they responded to a poll why they want what they

want. Because it's not necessarily majority rule we get 1 percent savings and one then 90 percent is another so one doesn't necessarily carry the day. How like you folks have experienced to the current one really outweighs the majority and I have to say that we do need to get there and just say it's going to take some time to say we do it, yup.

All of us came to tell you what to do with the flow things, you know, but the fact is the State of New Hampshire there was a court case in the 1930's where someone was going to give up their families great pond. And they tried to get out of the whole water problem. And the judge said sorry. All's you have the right to is the natural height of the lake and you can't force anything with them no matter how many you want in them. So in your focus, in what he's talking about is the other focus is that you're, you have to represent the law first. And we have to honor the science of our property use. Ok. You own the flowage right now and you're not a private company. You're the State of New Hampshire. And your interests are the the public. The public and the property owners first because that's their law and they have a sign and obviously only 47 of the water flowage is used for power and 49% is used for, and this is according to your chart, for recreation. Ok. But all that amounts to we still have some rights, some where, and you've got to at least extend those, consider us on what everyone is asking here. And you're right you own those flowage rights and theirs all different heights for many years, so it's basically pond scum for years and years and years they hold the lake to the natural height. I mean I've got pictures right here. It's called Crescent Beach I think it was all the the State Park and all. It's out, you know. I've got four pictures of the house I bought something about 1910 and it shows, almost every year, that they let it out very low. Of course lionel four fisherman I think it's a lot of different things that are going on and there's a lot of boats on the lake. From the 1960s to right know there's probably 20 times the boats that's on the lake . so there's a lot of different taxes you got to handle. First of all you got to be considerate of the laws that are out there and you represent the public something the power companys the prior owner everybody else was a private owner and you're the State of New Hampshire. Thank you

Jim Gallagher – something response to your testimony given but let me speak to that. That;s the issue about rights that is our level. So we're not trying to, we have to examine who has rights, what those rights are and impress the vire ly with our order. You know the decision. That has to be presented to the Governor and Council and presumably press will be filed

I don't know, I have 4 children possibly. I think I sent that to you in 2000 we had the little floods. I can tell when all the flooding happened here and all these floods downstream. I mean Governor Lynch at the time saw all the damage, a lot of damage. It's funny that he, that I was thinking that all so keeping it that high and in the 2000's that's when it did cause a couple major floods and it's been caused a lot of damage and people dook the hazards out. So since the 1970s I can count at least five major floods that have happened under the management that you know basically if you know anything about controlling the flow I mean you've got to think about what's the public above. I mean thank you

Jim Gallagher – Thank you

Kent Finemore – Thank you. Further testimony for both hearings are . Once, twice three times. Just a reminder that your testimony. That comment period ends on September 28, 2018 at 4 pm. That's the current closing date. If we're getting a lot of comments I will extend that if necessary. Having said that I will close the public hearing and attorney. Thank you so much for coming out. Thank you (audience clapping)



# NEWFOUND LAKE EROSION CONCERNS

Dr. Rick Van de Poll

Ecosystem Management Consultants

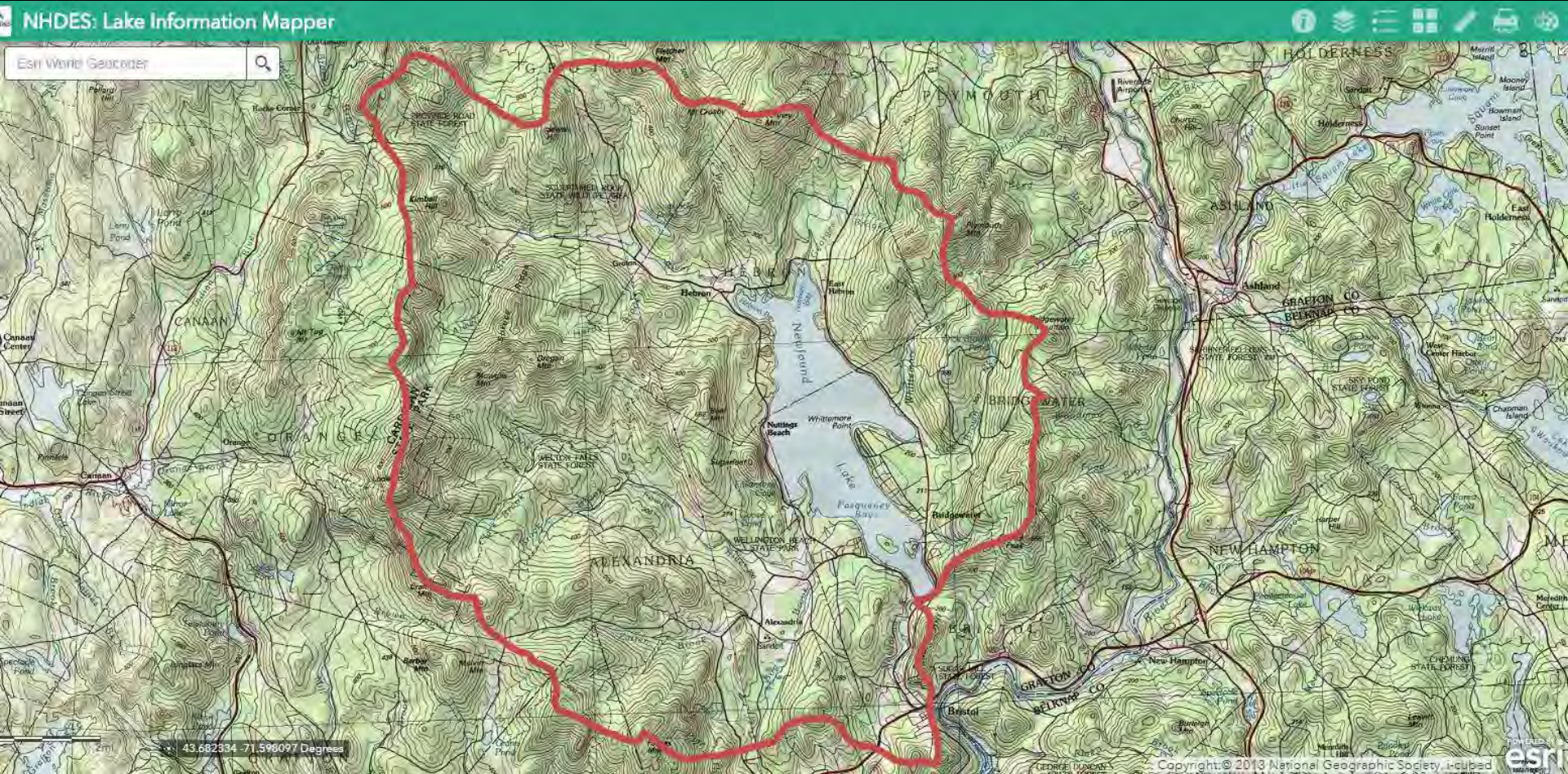
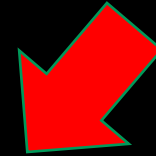
Sandwich, N.H.

# LAKES REGION - NH



# NEWFOUND LAKE WATERSHED

HUC ID: 0107000106 (Newfound River)  
Size: 63,150 ac. Above Pemigewasset River  
61,250 ac. Above outlet of lake





# OVERVIEW – NEWFOUND LAKE



## THE LAKE

- 4106 acres
- 5th largest in state
- 182 ft deep
- One of ten clearest lakes in NH
- High quality oligotrophic, dimictic lake
- Low N,P,Chlorophyll



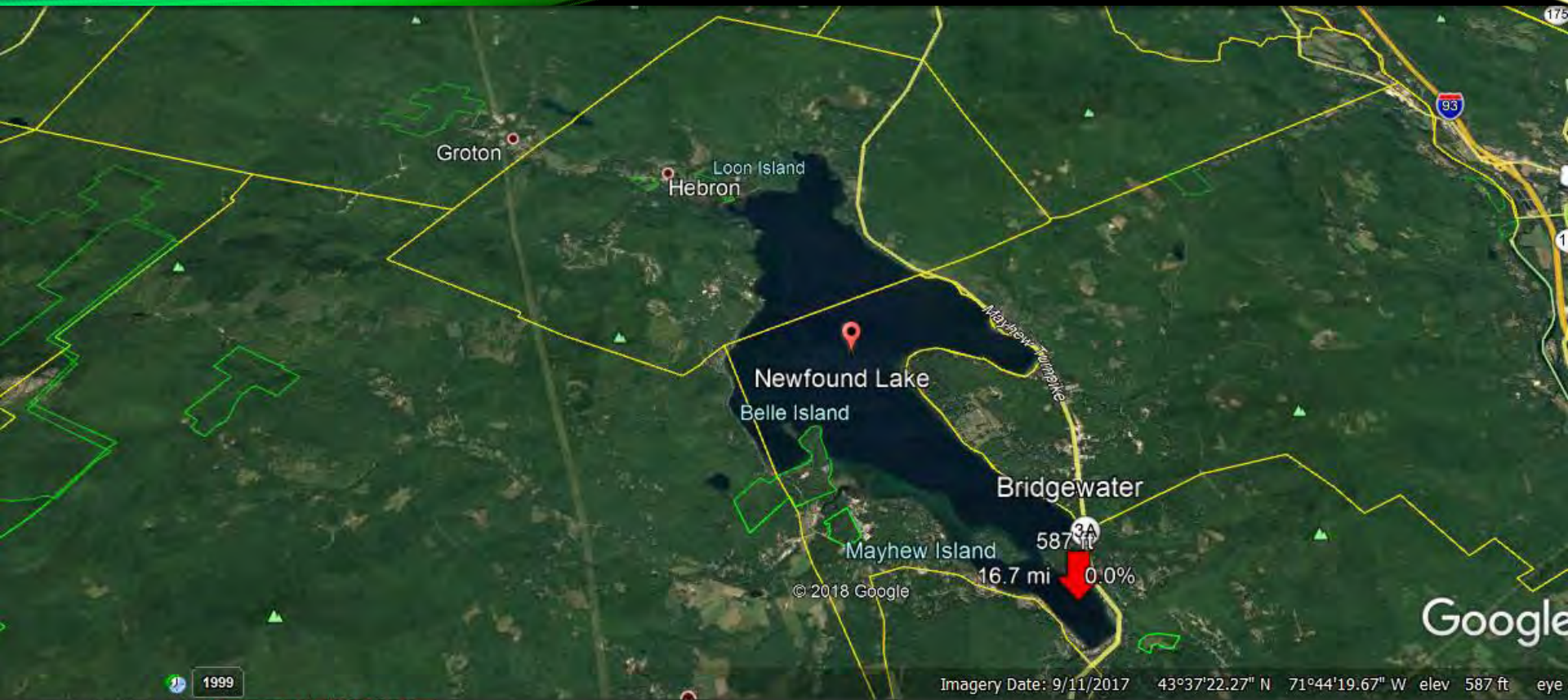
## THE WATERSHED

- 63,150-acre watershed
- 589 ft lake elevation
- Highest point in watershed: Mt Cardigan (3155 ft)
- 250 miles of perennial stream entering Newfound Lake
- (2) 4<sup>th</sup> order inflow rivers



## THE RESIDENTS

- 9 Towns, > 4800 residents in watershed
- > 25,000 visitors each year
- > 1820 shorefront residents
- > \$12.5 mill. in annual revenue
- > 115 businesses in Newfound Region



1999

Imagery Date: 9/11/2017 43°37'22.27" N 71°44'19.67" W elev 587 ft eye

Graph: Min, Avg, Max Elevation: 581, 1019, 1797 ft  
Range Totals: Distance: 20.9 mi Elev Gain/Loss: 6459 ft, -6459 ft Max Slope: 37.2%, -39.0% Avg Slope: 9.3%, -10.4%



Tour Guide

# LAKE LEVELS

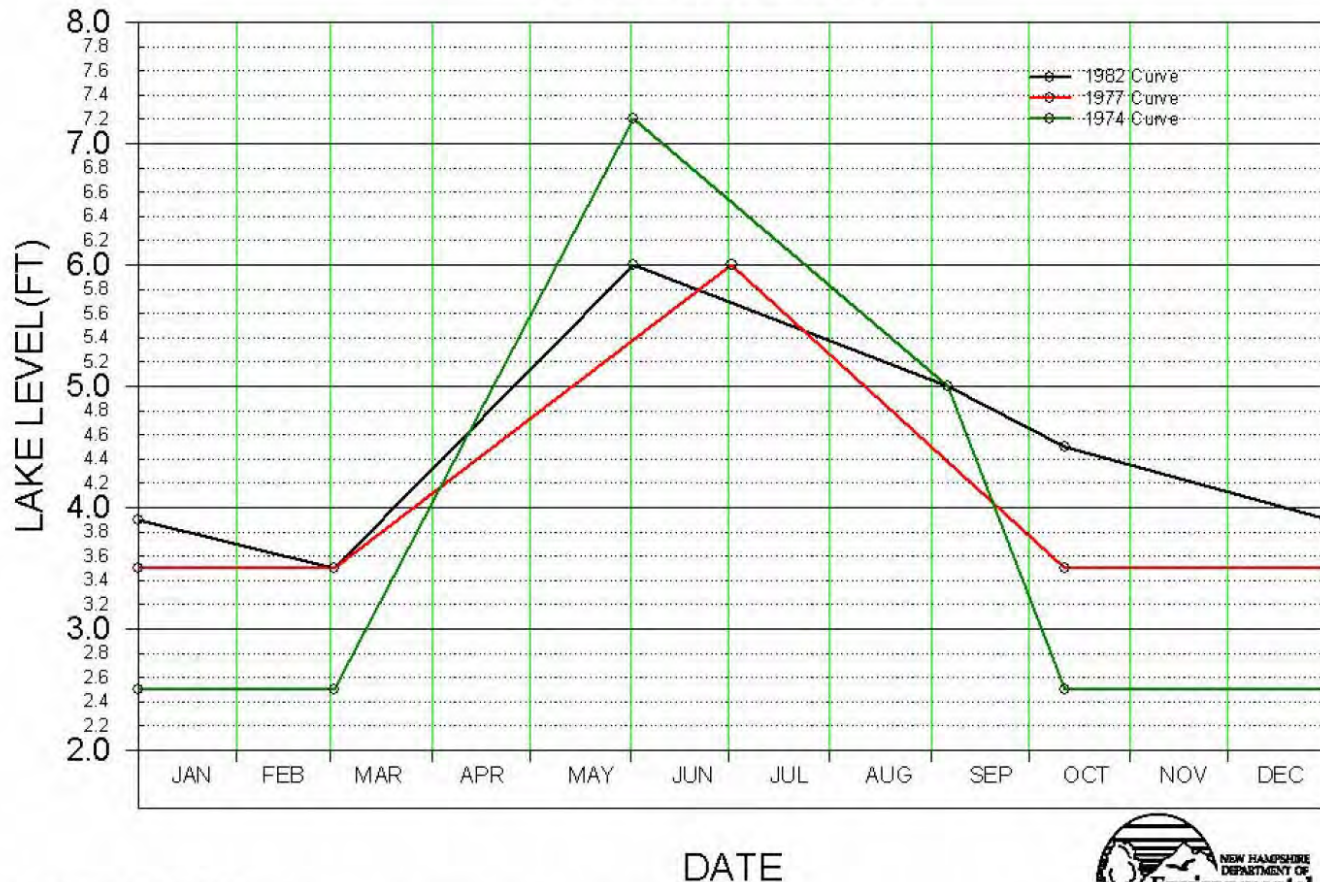
- **589.12** – Reference Line
  - (7.24 ft on gage)
- **587.88** – current June 1<sup>st</sup> target (6.0 ft on gage)
- **586.38** – current Columbus Day target
  - (4.5 ft on gage)
- **585.38** – lowest level target before spring
  - (3.5 ft on gage)
- **584.12** – Natural MHW
  - (2.24 ft on gage)



# CHANGES SINCE 1971

ELEV. 0.0' ON GAGE = 581.88' NGVD ELEV.

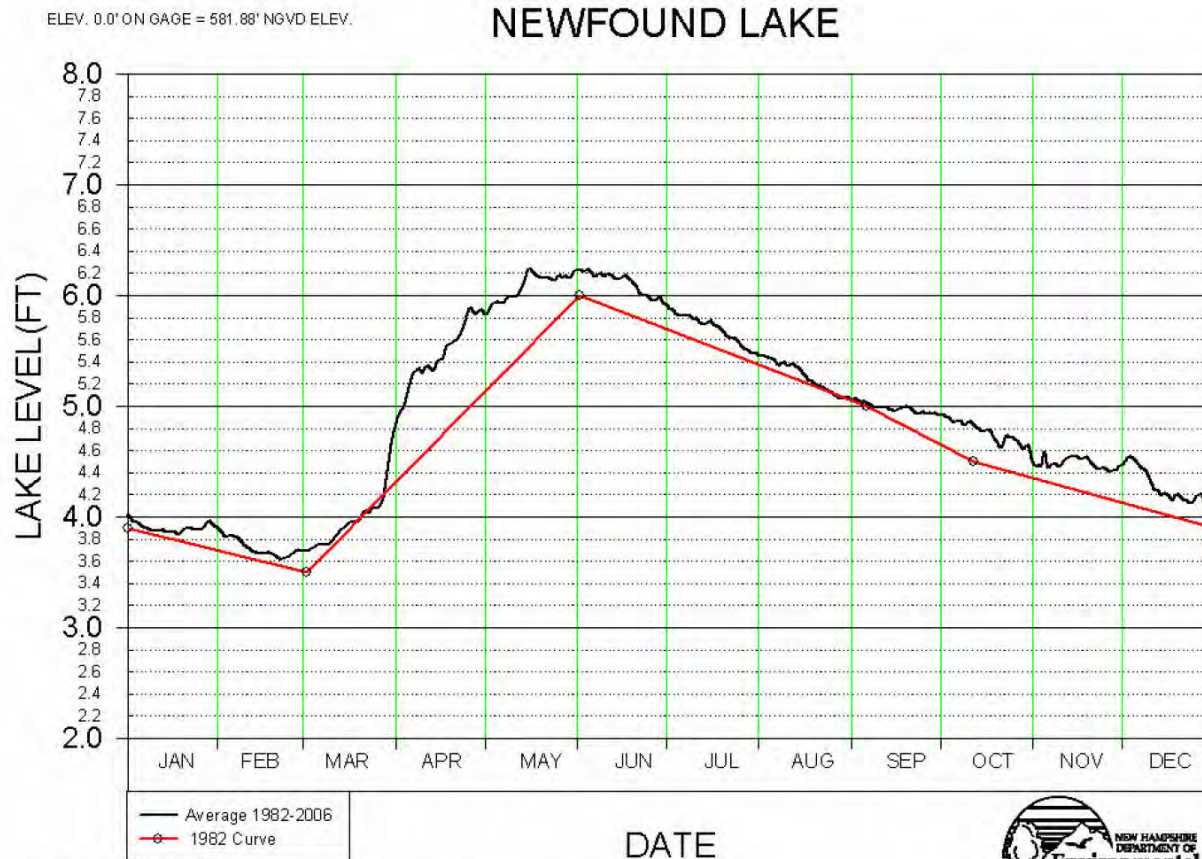
## NEWFOWN LAKE



PROJECT DEVELOPMENT-EK  
PATH: \\hazletp2\ID\AM\PROJECT DEVELOPMENT\PROJECT\LAKE PLOTS\NEWFOWN\_LAKE.JNB



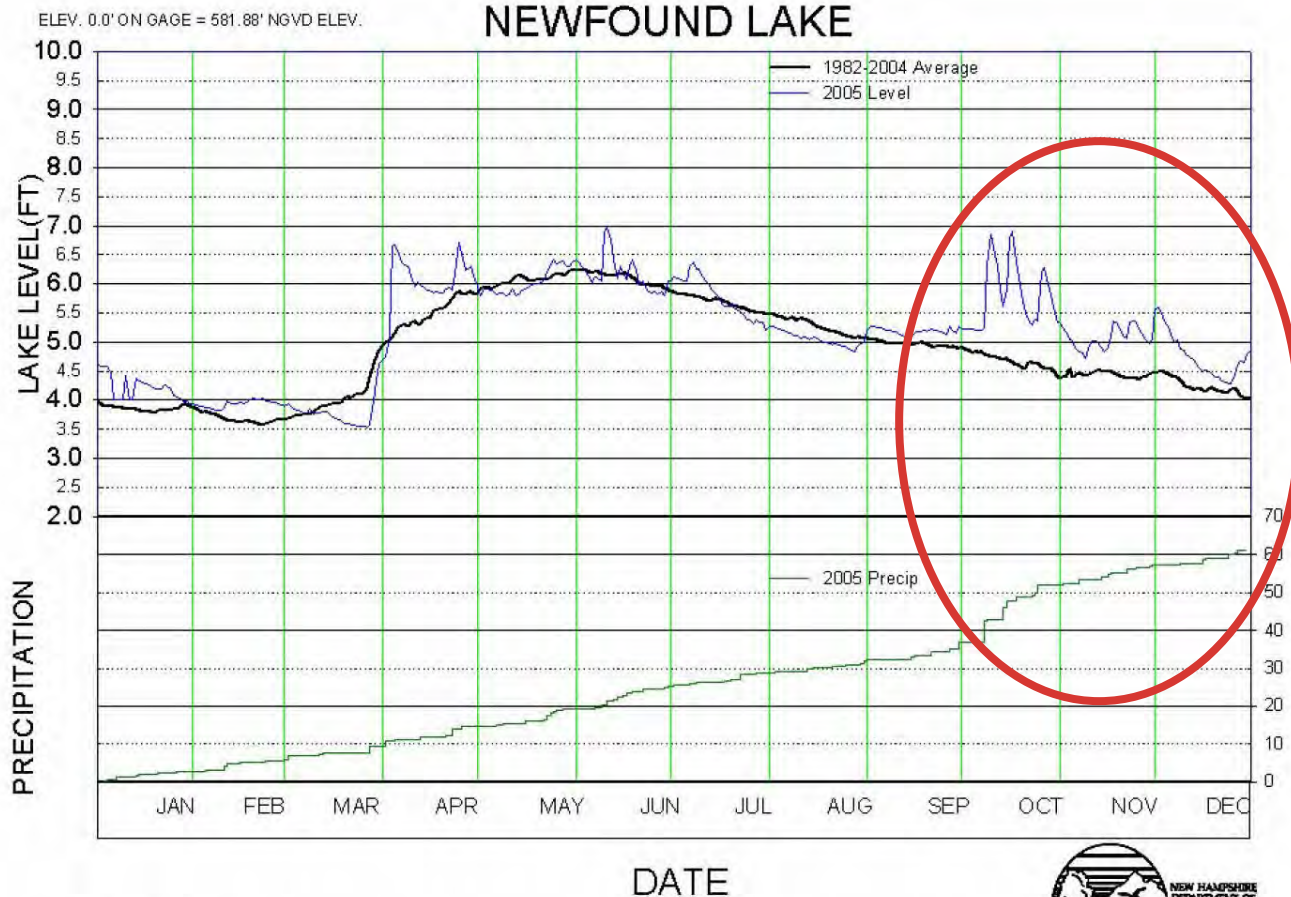
# MEAN LAKE LEVELS – 1982 - 2006



PROJECT DEVELOPMENT-EK  
PATH: \\Hazardsp2\2D\AM\PROJECT DEVELOPMENT\PROJECT\LAKE PLOTS\NEFOUND\_LAKE.JNB

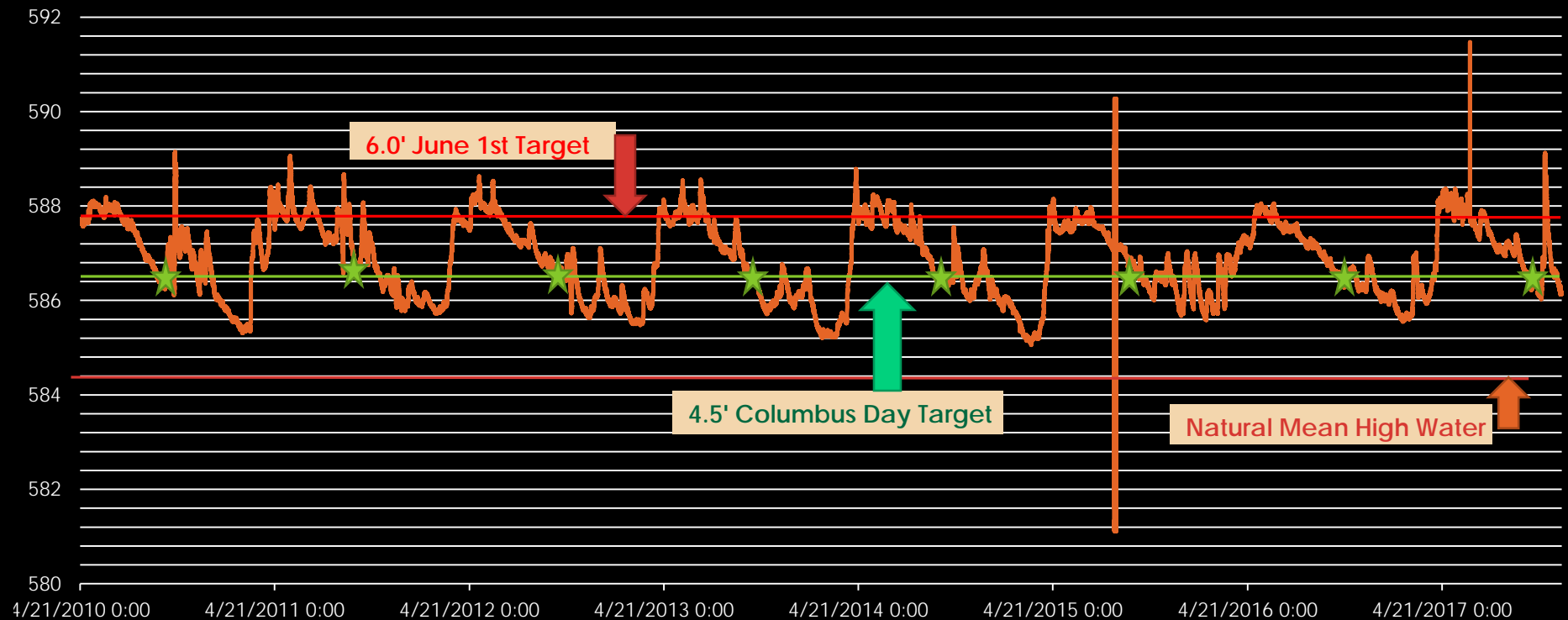


# 2005 "ANOMALY"



# MEAN LAKE LEVELS – 2010 - 2017

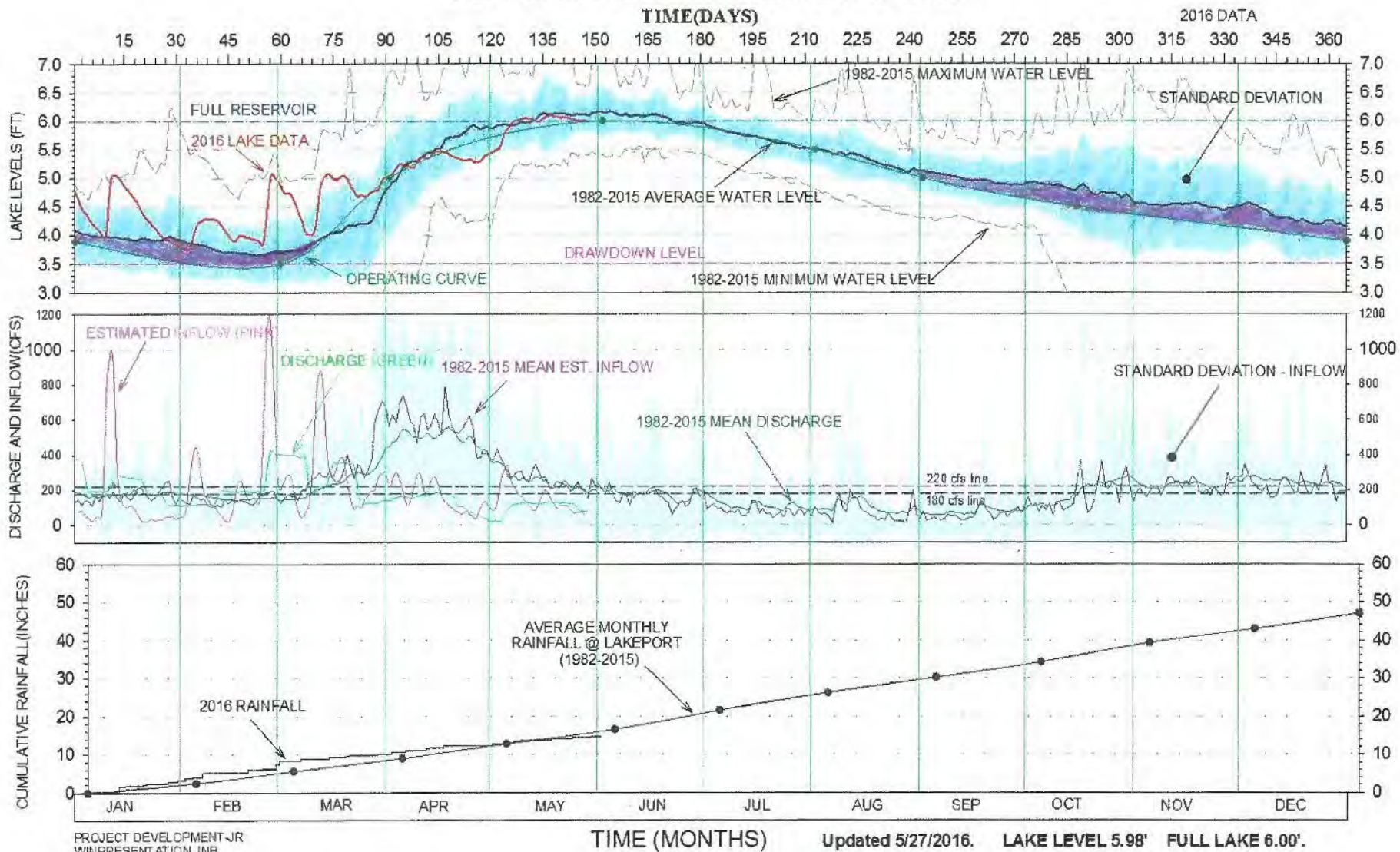
## Observed Lake Levels at Newfound 2010 - 2017



Note: ★ = Columbus Day

# MEAN LAKE LEVELS – 2016

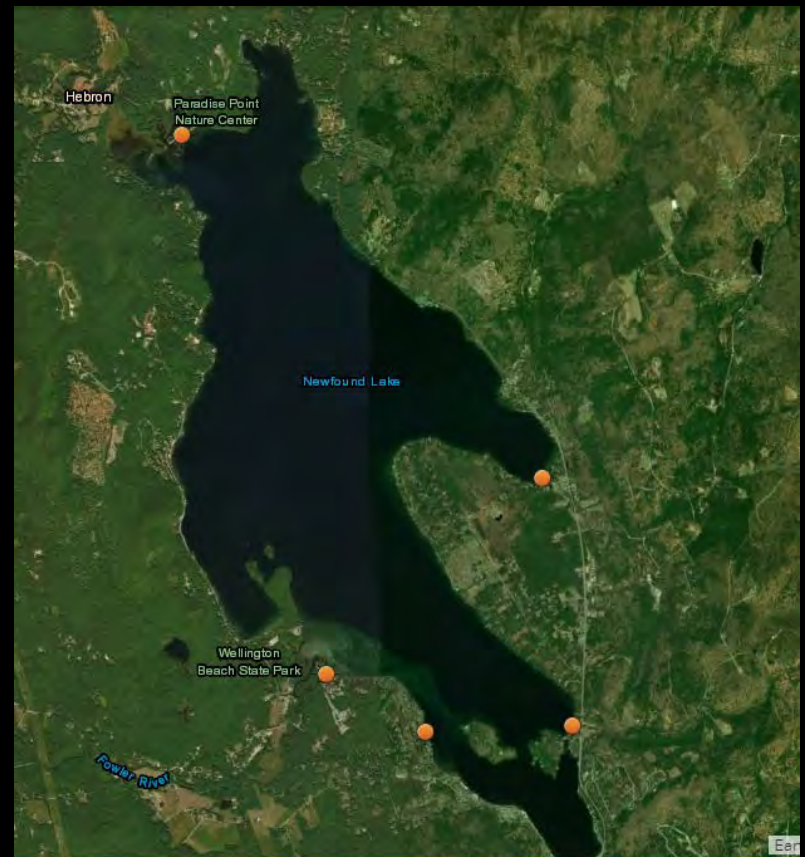
## NEWFOUND LAKE LEVEL DATA





# NEWFOUND LAKE – EROSION CONCERNS

- INTERESTS AFFECTED BY MANAGEMENT:
- Recreation
- Property Use and Value
- Fisheries
- Wildlife
- Aquatic Plants
- Downstream Water Users (hydro and aquaculture)
- Business and Tourism





# HEBRON TOWN BEACH

2017



# HEBRON TOWN BEACH



# HEBRON TOWN BEACH



July 2017  
587.8 ft at dam



October 2017  
586.3 ft at dam

# GREY ROCKS BEACH



2017



2017



2017



2017

# GREY ROCKS BEACH



2017

# BRISTOL SHORES





# CAMP GREENWOOD





# ADDITIONAL CONCERNS



## EFFECTS ON COCKERMOUTH DELTA

Aquatic Bed Expansion

Increased algal blooms

Loss of water clarity

Reduced swimming area

Deposition of organic material

Loss of water flow through

Reduced navigation

Change in food chain base





NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Cultural Affairs  
19 Industry Street, Box 2443, Concord, NH 03302-2043  
603-771-0383  
603-271-3359

TAX 40-017-2301 VARIATION BY ACCESS 1-15-11

November 7, 1992

Mr. Douglas McLane  
c/o 173 Rogers St.  
Winnover, NH 03264

Dear Mr. McLane,

I just wanted to thank you again for your courtesy in lending the artifacts from your property on Newfound Lake. I also especially appreciate having your permission to conduct research there in the future. As I mentioned when I

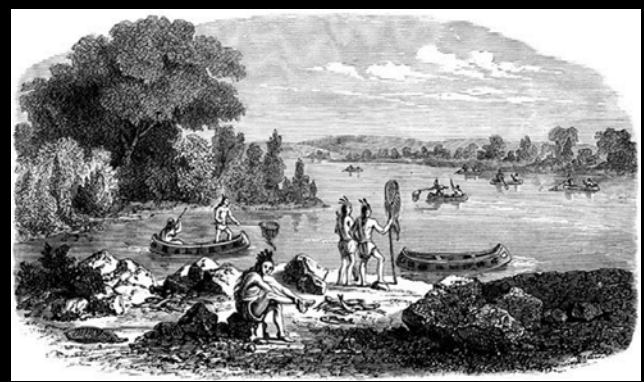
discussed this to you, it is clear that you have a very important site. The consensus of my colleagues is that it is a terminal prehistoric or early contact period site. As we have only four or five of these in the state, that makes it rare indeed. I am also trying to find someone to analyze the black residue on the interior of the three potsherds. So far as I can tell they are the only ones in the state, and among very few in New England. What I have heard is that most

analysts much prefer to deal with sherds from excavated (as opposed to surface find) contexts. That would make excavations at your site even more important. Of concern, naturally, is the issue of erosion. Finding artifacts on the waters edge is a good new/bad news situation. The fact that it is exposed lets us know that the site is there, but it also means that it is being slowly (?) worn away. Hopefully, the threat to the site is not great and that we can hold off on excavating until I can put together a proper crew and research design. As usual we have to operate on a shoestring, with more to do than we'd like to take on with the available people and resources.

In any case, thanks again for the access to your collection and permission to work on your property. You will certainly be hearing from me in the spring.

Sincerely,  
*Richard A. Boisvert*  
Richard A. Boisvert, PhD  
City State Archaeologist

# ADDITIONAL CONCERNS



ARCHAEOLOGICAL EXPOSURE  
Newly exposed banks  
Artifacts dropping into water column  
One of only (and best) pottery sites

# ADDITIONAL CONCERNS



## EROSION CONTROL MEASURES

Emergency permit allowance  
NHDES involvement  
Abutter effects



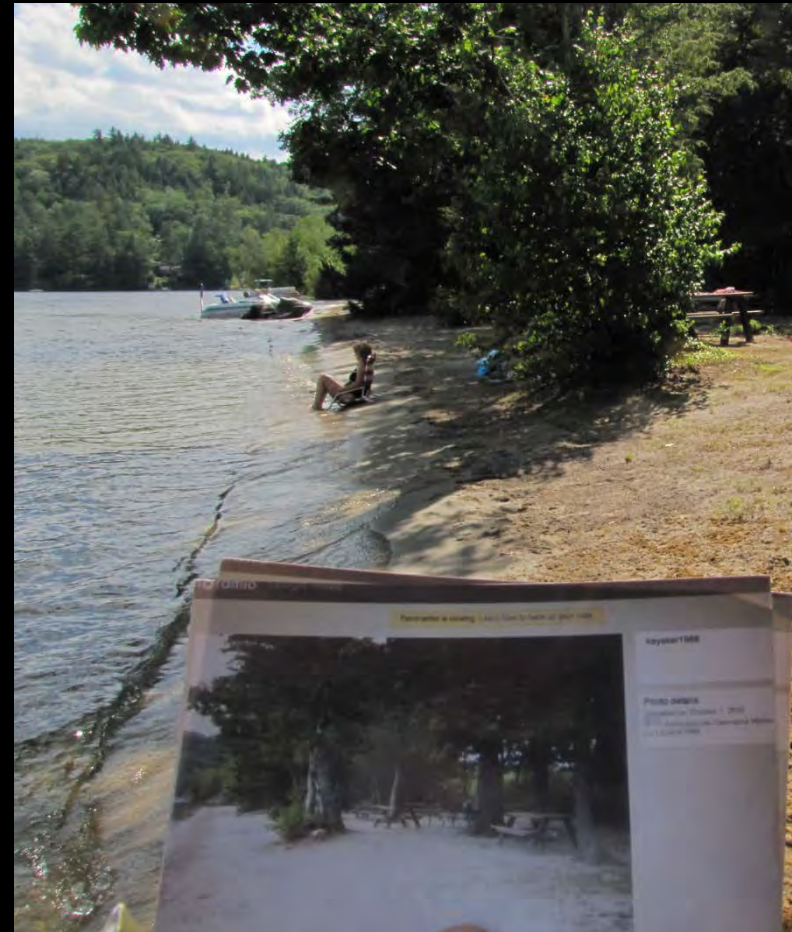
# NHDES DAM BUREAU

## Current Goals of Management

- Manage releases from the dam to adhere to the current management plan.
- Flood Reduction (both lake and river).
- Release of 250 cfs or less from the dam, when conditions allow, to maximize the generation potential of the river.
- Release minimum flows of 80, 60 and 40 cfs during the months of June, July and August for river fisheries health, if conditions allow.
- Limit the fluctuation of fall water levels to protect cold water species during spawning.

# NEXT STEPS

- Complete assessment of erosion concerns along entire lake shore
- Establish monitoring grade stakes where warranted
- Ensure adequate representation for any adjustment in management plan
- Seek legislative action as required
- Long-term monitoring





Acknowledgments:

NH DES Dam Bureau

Newfound Lake Region Association

Town of Hebron

Mr. Douglas McLane

20221025 am 1006

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound Lake Letter  
**Date:** Tuesday, July 11, 2023 11:47:28 AM  
**Attachments:** [20221025101521.pdf](#)

---

The attachment here should also be included with the written testimony received.

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Sent:** Tuesday, October 25, 2022 10:09 AM  
**To:** Gallagher, Jim <[JAMES.W.GALLAGHER@des.nh.gov](mailto:JAMES.W.GALLAGHER@des.nh.gov)>; Finemore, Kent <[KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)>  
**Subject:** FW: Newfound Lake Letter

I guess this just came in.

Dan

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau  
New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867

---

**From:** Stout, Wendy <[WENDY.A.STOUT@des.nh.gov](mailto:WENDY.A.STOUT@des.nh.gov)>  
**Sent:** Tuesday, October 25, 2022 10:06 AM  
**To:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Subject:** Newfound Lake Letter

Good Morning Dan... please see attached that was received today.

I will file this unless you would like anyone else to receive it.

Thank you.

Wendy



D031001



NEWFOUND LAKE REGION ASSOCIATION  
10 N. Main St., Unit 1 ~ Bristol, NH 03222  
www.newfoundlake.org

DES DAM BUREAU

OCT 25 2022

RECEIVED

October 19, 2022

Robert Scott, Commissioner  
NH Department of Environmental Services  
PO Box 95  
Concord, NH 03302-0095

Dear Commissioner Scott,

The Newfound Lake Region Association (NLRA) understands managing lake levels is difficult. From unpredictable weather patterns to different social and ecological needs, this is a challenging and sensitive subject for the Newfound community.

NLRA, as the organization that helps to protect the lake and watershed, has been involved in the recent lake level discussion. We helped to convene the community for public hearings, and we supported the interim management curve that was followed for three years from 2019-2021. We appreciate the Dam Bureau's efforts to engage the community and the many stakeholders to create the best possible solution to this difficult issue.

The Dam Bureau has ended the interim management period and is now operating the Newfound Lake dam using the management plan established 40 years ago in 1982. We are writing today to urge the Dam Bureau to adopt the 2019 modified interim management plan. Maintaining a "full pond" level of 5.5 feet on the gage (instead 6 feet in the 1982 plan) allows for recreation access to the lake during the warmer months, while also protecting the excellent water quality of the lake by reducing shoreline erosion and allowing for Newfound's largest tributaries to completely flow into deeper portions of the lake. A slow drawdown in the fall enables a longer period of boating access for all around the lake. We believe this interim management plan protects winter fish spawning areas and allows for ample flow in the Newfound River to maintain a healthy fishery.

The NLRA urges DES to adopt the interim management plan for Newfound Lake, as it is the best solution for all stakeholders.

Sincerely,

Rebecca Hanson  
Executive Director

Ed McNierney  
NLRA Board President

CC: NH Dam Bureau, Alexandria Conservation Commission, Alexandria Select Board, Bridgewater Conservation Commission, Bridgewater Select Board, Bristol Conservation Commission, Bristol Select Board, Hebron Conservation Commission, Hebron Select Board

*The Newfound Lake Region Association's mission is to protect Newfound Lake and its watershed. The Association - through education, programs and collaboration - promotes conservation and preservation of the region's natural, social and economic resources.*

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound lake water Level investigation  
**Date:** Tuesday, July 11, 2023 11:48:58 AM

---

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Patrick Scanlon [REDACTED]  
**Sent:** Saturday, May 20, 2023 4:08 PM  
**To:** Finemore, Kent <Kent.Finemore@des.nh.gov>  
**Subject:** Newfound lake water Level investigation

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Hi Kent,  
Was there a final investigation done for the water levels at newfound lake? I live in Bristol and the water has been very high this spring compared to the prior few years.

<https://www.des.nh.gov/organization/divisions/water/dam/documents/20190226-newfound-lake.pdf>

Thanks  
Patrick Scanlon

20230530 am 1026 R

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound Lake - water level  
**Date:** Tuesday, July 11, 2023 11:49:33 AM

---

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Karen Sanborn [REDACTED]  
**Sent:** Tuesday, May 30, 2023 10:26 AM  
**To:** Finemore, Kent <kent.finemore@des.nh.gov>  
**Subject:** Newfound Lake - water level

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Good Morning Mr. Finemore,  
The Select Board's Office is getting numerous calls regarding the level of Newfound Lake as the lake is very high for this time of year. The town owns 450' of waterfront on Newfound Lake and is experiencing beach erosion and debris buildup up to 25' in the water. The build-up of debris is making the beach unusable to young swimmers as the leaves are thick and deep.  
The Board will be reviewing the concerns at the Select Board Meeting on Thursday, June 1. Any information that you could provide on this matter would be helpful for the discussion.  
Thank you for addressing this matter.

Karen Sanborn  
Town Administrator  
Town of Hebron  
PO Box 188  
Hebron, NH 03241  
(603)744-2631  
[REDACTED]

Please note the change of the email address to [execassist@hebronnh.gov](mailto:execassist@hebronnh.gov)

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound lake water Level investigation  
**Date:** Tuesday, July 11, 2023 11:49:54 AM

---

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Patrick Scanlon [REDACTED] >  
**Sent:** Tuesday, May 30, 2023 5:33 PM  
**To:** Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
**Cc:** Clark, Corey <[Corey.J.Clark@des.nh.gov](mailto:Corey.J.Clark@des.nh.gov)>; Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Subject:** Re: Newfound lake water Level investigation

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Hi Kent thank you for getting back to me. Are you guys still following the interim operating curve or is it back to the old curve?

On Mon, May 22, 2023, 12:55 PM Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)> wrote:

Patrick –

A decision has not been issued yet for the Lake Level Investigation for Newfound. We have had some significant rain events so far this year. I'm not generally involved in operations at state-owned dams but I know our Dam Operators have been very busy doing their best to address lake levels throughout the state.

Thanks,

Kent

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Patrick Scanlon [REDACTED]  
**Sent:** Saturday, May 20, 2023 4:08 PM  
**To:** Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)>  
**Subject:** Newfound lake water Level investigation

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Hi Kent,

Was there a final investigation done for the water levels at newfound lake? I live in Bristol and the water has been very high this spring compared to the prior few years.

<https://www.des.nh.gov/organization/divisions/water/dam/documents/20190226-newfound-lake.pdf>

Thanks  
Patrick Scanlon

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: NHDES Lake Level Investigation at Newfound Lake  
**Date:** Tuesday, July 11, 2023 11:44:51 AM

---

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Clark, Corey <Corey.J.Clark@des.nh.gov>  
**Sent:** Wednesday, June 7, 2023 2:07 PM  
**To:** [REDACTED]  
**Cc:** Mattaini, Dan <DANIEL.J.MATTAINI@des.nh.gov>; Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>; Diers, Ted <THEODORE.E.DIERS@des.nh.gov>  
**Subject:** RE: NHDES Lake Level Investigation at Newfound Lake

Good afternoon Mr. Pearson,  
Kent Finemore forwarded your message to me regarding the Lake Level Investigation for Newfound Lake. During the interim Newfound Lake operational plan that you referred to, NHDES found, despite releasing very limited amounts of water downstream of Newfound Lake, the elevation of the Lake ended up very low during the latter half of the summer recreational season. In anticipation of a similar scenario possibly repeating again this year, NHDES has set the starting level of the summer season high enough to keep the lake at a level acceptable to most stakeholders, while still enabling NHDES to release an adequate amount of water downstream throughout the entire summer season. NHDES anticipates completing its review of all the testimony submitted concerning the proposed interim Newfound Lake level operating procedure within the coming months and plans on issuing a decision on future operating procedures later this year.

Thank you,  
Corey  
Corey J. Clark, P.E.  
Chief Engineer  
NH Department of Environmental Services  
Water Division  
Dam Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-1961  
Fax: (603) 271-6120  
[Corey.J.Clark@des.nh.gov](mailto:Corey.J.Clark@des.nh.gov)

---

**From:** ROBERT PEARSON <[b](#)>  
**Sent:** Monday, June 5, 2023 1:34 PM  
**To:** [REDACTED]; Finemore, Kent <[kent.finemore@des.nh.gov](mailto:kent.finemore@des.nh.gov)>  
**Cc:** campgreenwoodnh [REDACTED]  
**Subject:** NHDES Lake Level Investigation at Newfound Lake

---

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

What is the current status of the Lake Level Investigation at Newfound Lake conducted by NH Department of Environmental Services?

Is the interim and modified interim lake level management plan finished and has the the NHDES Dam Bureau assessed the results?

Newfound Lake property owners are in search for information regarding the Newfound lake level management plan.

Meanwhile shorelines continue to be adversely affected by the current lake level which appear to be set back to the 1982 Operation Curve set by the NHDES Dam Bureau.

Note the attached file images of the shoreline at Camp Greenwood Estates Condominium Assoc.'s located near the Shallows and nearby Arrowhead Point on the west side of Newfound Lake.

Property owners need to know what NHDES's decision is in order to mitigate the damaging effect of the current lake level management plan.

Please send your insights and recommendations concerning a widespread community issue.

Thank you.

Robert Pearson









20230626 am 0831 R

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: 8-30-19 Public Meeting Notice - Newfound Lake Level Investigation  
**Date:** Tuesday, July 11, 2023 11:51:02 AM

---

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Newfound Memories [REDACTED]  
**Sent:** Monday, June 26, 2023 8:31 AM  
**To:** Finemore, Kent <Kent.Finemore@des.nh.gov>  
**Subject:** Re: 8-30-19 Public Meeting Notice - Newfound Lake Level Investigation

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Good morning,

I am writing to the only email address I have. During this spring season, I have watched an additional 8 ft of my waterfront become lake. Now after the recent rain of this weekend, I am losing more and my dock is under water.

We are approaching July 1 and with the “rim of the bowl” eroded back in 2015-2018, it is continuing to erode. Once you lose significant elevation, it is extremely hard to get it back (would take years if the levels are managed and managed at the interim levels or even lower).

Just so you are aware, on the left side of my property, facing the lake I had 80ft under water. That is now 88+ft.

I understand flowage rights, but you are not supposed to take over the land permanently. I am supposed to have .48 acre on the lakeside. But I am told it is approximately .25 of land, with the remainder under water.

Are there any meetings scheduled to discuss the levels of Newfound Lake??

Thank you for your time.

Julie Converse  
Newfound Memories

[REDACTED]  
[REDACTED]

On Aug 19, 2019, at 4:08 PM, Finemore, Kent <[Kent.Finemore@des.nh.gov](mailto:Kent.Finemore@des.nh.gov)> wrote:

You are receiving a copy of the attached Notice of Public Meeting because you provided an email address on a sign-in for one (or both) of the previously held meetings for the Newfound Lake Level Investigation. We hope to see you on August 30 at 7 PM at the Bridgewater Town Hall.

*Kent R. Finemore, P.E. – Assistant Chief Engineer  
NHDES Water Division – Dam Bureau*

*PO Box 95 – 29 Hazen Drive*

*Concord, NH 03302-0095*

*(603) 271-0566*

[Kent.Finmore@des.nh.gov](mailto:Kent.Finmore@des.nh.gov)

<8-30-19 FINAL Public Meeting Notice for Newfound LLI.pdf>

**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound lake  
**Date:** Tuesday, July 11, 2023 11:52:24 AM

---

Kent R. Finemore, P.E.  
Assistant Chief Engineer  
NHDES – Dam Bureau  
(603) 271-0566 (office)  
(603) 848-2170 (cell)  
[Kent.R.Finemore@des.nh.gov](mailto:Kent.R.Finemore@des.nh.gov)

---

**From:** Patrick Scanlon [REDACTED]  
**Sent:** Monday, June 26, 2023 8:27 PM  
**To:** Clark, Corey <corey.j.clark@des.nh.gov>  
**Cc:** Mattaini, Dan <DANIELJ.MATTAINI@des.nh.gov>; Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>  
**Subject:** Re: Newfound lake

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Hi Corey thanks for getting back to me.

I completely understand the complexity of the management of the lake levels, and Newfound is not the only watershed in our area. Please direct me to any literature for any of the following questions, im happy to read up on it and not waste your time. I am concerned that there is a lack of empirical evidence supporting some of these claims. There has been much back and forth from land owners that the lake is overfilled, and when one storm happens, it causes irreparable damage to our property. This happened about 10 years ago as well, around the same time, but it was actually worse, the lake went behind my cottage, while this time the water came up about 4 feet overnight.

We have no way to repair the beach once this happens, given that the state has rules on how much beach sand can be placed in any given time period.

How long is your anticipated drought forecast in effect for?

How does it account for the rain we have already received this year?

Why can't more water be released and contained downstream of the lake?

Are you worried about Newfound being too low, or are you worried about someones water supply to be too low that is derived from the lake?

The previous two years were what seemed much more reasonable to expect during the summer

months, and was what seemed to be a compromise with others that want very high levels.

With the lake left so high, how can you leave any buffer to let water accumulate in these extraneous circumstances? Just because a drought is forecast, doesn't mean that a 1 in 10 or 1 in 25 year event won't happen.

Thanks!

Patrick

On Mon, Jun 26, 2023 at 3:31 PM Clark, Corey <[corey.j.clark@des.nh.gov](mailto:corey.j.clark@des.nh.gov)> wrote:

Hi Patrick,

Early this morning I heard about the damage in Alexandria and thought about Newfound Lake and what we could expect for a rise. Our Newfound Lake Dam precipitation data indicates that between 11:00pm and 2:00am last night 2.38 inches of rain fell which equates to between a 10- and 25-year storm event. This, along with additional rainfall outside of those hours, resulted in a significant increase in the lake elevation even with increased operations at Newfound Lake Dam. This morning we increased discharge from 50 cfs to 850 cfs and will continue to monitor the dam throughout this week. With flooding expected to occur downstream of the dam when the Newfound River reaches 1,500cfs, discharge from the dam needs to be balanced with the flow from tributaries entering the Newfound River downstream of the dam to limit downstream flooding.

This event is an example of how difficult it is to manage a natural system to any specific curve. Earlier this year meteorological indications were that portions of New Hampshire were going to experience a drought. In anticipation of a drought scenario occurring this year, NHDES set the starting level of Newfound Lake high enough to keep the lake reasonably close to stakeholder expectations, while still enabling NHDES to meet its contractual obligations to release water to downstream users with Water User Contracts. NHDES will endeavor to bring the water level back down to a reasonable elevation and is continuing to work on preparing a final draft of the Newfound Lake Level Investigation.

Thank you,

Corey

Corey J. Clark, P.E.  
Chief Engineer  
NH Department of Environmental Services  
Water Division  
Dam Bureau

29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-1961  
Fax: (603) 271-6120  
[Corey.J.Clark@des.nh.gov](mailto:Corey.J.Clark@des.nh.gov)

---

**From:** Patrick Scanlon [REDACTED]  
**Sent:** Monday, June 26, 2023 7:33 AM  
**To:** Clark, Corey <[corey.j.clark@des.nh.gov](mailto:corey.j.clark@des.nh.gov)>  
**Cc:** Mattaini, Dan <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
**Subject:** Re: Newfound lake

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

What operating curve are you following? The storm last night totally destroyed this place

On Wed, Jun 14, 2023, 1:35 PM Clark, Corey <[corey.j.clark@des.nh.gov](mailto:corey.j.clark@des.nh.gov)> wrote:

Hi Patrick,

The Dam Bureau made two operations yesterday with one occurring in the morning and one in the afternoon. We also made an additional operation this morning. These operations changed the release from about 43cfs to 205cfs as shown below.

Thank you,

Corey

Corey J. Clark, P.E.  
Chief Engineer  
NH Department of Environmental Services  
Water Division  
Dam Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-1961  
Fax: (603) 271-6120  
[Corey.J.Clark@des.nh.gov](mailto:Corey.J.Clark@des.nh.gov)

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**From:** Patrick Scanlon <[REDACTED]>  
**Sent:** Tuesday, June 13, 2023 8:03 AM  
**To:** Clark, Corey <[corey.j.clark@des.nh.gov](mailto:corey.j.clark@des.nh.gov)>  
**Subject:** Newfound lake

[REDACTED]

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Hi Corey, w have had almost a half inch of rain today and there has been no change in the release of water from the dam. The lake is at full capacity. Why is no water being released?

20230711 pm 0845 R

**From:** [REDACTED]  
**To:** [Andrews, Gloria](#); [Baillargeon, Nancy](#); [Ames, Peter](#); [Aures, Rosemary](#)  
**Subject:** Newfound Lake Levels  
**Date:** Tuesday, July 11, 2023 8:48:24 PM  
**Attachments:** [Erosion documentation.pdf](#)

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Hello,

I am a landowner on Newfound Lake. I have owned a property since February 2012. In 2019 after meetings over a few years with the Dam Bureau a modified interim lake level was put in place. After the three year trial period without any prior notification or meetings to discuss whether the interim levels were working, the lake is back to the old levels. In the spring of 2023 the lake was brought higher than the levels prior to 2019 and then with all the rain this year, the lake has consistently been higher than where it should be.

I and others have sent emails to the Dam Bureau, but I am wondering when Shoreland Protection should come into play?? Trees on the shoreline are being undermined and eventually fall in the lake. The mismanagement of the levels are causing severe erosion.

I have lost over 18" of elevation. With that loss the rim of the bowl is gone. Now it takes more water to reach the level on the marker at the bridge.

I would like to know who to contact to get some results. I am suppose to have .48 acre on the lake front and I am told that on one end of my property 80' was underwater last fall now it's another 16'. How is this right? I pay taxes on .48 acre, but boats, kayakers, paddle boarders and jet skis can freely pass over my land as it is always underwater?? I have attached a few recent pictures and a PDF document that was shared with Rick Vandepol from the studies that were presented to the Dam Bureau in 2018.

The lake has yet to be clear this year. Those of us that care about Newfound Lake are worried about it's clarity moving forward, with the constant erosion.

I look forward to a reply,  
Julie Converse

[REDACTED]











Google Earth

Image U.S. Geological Survey



Google Earth

Image USDA Farm Service Agency



Google Earth



Google Earth

\*\*Drone Photo taken by Nigel Croxon on the morning of 8-31-2018







Drone picture August 19, 2019



Drone picture August 19, 2019



Postcard of Bungalo Village – Date unknown (this shows [REDACTED] Beaches.)



2007 Listing picture for property for sale at [REDACTED] with .48 acre of sugar sand beach.



June 2012



June 19, 2012 – sugar sand beach



July 30, 2012 - sunset



September 2, 2013 – some loss of beach



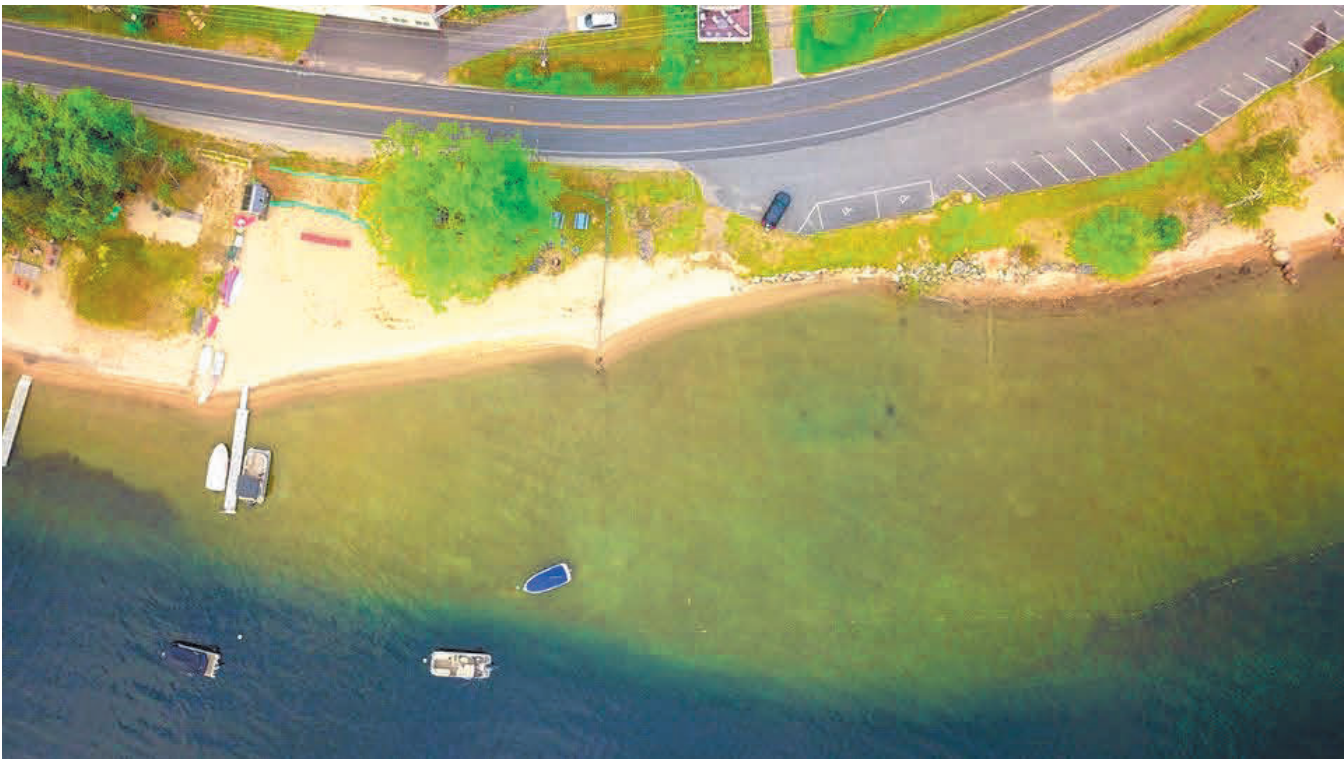
June 19, 2016 – Loss of elevation



June 19, 2016 – loss of elevation



June 19, 2016 – One foot loss of elevation and loss of sugar sand beach



August 31, 2018 – aerial picture from drone.



Loss of elevation. This is the fifth pole from the water and you can see at the bottom of the post the newly exposed portion. picture taken 8-3-17



Each section of fence is at least 8 ft. and there used to be land passed the last post. This picture is from 8-21-2018



8-21-18 erosion at other end of beach. newly exposed rocks and wood



8-21-18 another view of elevation loss at other side of beach. Look at newly exposed boards on fence





When the lattice was put on a few weeks ago the last piece was touching the sand this picture taken 6/30/19, notice last fence pole is now down and floating in the water. we have lost at least 20 ft. on this portion of our beach.



6-30-19 to show sand loss over the last two weeks. The bottom rail was on sand when intalled.



6-30-19 Rocks newly exposed due to erosion.



6-30-19 other end of the beach. newly exposed wood and rock



Drone picture from August 2019



Drone picture from August 2019



Picture taken 9-1-19 – The water level has done additional erosion (can no longer walk around fence to our neighbors yard without walking in the water).



9-1-19 – additional rocks exposed due to erosion.



Picture taken 9-1-19 from my neighbor's yard.



**From:** [Finemore, Kent](#)  
**To:** [Baillargeon, Nancy](#)  
**Subject:** FW: Newfound input  
**Date:** Thursday, October 12, 2023 9:58:16 AM

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**From:** [REDACTED]  
**Sent:** Wednesday, October 4, 2023 10:00 PM  
**To:** Finemore, Kent <KENT.R.FINEMORE@des.nh.gov>  
**Cc:** Mattaini, Dan <DANIELJ.MATTAINI@des.nh.gov>; [REDACTED]  
**Subject:** FW: Newfound input

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Mr. Finemore

I writing to file a formal complaint for the lowering of the new found lake water levels lower than its ever been in the history of the lake. I spoke with Dan Mattaini and he suggested I contact you. This action has caused me and my entire family severe harm. The water drainage has caused my boat to be beached. My jet ski's to be unable to drop into the water from the lift. I just hired Merrill brothers to help get it out. Do to the beaching, my jet boat motors are now clogged. I have contacted West shore Marine to do an onsite repair. All this was caused by lowering the lake water at the expense of many of us who have had docks on the lake for decades with no problems until this lowering started several years ago. This consistent attack on those of us has got to stop. I am not sure who says lowering the lake is beneficial or thinks its best, but they should try living where I live. I have spoken to a number of people who also have been impacted by this and unable to have recreational use of their boats do to this action.

What is even more frustrating is this action was done well before the posted October 9, 2023 drain date. I am not sure what the rush is to drain the water especially considering the best week of perhaps this rainy summer was ruined for many of us by this aggressive action ahead of schedule posted on your website. Dan could only offer an apology to me and told me that they would not be draining the water any more. Thus, one could conclude that the drainage occurred before the posted date. What's the point of having a drain date on your website to have it drained about a week before? I am not sure if this action was politically motivated by those elitist you only care for their own water front leaving those of us on the shallow part of the lake in peril.

Furthermore, this lowering of the lake over the last several years has made my property and that of my neighbors more weedy. The lake levels should be returned to their previous levels. This attack on those with shallow water has now crossed the line and we are insisting that our water levels be returned to where it was for over 30 years with no problems.

Finally, since these actions were aggressive and ahead of October 9, 2023, I think its only fair that I be reimbursed for the monetary damages caused me. The emotional damages of loss of use is something I am not looking for at this time. Please let me know who I should send copies of the bills for this too.



Regards,

George A. Nedder

[REDACTED]

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**From:** Debra Nedder [REDACTED]  
**Sent:** Wednesday, October 4, 2023 5:43 PM  
**To:** [REDACTED]  
**Subject:** Fwd: Newfound input

----- Forwarded message -----

From: **Mattaini, Dan** <[DANIEL.J.MATTAINI@des.nh.gov](mailto:DANIEL.J.MATTAINI@des.nh.gov)>  
Date: Mon, Oct 2, 2023, 2:39 PM  
Subject: Newfound input  
To: [REDACTED] [REDACTED]

Hi,

Please send any comments on lake level to this address - [KENT.R.FINEMORE@des.nh.gov](mailto:KENT.R.FINEMORE@des.nh.gov)

Dan

Dan Mattaini, PE  
Operation & Maintenance Engineer  
Water Division/Dam Bureau  
New Hampshire Department of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel: (603) 271-8867