

Draft Minutes

New Durham Water Quality Committee (NDWQC)

September 16, 2020

Community Room at 6:30PM New Durham, New Hampshire

Present: Bill and Penny Meyer, Cynthia and Fred Quimby, and Mike Gelinas

Guests: Maureen Knepp and Keith Barnard

Fred Quimby opened the meeting at 6:32PM

The Draft Minutes of August 19, 2020 were reviewed. Fred noted that he sent out the version of the minutes already incorporating the recommendations made by Bill Meyer. Cynthia moved and Mike seconded a motion to approve the minutes as amended by Bill Meyer. The vote for approval was unanimous.

Fred introduced Maureen Knepp, as resident of Shaws Pond, and a volunteer already working with Mike Gelinas on water quality testing. Bill introduced Keith Barnard a resident of Downing Pond (11 Merrymeeting Road) who has been interested in water quality issues both here and in British Columbia, Canada, his former residence. Both residents are interested in becoming members of the NDWQC. Fred provided each with a copy of The Secret Life of a Lake.

Fred presented the situation regarding variable milfoil treatment in Downing Pond in 2020. Variable milfoil has been recognized since 2002 in the Merrymeeting River and a Committee to monitor and treat it was established in 2007. This same committee has evolved into the water quality committee as other water quality issues have appeared in New Durham. The Committee has developed a New Durham 10-year Variable Milfoil Treatment Plan and received State matching funds for treatment since 2008. In past years milfoil was very dense especially in Jones Pond and required treatment with herbicides. However, after several years of herbicides the milfoil has become more manageable and is treated now by Diver Assisted Suction Harvesting (DASH). Cynthia explained that while current members have a long history of becoming educated by experts on milfoil and other water quality issues, we all started as novices needing education. After DASH operations were concluded in 2020, Amy Smagula, Director of the Exotic Plants Division of the NH Department of Environmental Services (NH DES), resurveyed the three treatment areas in August and found remaining plants in one area, Downing Pond. She contacted our contractor, Aqualogic Inc., and ask them to come back and re-harvest variable milfoil in Downing Pond. Dominic Jude, the owner, came back in early September and completed the job removing a total of 50 gallons of milfoil from that pond. The cost was \$470.00. Fred has authorized payment of this invoice.

Fred was also asked to submit a new application for a State funded matching grant for the 2021 treatment of variable milfoil. This application was completed and sent to Amy Smagula in late August. Copies are available upon request.

Fred updated the members on the Cyanobacteria situation in 2020. Amanda MacQuaid, Director of the Beaches Program, NH DES, has used information provided by the NDWQC members to establish advisories on Marsh, Jones and Wentworth (Alton) Ponds in 2020. In all cases the offending cyanobacteria was Planktothrix isothrix. There was brief discussion of the types and presentation of different cyanobacteria in the Merrymeeting River system as well as the continuing pollution of the river with phosphorus by the fish hatchery which is feeding the cyanobacteria. Mike noted that while the

hatchery has employed a new method for the disposal of solid wastes from hatchery waters since August 2019, he has been unable to demonstrate much of a difference in phosphorus concentration in the river as a result of water quality testing in 2020. Mike also reminded Fred he needed compiled information on phosphorus concentrations for the past three years.

Fred introduced the status for the Watershed Management Plan supplement regarding the Mill Pond subwatershed. A Lake Loading Response Model and Engineering Plan for that watershed was contracted to Forrest Bell Environmental Associates and Horsley Witten Group. We have received the LLRM document but not the Engineering Report despite that work having been completed by Brian Laverriere two months ago. As soon as it is all in, Fred will provide everyone with a copy and convene a meeting of the Cyanobacteria Mitigation Steering Committee. Anyone desiring a copy of the LLRM now should contact Fred by email (FWQ1@cornell.edu). Guests who desire an electronic copy of the Merrymeeting Watershed Management Plan can request it from Fred

Fred provided an update on the 2021 NDWQC Budget. He added the additional funds for toxin analyses and sent this to the Board of Selectmen and the Budget Committee in early September. The new total budget for 2021 is \$46,428.00. The NDWQC will be presenting this budget to the BOS on September 28 at 6:30PM and to the Budget Committee on November 12 at 7:45PM. All members are invited to attend. This budget reflects \$4428.00 for each of the tests performed in 2020. Members agreed to continue to conduct the same tests and the same test frequency in the upcoming year. Bob Craycraft has sent an email to Fred confirming the test costs will be the same as they were in 2020.

Fred also apologized for not remembering the NDWQC bought the horizontal sampler and ultrasound depth gauge in 2018 using town funds. After gathering this information from prior minutes, he wrote to the manufacturer of the sampler and ordered new internal latex straps which have arrived. Mike thought it a good idea to hold off on putting these new parts in the sampler until just before next years testing begins. Everyone agreed.

Fred stated that Bob Craycraft also sent all the phosphorus results from the end of this years testing. Mike asked for a copy and received it.

Fred presented an update on section 319 Funding and the remediation of South Shore Road stormwater erosion. This discussion began with all members participating in a brief history of point and non-point sources of phosphorus pollution, the availability of matching funds for correcting the non point sources and the magnitude of the funds necessary and where the towns commitment is involved. As a result of meetings with the NH Department of Transportation (NH DOT) and the NH Fish and Game (NHF&G), recommendations for changes in the original plan were offered. The Town hired a stormwater engineer to create new concept designs incorporating these changes. In the past three weeks we have met with the NH DOT and they have signed off on both the Phase I (2021) and Phase II (2023) plans. We have heard from NH F&G and a meeting is being set up for late September 2020 to explain these changes to them. Thus far, their only concerns were regarding maintenance of the new structures once installed, which the Town has agreed to take over.

Fred reviewed the email from Representative Harrington and the fact that NH F&G has apparently secured 4.8 million dollars from the NH DES Clean Water Fund. There was a discussion about how having the money on hand should reduce the time it takes to begin engineering and construction of the Treatment Facility (Selectperson Viesel made a comment on this very item).

Fred briefly described where the Town stood regarding the lawsuit brought against NH F&G by the Conservation Law Foundation. The idea of dredging the sediment in the river after the treatment plant has been installed will continue to be pursued by the CLF as a separate issue following the October 13-14,2020 trial. Bill described the nature of the sediment and why it needs to be removed to prevent it from collecting in Downing Pond and Lake Winnepesaukee.

Finally, Fred described an action he took as a resident of New Durham, not a member of any committee, with the NH DES, Water Division. Fred had a copy of a 1985 report where the NH DES studied the entire Merrymeeting River System, including inside the hatchery, and found enormous levels of both phosphorus and fecal bacteria being discharged into the river. This study came with a recommendation to investigate the construction of a treatment facility at the hatchery in 1985. Knowing this, Fred contacted a lawyer to see if this knowledge should have required a more stringent approach to the hatchery's National Pollutant Discharge Elimination System (NPDES) Discharge permit over the years by the NH DES. In fact, the NH DES should have not accepted a permit from the EPA which contained NO limit on the discharge of phosphorus. Fred wrote to Stergios Spanos (who signs the 401 certifications for the NH DES) asking him NOT to sign a 401 certification and to take all the new data being submitted into account before accepting the next NPDES Permit. Since this move Fred has heard no more about a meeting with Robert Scott (Commissioner of the NH DES).

Fred called attention to the Stream Buffers webinar series and the upcoming Understanding and Managing Internal Phosphorus Loading seminar-September 30,2020 at 10:30AM. Everyone asked Fred to send the latter to them.

The meeting was adjourned at 7:25PM.

Respectfully submitted,

Fred Quimby, chair