

IN THE MATTER OF

TIMOTHY DOWNING,) REGULATION OF WATER
SMITHFIELD, MERCER, ROME) LEVELS AND MINIMUM
KENNEBEC AND SOMERSET COUNTIES) FLOWS
NORTH POND)
L-30629-36-A-N)

TESTIMONY OF CATHERINE (KATIE) MEIKLE

I am Catherine (Katie) Meikle, the current president of the North Pond Association and therefore represent the owner and operator of the dam on Great Meadow Stream. I have owned waterfront property on North Pond since 1993 and have been a full time resident at that property since 2013. I am submitting this testimony to provide the hearing officer with factual information to assist in the decision making in connection with the above captioned matter.

The physical characteristics of North Pond are detailed in the North Pond (9-Element) Watershed-Based Plan (2024-2033) introduced into evidence by Maine Department of Environmental Protection (DEP-7).

The North Pond Association (NPA) is a non-profit organization of over 155 active members. The NPA holds its Annual Meetings which are open to the public in July or August of each year. Currently the meetings are held in person and via Zoom. Only during the COVID pandemic were the meetings held just via Zoom. The official minutes of the recent NPA Annual Meetings are available on the North Pond Association website at northpondmaine.org. The mission of the NPA is to advocate for the stewardship of the natural environment of North Pond and Little Pond ensuring its sustainability for future generations. The association was formed in 1985 to install a dam on Great Meadow Stream in order to maintain a consistent water level in North Pond. Our goal is to protect and to preserve the water quality for wildlife, shorefront property owners and the public who use the pond.

The NPA manages the Great Meadow Stream dam in such a way to maintain a consistent water level, to minimize erosion of the shoreline, to provide habitat for the wildlife in and on the water while allowing for public access for recreation on the pond which is key to the local economy.

The dam consists of two steel beams. To minimize erosion along the shoreline, the beams are raised to lower the water level around mid-October. The mid-October time frame allows for sufficient water levels in Bog Stream necessary to maintain public right of access via the public boat launch on North Shore Dr. in Smithfield. In the Spring after the ice on the pond is gone, the beams are lowered to allow the water level to rise to what has historically been considered a full pond. There is a measure (see Figure 1) at the dam which is used as a gauge to follow. The current configuration of the dam allows some flow around the ends of the beams and even

under the bottom beam when lowered; however, we have no current means of measuring the rate of flow.

Figure 1 North Pond Dam 6/24/2024 measure at lower left on upright , close up 9/25/2024

One of the three volunteer North Pond Dam Committee members checks the water level at the dam regularly, removes debris and makes changes to the beams based on weather changes and the season. Beams are raised in times of significant rainfall and lowered during periods of drought. Our Dam Committee is mindful that in addition to the full time residents, there are many seasonal camps on the pond. Both make significant contributions to the local economy. Many of these seasonal camps rely on a sufficient water level for domestic use. I have provided some examples of NPA dam reports as evidence that demonstrate that the NPA dam keepers operate the dam in a responsible manner. (see Exhibits A through H)

Exhibit A 2003 Dam Report North Pond Harvey Chesley

Exhibit B September 16, 2004 North Pond Dam Update Harvey Chesley

Exhibit C Dam Report North Pond June 22, 2005

Exhibit D North Pond News Summer 2015 see pg.1

Exhibit E North Pond News Summer 2021 Dam Committee report see pg.4

Exhibit F North Pond Association Dam Report 8/10/21 Rick Watson

Exhibit G North Pond Dam Data 2023-2024

Exhibit H North Pond Association 2023-24 Dam Report Don Schassberger

I will call two witnesses, Rick Watson, former dam keeper and NPA President (2008-2016) and Don Schassberger, current NPA Board member, a year round resident on North Pond and member of the NPA Dam Committee (2023-present) who will testify as to how the dam has been and is currently managed.

(see Exhibits I and J)

Exhibit I Rick Watson Testimony (expect to take 5-10 minutes)

Exhibit J Don Schassberger Testimony (expect to take 5-10 minutes)

The North Pond (9- Element) Watershed- Based Plan (2024-2033) which has been introduced into evidence by Maine Department of Environmental Protection (DEP-7) is a comprehensive 10-year plan that includes scientific studies and conclusions that provide guidance for best practices to manage the health of North Pond. The plan recommends installing an in-situ water-level logger at the dam to document changes in water level over the course of the year; however, changes in the management of the dam on Great Meadow Stream are not part of this plan which was approved by Maine Department of Environmental Protection (DEP) (see Exhibit K).

Exhibit K State of Maine Department of Environmental Protection

NORTH POND WATERSHED-BASED MANAGEMENT PLAN

January 22, 2024 letter of acceptance

Wendy Garland , Director
Division of Environmental Assessment
Bureau of Water Quality

The North Pond Association Board of Directors is currently composed of 12 volunteer NPA members who are elected by the NPA membership. This board in December passed a motion supporting Maine Department of Environmental Protection determining a reasonable minimal flow through the dam and minimum North Pond water level provided there is scientific evidence that shows that the flow and water level would benefit the health of North Pond while taking into account:

- a. importance of being able to regulate flow out of North Pond in periods of drought or high rainfall
- b. if compromised water quality in North Pond would present a risk to water bodies downstream of the dam
- c. what modifications could be reasonably made to the dam to gauge minimum flows and set minimum water level

Respectfully,



Catherine Meikle, NPA President
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My testimony will take approximately 5-10 minutes.

I do hereby attest this submission in entirety and content thereof is true, accurate, and complete to the best of my knowledge.

Catherine Meikle
Signature

Catherine Meikle
Name

1/21/2025
Date

Maine Notary Acknowledgements

State of Maine

County of Somerset

The foregoing instrument was acknowledged before me the 1/21/25,
at Smithfield, Maine by Catherine Meikle
Name Date

to be his/her free act and deed.

Nichole J Clark
Notary Public Signature

Name

Notary Public, State of Maine

My commission expire _____

Date

