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
North Pond Association
PO Box 44
Smithfield, ME 04978
northpondmaine.org
meiklekatie@gmail.com
(207)-615-7025

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 (Date),

at Smithfield, Maine by Catherine Meikle (Name)

to be his/her free act and deed.

Nichole J Clark

Notary Public Signature

NICHOLE J CLARK
NOTARY PUBLIC
State of Maine
My Comm. Expires June 22, 2028

Name

Notary Public, State of Maine

My commission expire_____

Date

Figure 1


18
0
17
1
16
2
15
3
14
4
13
5
Galaxy S21 5G

Exhibit A

2003 Dam Report

The spring of 2003 was a little late in arriving. Official ice out did not take place until April 23 with the water level quite low at the time. After talking with Norm Worth it was decided to put the dam in place to try and save water in case we had a dry spring. The general theory is we can always let water out but hard to make any if the level is low. North Pond has historically had a couple of schools of thought on desired lake levels. Some of our property owners in different areas like the water higher for easier swimming and boat access and other areas like it lower as to have more beach frontage. My feeling is that it's in the best interest in the majority of us and the quality of North Pond to keep the level as close to full as we can and do a few flushings when necessary.

Here is the schedule that I used this past season.

Both beams were lowered April 28, 2003
I opened the dam May 13 and closed it May 16.
Opened the dam May 29 and Closed May 31.
Opened the dam June 8 and closed it June 11.
On July 17th I pulled the top beam for the day.
Again pulled top beam on August 8th.
Pulled the bottom beam on August 9th as East Pond flushing and rain began to rapidly raise water levels on North Pond.
On August 15th I lowered our bottom beam in place and on August 17th I lowered top beam,.
September10th I pulled top beam and on September 25th a pulled lower beam for the season.
By rule NPA shall have dam raised for the season by October but general consensus is to let some water out just after Labor Day(this gives seasonal folks a chance to take boats out) and to have both beams pulled by late September. Water level should be kept low throughout fall and winter to protect docks and shores against damaging fall storms and ice damage.
I've had heard from a few property owners both good and bad, but I do appreciate input so don't be afraid to call anytime.

Respectfully submitted
Harvey Chesley (397-2141)

Exhibit B

September 16, 2004

Cheryl Murdock
North Pond Association

Dear Cheryl and North Pond Association Members,

Here's at quick update from my earlier report.

I flushed the dam (both beams) on July 19th as a large amount of debris had gathered at the dam. The water level continued to slowly rise all summer and was at full lake mark on August 15th so I raised the top beam with Ray Weingarten (sp) as he came over to see what things looked like after the annual meeting and lowered it August17th. With continuing rising waters and a visit from Jerry Tipper to inform us that East Pond was dumping, I pulled he top beam from August again from August 23-30. On September 1 I once again pulled the top beam until September 13th. This has been a little unusually as the water level has risen over the summer, as it has been wetter and cooler than the last few years.

I know we have at least a couple of active beavers and I will check with a friend of PTC to see if he would be interested in any free trapping but either way it will need to be addressed before problems arise. Stay tuned.

New England Paralyzed Vets are holding at fishing derby October 9th at PTC. Have communicated with them the concern of milfoil coming from visiting boats so they are aware of our concern. Will provide boat and man to help pull and store buoys as soon after as possible.

Both beams will be raised for the winter by that weekend. I will be diligent in my inspections for beaver problems. I certainly welcome any questions, concerns or visit. It's a good thing if more people are informed and interested in our dam. If you call first you can drive on camp property and get quite close.

Harvey Chesley
PTC 397-2141

Exhibit C

Dam Report
June 22, 2005

As we all know we had an extremely wet spring, water levels are high all across the state, in my 12 years here at Pine Tree Camp I don't remember seeing levels any higher. I have canoed Great Meadow Stream twice in the past couple of weeks and I was able to get all the way to the bridge/culverts on Pine Tree Camp Road without getting out of the canoe. There is a lot of debris in the stream, at least 6 big trees (all below the dam) that are holding back debris, certainly something that we need to keep an eye on and may well need to be cut and pulled out. The are visible signs of beaver activity including a beaver house near the Pine Tree Camp Road but I didn't see any water being backed up by any of their work. Both beams on the dam are still in the raised position as I think the water level needs to continue to recede before we start holding back any water. I have heard from 4 property owners about the water level in North Pond and have also driven around the pond and it's pretty obvious at places like Sunset Camps that we are still quite high. I would be interested in the boards opinion or ideas as I had official ice out as April 18th and I believe our by-laws state the dam should be lowered as soon after ice-out as possible.

Since the water had been at such a high level I didn't lower the beams until May 19th, which is extremely late for North Pond but as we all know May has been one of the wettest month on record. With the continued high water levels I pulled the upper beam on May 27th and the lower on May 29th. June gave us a slight reprieve so I lowered both beams on the 10th but that didn't last long as the rain came down and I was forced to once again pull both beams on June 12th. After conversations with a number of camp owners I have decided to leave both beams up for an extended period and I will talk with Norm Worth and others before I lower them again.

With this wacky, wet season I have spoken with many more camp owners than the past few years, I appreciate the calls, as I like to know what others are seeing on the pond. Speaking of calls I just received a concerned call today from Shirley Cushman who had a very scary experience yesterday (6-21). Seems she and I friend were kayaking down Great Meadow Stream and her friend who has ahead got pulled up against the raised beams and her kayak rolled upside down, before Shirley could get to her aid she was ejected and her kayak continued on through and below the dam. Her friend was badly shaken but not injured and although Shirley didn't have a solution and was very pleasant she wondering if a least a sign somewhere above the dam should warn of the possible dangers at the dam. Maybe the board has some suggestions, I think it is an unusually situation as the water level is currently only 6-8" below the bottom of the dam, so I'm not sure what the answer is just looking for input.

Looks like everything is set for the North Pond Association annual meeting on July 9th. Camp would certainly welcome any volunteers that want to come a little early and help.

North Pond Association
Protect Preserve Educate
MERCER ~ SMITHFIELD ~ ROME
— Maine —

North Pond News

www.NorthPond.net

Summer 2015

North Pond Association Mission Statement

Our purpose is to support and conduct social, educational, and stewardship efforts to benefit the natural environment of North Pond and Little Pond and all users thereof.

PRESIDENT's MESSAGE

WHERE'D ALL THE WATER GO? !!!

The short version is we've been working on the dam. The longer version is that at the annual meeting in August the members voted to authorize the board to spend up to $3000 to replace the beams on the NPA dam. The used beams donated for use in 1985 had rusted away. We ordered beams and when in they needed to be detailed, lifting loops for raising and lowering fabricated and welded on, new pins to put in the uprights to support the beams when the dam is open, a wider textured surface welded to the top beam to make it easier for the dam tender to cross the dam, priming, painting and so on. Also, coordination of trucking the beams and acquiring the heavy equipment needed to move them once they made it to Smithfield. Access to the dam also involves getting permission from property abutters. The beams are over 30 feet long and weigh about 1000 lbs each. We didn't want to work when the ground was wet in hopes of minimizing any disturbance to their grounds. (This is the long version!) We opened the dam on Columbus day in October with hopes of drawing down the water so we could safely work on completing the beam swap in Nov/Dec. Whenever the beams were finished and darned if we didn't almost make it. The beams were ready and we planned a Saturday work day. Thursday however brought our first snow and it was a whopper! We therefore needed to put the work off until this Spring. May 27th was the day all things came together and the beams were installed. The dam is closed now and any water we have we're keeping. Any water we get, rain, tributaries, East Pond, Boat launch stream, will all help to raise the water level. At this point Mother Nature is in charge. Keep in mind this is where the water level was in the 1980's which prompted the forming of the NPA and repair to the dam site. The original dam dates back to the early 1900's. Thanks for your continued support of the NPA. The dam work could not have taken place without you. P.S. We finished the job under budget. Take comfort in your board always making your contributions stretch as far as we can.

Members, Directors, Volunteers-OH MY!

This is my annual appeal to the membership to please step up and volunteer. You can be on the board. You can work at the boat launch-free training. You could offer to take back the returnables from our bins. YOU ARE NOT too old, too young, too busy, too far away, or any of the myriad of other excuses. We have fun as a board. We only meet a few times a year. The rest of our work is by email or by phone. You will not be asked to do it all. Our golden rule is that if you think of it (the next great idea) you had better have a plan for implementing and sustaining it. It's your baby! Beyond that we keep the ship humming along with input and direction from the members. ⅓ of the board is up for re-election each year. There is always room for a few new board members so SPEAK UP! Contact any board member to join in the fun. OK, there is a little work, but mostly fun.

NPN is FREE!
Take One!

- **NPA is 30!!**
- **Annual Meeting** - Saturday, August 8, 2015, 9:30am-12noon
- **Smithfield's 175th Anniversary Celebration** - July 31, August 1 & August 2
- **PTC Fireworks** - July 11 & August 15

The Grange Corner

The Grange weekly suppers started June 17th. A long standing tradition and part of summer at the lake. Still $8.00 for adults. Kids under 10 $4.00. The Grange hall was professionally cleaned last Fall. New lighting, outside steps, water pump last fall as well. This Spring has brought a new brick chimney and a new sign on the building. The beautiful sign was designed and painted by Grange and NPA member Kevin James. There has been a little more money that has come in for continued work on the grounds surrounding the Grange so look for more beautification this season. I hope to have our "Steps to a Cleaner Lake" completed this season and with a little extra $upport perhap$ purcha$e a $ection or two of dock. There was overwhelming enthusiasm when docks were mentioned as a possibility at the annual meeting last season. Many would have loved to come to the meeting by boat. Additionally, think about the traffic we could generate to see our best management practices if people could pop in while out for a lake cruise. All it takes is money!

In closing, thanks for your continued support.

Best regards, Rick Watson, President of the NPA. Founded in 1985-30 years young!

Bottle & Can Returns -- North Shore Drive in Smithfield has a **Returnables Bin** and the **Help Keep Us Afloat Boat** is parked at Sweet Dreams all summer. Please help us keep our lake invasive free by dropping your bottles and cans off! 100% of the funds pay for Courtesy Boat Inspectors at the boat landing. Help us keep our lake free and clear of invasive plant species!

Exhibit E see pg 4

North Pond Association
Protect Preserve Educate
MERCER ~ SMITHFIELD ~ ROME
— Maine —

North Pond News

Website > www.NorthPondMaine.org< Find us on FB! Summer 2021

CHECK THIS OUT!

North Pond Association Mission Statement:

Our purpose is to support and conduct social, educational, and stewardship efforts to benefit the natural environment of North Pond and Little Pond and all users thereof.

President's Message

Close your eyes. Take a deep breath. Release it. WELCOME BACK! The NPA has continued to stay busy meeting once a month online in preparation of the work ahead. The NPA is proud to be spearheading the North Pond Restoration and Preservation efforts. With your help, each and every one of you, we will meet our goals. Outreach is at an all time high from the NPA to YOU. The Outreach Committee has been hard at work laying the groundwork for what is yet to come. Thank you to everyone on the committee!

I am sure everyone has noticed the increase in boating traffic, PWCs (jetskis), kayaks, canoes, paddle boards etc. on North and Little Ponds, the same goes for every lake in Maine. The recent scuba diver and boater accident in the news has thrust the importance of Boater Education into the spotlight. We have listed FREE online boater safety courses inside NPN. Have the family, your friends, sit with you to go over the rules & laws so you all KNOW BEFORE YOU GO. Stay safe out there and look out for your fellow lake lovers.

It is the NPA's vision to increase our membership to 100%. With only about ⅓ of those on the lake as members, we believe we can do it! Help us help you and our lake.

The NPA has 2 additional LakeSmart Screeners in training and Ed Glasheen is looking for more appointments! Cruising around the lake it is noticeable how many of you are participating in "letting it grow," meaning your buffers on the shoreline are looking lush! If you look at your shoreline and see bare soil or steep slopes where water can run straight into the lake, give the Youth Conservation Corps a call or Ed Glasheen. They will all give you practical ideas how you can improve your waterfront while beautifying it. Keep up the great work and keep adding to your buffer! Have a happy and safe summer!

All my best,
Jodie Mosher-Towle, NPA President

UPCOMING NPA EVENTS!

Text

Are You Buff Enough? Get LakeSmart Workshop - VIRTUAL - **Saturday, July 10, 9-11am*

**Loon Count - Saturday, July 17, 2021 7am-7:30am*

ANNUAL MEETING - Virtual - **Tuesday, August 10, 7-8pm*

Invasive Plant Patrol - **Thursday, August 12 8am Boat Launch*

WBMP

North Pond Association Receives Conditional Award from Maine DEP to Develop a Watershed-Based Management Plan!

NPA teamed up with Kennebec County Soil & Water Conservation District (KCSWCD) and 7 Lakes Alliance to submit a 604(b) planning grant application to Maine DEP in April to develop a Watershed-Based Management Plan (WBMP) for North Pond. The grant request of $45,363 **received the evaluation team's highest ranking**, and resulted in a conditional award from Maine DEP in May. An additional $4,237 in grant funds has

since been allocated to the project. The project is anticipated to begin in January 2022 and end in December 2023.

The project's seven primary tasks include:

1) Water quality monitoring and in-lake assessment led by 7 Lakes Alliance, sediment analysis by Colby College, and an updated bathymetric map led by NPA;

2) A Water quality analysis led by 7 Lakes Alliance that will examine trends in the short (5-10 years)- and long-term data (50 years).

3) Watershed assessments including a septic vulnerability analysis and septic survey led by 7 Lakes and Colby, and a field survey to assess current impacts from developed and agricultural land;

4) Watershed modeling and internal loading analysis led by project consultants including a land-cover update and a review of available data to quantify internal recycling of phosphorus from bottom sediments and for making recommendations for restoring the water quality in North Pond;

5) A Municipal ordinance review led by the Kennebec Valley Council of Governments (KVCOG) in cooperation with the towns of Rome, Smithfield and Mercer to help review existing ordinances, prepare a report of the findings, and meet with town officials to present the results.

6) Stakeholder Engagement & Public Outreach will be directed by a project consultant and include development of a Steering Committee and Technical Advisory Committee to guide the planning process, as well as a public meeting and various other types of outreach throughout the project period.

7) A Watershed-Based Management Plan will be developed outlining actions needed to restore water quality in North Pond over a 10-year planning period. The plan will include a detailed action plan with associated costs and a timeline for each action. The plan is a requirement for applying for federal grants to restore water quality for impaired lakes in Maine.

Submitted by - Jen Jesperson - EcoInstincts

Annual Loon Count

July 17, 2021

It always takes place on the 3rd Saturday in July from 7am -7:30am. There is nothing like the calm of the Loon Count morning in anticipation of how many will be counted!

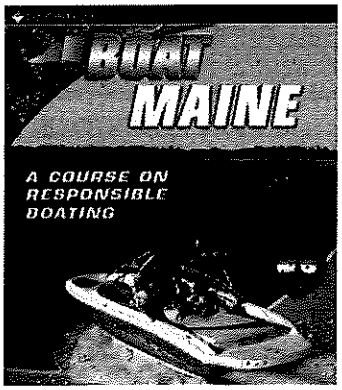
If you would like to participate in the Maine Audubon Annual Loon Count on North Pond, please contact Louise Proulx for your map by calling 207-362-5120.

NEW Signage to Keep YOU Informed

Keep your eyes out for our new signs! The NPA board has placed signs outside of Tri-Pond Variety and at the Smithfield Fire Station to notify lake dwellers of the current water quality throughout the summer months. Working with Lake Scientist Dr. Danielle Wain of 7 Lakes Alliance the signs will be updated on a weekly basis based on current water quality measurements. The measurements are collected using a Secchi disk, which is a weighted disk that is lowered into the water to determine how deep the sunlight can penetrate into the water. A high amount of sediment or algae results in a lower Secchi disk reading, indicating deteriorating or poor water quality. Our latest Secchi disk reading on June 22nd was calculated to be 13 feet, designating our current water quality as good. These are the water quality parameters that have been created with Dr. Wain:

Secchi disk reading of
13 feet or greater: Good
13-10 feet: Fair
10-7 feet: Poor
7-3 feet: Algal Bloom
<3 feet: Potentially Toxic Algal Bloom

Danger On and Under the Water



A recent boating accident on North Pond, which could have been preventable with proper knowledge of boating laws, rules and regulations, has prompted these links to be published in the NPN. Check these sites out and get refreshed!

https://www.maine.gov/ifw/docs/maine-boating-laws.pdf
https://www.maine.gov/ifw/programs-resources/educational-programs/safety-courses/boating-safety.html

Online Boating Courses

BoatUS Foundation Online Course, America's Boating Education Course, Paddlesports Safety Online

SPEED REGULATIONS - "Water Safety Zone" or "No Wake Zone", a watercraft may not be operated at a speed greater than "Headway Speed" within 200 feet of the shoreline of a mainland or island. "Headway Speed" is defined as the minimum speed necessary to maintain steerage and control of the watercraft while the craft is moving. There is an exception to this "No Wake Zone" in that a watercraft may enter this zone to pick up or drop off a water skier. However, in doing so, it is the responsibility of the operator not to endanger any person or property. Be mindful of the wake that is generated by your boat with wildlife in the area as well.

DID YOU KNOW... *A boat towing at slow speeds creates the most wake that can cause shoreline erosion and propeller wash that causes scouring, sediment and destruction of aquatic life which factor to murky water and high phosphorus (30 ppb) like we observed in North Pond in April 2020.

NoPo ICE OUT

APRIL 2, 2021

LakeSmart- what is it??

(Oh, we know you are "WICKED SMAHT," but here is how to become WICKED LAKESMAHT!)

As we roll into the summer season and more time on the lake, we want to make everyone aware that we now have 3 LakeSmart evaluators who are actively looking for more properties to evaluate. The group has completed 5 evaluations to date and would like to keep helping lake owners looking for ways to make their properties LakeSmart. So what does LakeSmart mean?? It's a process to look at your properties, looking at "best management practices," which identify areas on your property that you could improve to redirect and reduce the direct impact of your property to the ecology of North Pond. Examples of small projects that you can easily do on your own would be adding drip trenches below your roof line on the ground, adding flowers and shrub gardens (raingardens) to catch water runoff, adding some bark mulch or an improved porous paver walkway or infiltration steps. All of these "practices" work to stop direct water runoff into the lake by either redirecting, slowing down or filtering it which reduces the detrimental elements from entering. Elements like phosphorus, a major contributor to algae blooms on the lake. If you would like to schedule a LakeSmart evaluation, call Ed at 399-6211 and schedule an evaluation. You can make a difference and we are here to help you with some ideas! Read on to join in a workshop. - LakeSmart Evaluator for NPA, Ed Glasheen

7th Annual
Are You Buff Enough?
Get LakeSmart!
Workshop

The 7th annual workshop will be held virtually again this summer...here is the link and QRcode for your registration convenience thanks to

www.lakes.me for assisting us with our virtual efforts! Register here:
>>>https://us02web.zoom.us/webinar/register/WN_cSI0wSXOQ3eXdACgcely8Q <<<
Get ready to "Buff up!" at the 7th Annual Are You Buff Enough? Get LakeSmart Workshop! This virtual event is presented by the North Pond Association in collaboration with Friends of Messalonskee, Belgrade Lakes Association, McGrath Pond-Salmon Lake Association and East Pond Association. Learn about LakeSmart, a homeowner education and reward program encouraging lake-friendly landscaping, and other lake-friendly practices. View projects, hear from keynote speaker, Charlie Baeder, see mini BMP videos and much more at the 7th Annual "Buff Enough" workshop, presented via Zoom on July 10, 2021, 9am-11am.
*****If you are a North Pond-er, you must also sign in at northpondmaine @ gmail.com if you would like to qualify for a Watershed Financial Award (WFA) - receive up to $150 back by attending the workshop and making improvements to your property as a result. Simply keep track of your efforts then show us receipts and you can get up to $150 back in your pocket! (Must have camp on North Pond to qualify.)

Dam Committee Report

The dam was lowered on March 25 by members of the dam committee. The dam is regularly cleared of debris by hand or with a rake. No Trespassing signs have been affixed to the posts of the dam. This a reminder to all that the dam and 10 square feet on either side, is owned by the North Pond Association and access is granted only to those with permission from the NPA Board. This spring a lock was installed to deter tampering of the beams. Since the installation, there have been no reports of tampering. We are most thankful for the dam committee and all of the work that they are doing. If you have any questions, please contact Rick Stuart, NPA Board contact for the dam, at rstuart23@gmail.com.

319 Grant NEWS

Phase II of 319 Grant Projects on North and Little Ponds are ongoing and some are already completed. **Thank you to Charlie Baeder** for being the point person, coordinator and overseer for the NPA!

NPA's President Makes Cut to Compete for Cash

Can You Survive?

NPA's outgoing president, Jodie Mosher-Towle, hopes to raise awareness and funds as her term as president comes to an end in August. She will compete in a four day version of the television show "Survivor" called ***Can You Survive?*** She will "survive" the elements, compete in challenges, and vote others out all while playing for the charity of her choice which is the **NPA's Restoration and Preservation Fund! The winner is guaranteed $1000 toward their charity.** The **more extra money raised**, the more donations given to the charities of second place, third place, fourth place and so on. She loves a good challenge and the opportunity to also raise awareness of the plight of so many lakes in our watershed and across the state of Maine who are struggling with similar issues like the nuisance algae blooms makes her a fierce competitor. Help her raise $$ and awareness and especially to get her pumped up to win!
There are 3 ways to donate:
Venmo: @canyousurvive
PayPal: https://www.paypal.me/canyousurvive
GoFundMe: https//gofund.me/57f1c9bc
Type: *Team Jodie* in the memo/comment section so your contributions help her win immunity in the first round of the game. She thanks everyone for cheering her on. The entire event will be ~live streamed~ to **Can You Survive? - Charity Event** Facebook page. So go on FB and LIKE the page now so you don't forget! We wish Jodie the best of luck!

Invasive Plant Patrollers Wanted

IPP is taking place, August 12 8am with RAINDATE - Friday, August 13. Meet at the North Pond Boat Launch. Reach out to Kelly at (603) 325-3067 or kellnh@comcast.net FMI

Exhibit F

NPA Dam Report 8/10/21

This summary is comprised of a report shared by:

> ~Rick Watson, former dam keeper, long time former board member, former president of the NPA for 10 years

The dam is doing what it is designed to do, hold back up to 2 feet of water.

- Sometimes opened on occasion throughout the summer to flush debris away.
- As a result of the dam now being checked regularly with debris being removed, there is not a build up of debris that needs to be removed through the opening of the dam.

The lake is a little under 3000 acres with a max depth of between 17 and 20 feet depending on the source.

- Completely opening the dam and lowering by the maximum of up to 2 feet will not accomplish any sort of flushing action.
- Past studies of the shape of the bottom of the lake showed 4% of the lake's volume of water would be affected leaving 96% of the lake unaffected.

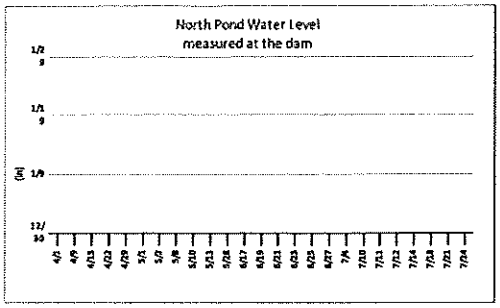
Dr. Whitney King, Colby College professor and all-around water quality expert, stated at one NPA meeting in the past that our lake flushes on a 2-1/2-to-3-year cycle, so the issue is not flow, but dirty water in the lake.

- A local example: East Pond would similarly be green each summer as they close their dam to maintain their water level as well, but they raised funds as a lake community and cleaned up their water and their lake is clear. They had algae blooms for 25 or more years, therefore not a water flow issue.
- An analogy: If your kitchen has a double sink and in one side you clean it and add clean water and on the other side you wash your dirty dishes and walk away, what will each look like in a week? 1 side will be clear, and the other side will be nasty. Now what effect would taking an inch or two of water out of both sides have? None. The issue is the quality of the water currently in the lake.

Exhibit G

2023-24

Date	Dam level N. Pond	Dam beams lowered	Rainfall since last reading (in)	Comments
4/1	6	1		bottom beam lowered
4/9	9	1	0.95	
4/15	9.5	1	0	ice out
4/22	14	2	0.55	reading before dropping beam
4/29	18	2	0.86	
5/1	25	1	4.43	beam raised due to rain/flooding
5/2	27	1	0.13	water too high to raise bottom beam
5/8	25	0	0	bottom beam raised
5/10	21	0	0	
5/13	18.5	0	0	
5/28	15	2	2.32	top beam lowered
6/17	18.2	1	3.01	top beam raised
6/19	17.75	1	1.4	
6/21	17.75	1	0.2	
6/23	16.75	1	0	
6/25	16.25	1	0.21	
6/27	15.5	1	0.38	
7/4	16.25	1	1.7	
7/10	12.75	1	0	
7/11	12.75	1	0.25	
7/12	12.5	1	0	
7/14	11.5	1	0.4	
7/18	11.75	1	1.05	
7/21	10.5	1	0	
7/24	10	1	0.03	
29-Jul	10	2		top beam lowered 7/25
8/7	9	2		
8/9	16.5	2		2+ inches of rain
8/11	18.5	1		top beam raised
8/22	11	2		top beam lowered
8/28	15.25	2		
9/6	15	1		top beam raised
9/21	8.5	2		top beam lowered
10/5	14	1		top beam raised
10/17	10.75			
11/17		2		
4/29				top beam lowered
5/4	11.5	1		
5/10	14.75	2		one side raised 1"
5/20	15.5	2		
5/26	14.5	2		2" spacer
6/1	15.75	2		
6/10	14.75	2		
6/12	15.5	2		
6/24	16.25	1		upper beam raised wirh 6" spacer level then read 13.75"
6/25	14.5	1		
6/27	12.75	1		upper beeam still raised
6/29	11.5	1		upper beam still up 6", level 13.5"
		2		top beam lower at some point
7/10	13.5	1		top beam raised, 11.0 after raising beam
7/12	11.5	1		
7/16	16	2		1" gap between beams
7/25	16	2		1" gap
7/30	15	2		1" gap
8/4	15	2		1" gap
8/9	15	1		top beam raised
8/14	12.75	1		top beam up
8/15	13	1		top beam up
8/18	12.5	1		
8/25	11.25	1		top beam lower with 1" gap, 13.5" after lowering beam
8/28	13.5			
9/3	13	1		1" gap
9/9	12	1		
9/13	12	1		1" gap
9/19	11.75	1		1" gap
9/21	11.5	1		
9/30	12.5"	2		
10/15				Both beams raised



one inch ~ 60M gals
1.6 cfs = 450 gpm = 648k gals day
@ 1.6cfs = 13 wks for an inch reduction

14.6cfs= 6552 gpm
= 0.908416! wk/inch

Exhibit H

2023-24 Dam Report Don Schassberger

The North Pond Association Dam Committee has consisted of Board Members Don Schassberger and Eric Brown as well as NPA member Mike Sullivan for the past year and a half. Since the three of us have been working together one of the things we have been focusing on is tracking the measurement on the meter stick beside the dam. We have been keeping accurate records of the lake level with the goal of trying to figure out the best reading for the lake.

Of course the weather is really what determines when the dam is opened or when the dam is closed. As you may remember the severe storms of October 2023 flooded all of the lakes in the central Maine area. This stretch of rain, combined with the fact that the dam in Belgrade under rt. 27 was under restoration construction, created some difficulty with lake levels during that time.

The water was very low in September last year so we lowered both beams on September 28th. Then the top beam was raised on October 6th and word downstream was that Great Pond's Dam construction was not finished yet and Long Pond was 7 inches above full pond status so we waited to fully open the dam. On October 25th we went to raise the bottom beam to fully open the dam but the amount of water rushing over the lower beam made it too dangerous to attempt to raise it. So for a number of reasons we were not able to fully open the dam last fall until Nov. 17th. This is basically 1 month after the normal drawdown date which over the years has been sometime around October 15th. There was just too much water and we were trying to be conscious of the dam construction in Belgrade. Both beams strayed open during the winter.

As spring rolled around, April 26th 2024 we learned that East Pond closed half of their dam and so we dropped the lower beam on April 28th and then dropped the top beam on May 4th. There is a small gap between the two beams so there is always a little water flow out of the lake. We then monitored weather events over the summer and raised the top beam once on June 24th only to lower it again on July 2nd. On July 10th the top beam was raised once more and we left a one inch gap between the beams for extra flow.

The dam is checked once or twice a week from "ice out" in the Spring until late October. Each time, any debris is removed that might interfere with flow or operation of the dam. Throughout July and early August the water level varied according to the yardstick marker at the dam between 11.25 and 16 inches. The upper beam was raised or lowered depending on rainfall and water levels. Generally, a 1 inch gap between the beams was maintained throughout August allowing for a constant flow through the dam. The water level ranged from 11.25 to 13 inches during this time frame. This 1 inch gap was maintained until September 25 when the upper beam was lowered to maintain a higher water level to allow the remaining boats on the lake easier access to the boat launch. On October 14 both beams were raised for the winter. Significant debris was removed downstream from the lower beam. On October 29 the water level was at 0 inches on the yardstick.

Each time a change occurs at the dam we notify Nicky at the Smithfield Town Office, the Mercer Town Office and the RomeTown Office and the greater community on the NPA Facebook page.

Exhibit I

The North Pond Dam

The dam on the outlet of North Pond was installed after 2 particularly dry/drought years in 1983 and '84. Those years brought bare ground on much of the Smithfield or more shallow side of the lake. Lakefront owners like me were not able to use the lake. In my instance there was an area roughly the size of a football field that was expose mucky lake bottom. A haven for ducks and geese. The smell was horrific. I would have had to walk through it to get to water. A group got together to form The North Pond Association to install a dam on the site of a former dam dating to the 1920's. Their goal was to regulate the level of water in efforts to keeping it at a constant level. Bill Grove a retired Engineer and Land Agent for the Union Water Power Company offered his services to Engineer the dam. Permits were applied for and the work began and was completed in 1987 using local volunteer help (and used beams that I believe Cianbro donated.) While designed to maintain a certain level of water in the lake, the dam was also designed to leak. Water leaks under the bottom beam by the splashboard and around the ends of the beam. It also leaks between the two beams. Bill was the original dam keeper and checked the dam often, sometimes daily to check the level, remove any debris and generally keep an eye on it. It was opened for winter draw down on Labor Day weekend and closed a few weeks after ice out, typically early May. It was then opened as needed throughout the summer for flushing debris or if excessive rain caused high water in the lake. At that time East Pond opened and closed their dam without notifying North Pond.

Not much has changed from that original formula. Lake residents and tournament fishermen at some point asked to keep the summer level until Columbus Day weekend and that change was made. The East Pond Association started communicating their opening and closing while I was president of the NPA and that continues.

There have been a number of dam keepers through the 40 years. Harvey Chesley of Pine Tree Camp and I shared the duties from probably 2005-2015. He enjoyed a walk to the dam as a part of his Pine Tree Camp job as Facilities Manager. I'd fill in as needed or vacations etc. I believe Norman Worth was dam keeper before Harvey. Norman lived on the lake, was retired and enjoyed checking the dam regularly.

In around 2015 the used beams were showing their age and the NPA had a steel company come give an opinion on structural condition and it was decided to replace the two horizontal beams due to rust. The NPA had always put money away for the eventual replacement of the dam and new beams were ordered. I believe they are approx.. 30' long X 1' tall with an 8" top. We coated them with an industrial primer and a VOC compliant industrial coating adding an anti-slip to the top beam where the dam keeper walks from one side of the dam to the other. Rick Labbe Construction offered an operator and an Excavator to swap out the old beams for new. Louise Proulx, NPA treasurer, Labbe's man and I completed the swap in about an hour. In addition to the anti-slip a horizontal cable was attached to the uprights as a way to give the dam keeper a safer way to go from side to side when crossing.

These methods of dam keeping have been relayed from keeper to keeper through the years without much change. Close a couple weeks after ice out in May and open for winter draw down on Columbus Day weekend allowing free passage for water, wildlife or fish roughly. ½ of the year and an attempt to maintain the level the other half, opening when high water and keeping closed in stretches of dry weather. (except for occasional opening for debris removal). Respectfully submitted, Rick Watson, past president of the NPA.

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

Rick D. Watson — Signature

Rick D. Watson — 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, Date

at Smithfield, Maine by Rick D Watson, Name

to be his/her free act and deed.

Nichole J Clark

Notary Public Signature

NICHOLE J CLARK
NOTARY PUBLIC
State of Maine
My Comm. Expires June 22, 2028

Name

Notary Public, State of Maine

My commission expire_____

Date

Exhibit J

Jan. 10, 2025

Good morning,
My name is Don Schassberger. I am a board member of the North Pond Association and the NPA Dam Committee. The NPA Dam Committee consists of one other board member, Eric Brown, and a lake front property volunteer, Mike Sullivan. Decisions regarding the dam management are made by the NPA Dam Committee with input from East Pond and Great Pond dam committees as well as community members and 7 Lakes.

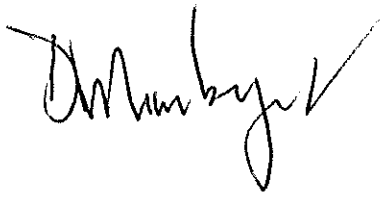
Decisions regarding raising and lowering the dam beams are based on historical data, rainfall, predicted weather patterns and information from the upstream East Pond dam committee. Occasionally, water levels are adjusted based on the needs of Great Pond. The goal of the NPA Dam Committee is to maintain a consistent water level, realizing some lakefront property owners want high water levels to optimize water recreation and others want low water levels to optimize beach front property. We use a measuring gauge on the dam to keep the water level reasonably consistent. This level is checked once or twice a week depending on weather conditions. The dam beams are lowered each spring shortly after ice out to raise the water level back to summer norms and raised each October to lower the water level to help prevent erosion from winter ice. The beams are regularly adjusted throughout the summer season based on rainfall.

The NPA dam consists of two horizontal 30 foot steel beams 12 inches in height. These beams are raised(to release water) and lowered(to retain water) with hand operated chain come-alongs. Depending on water levels, spacers are sometimes placed between the beams to adjust water flow.

There are NO means of measuring the actual water flowing through the dam. Debris accumulating in the dam beams is cleaned regularly by members of the dam committee. For the last several years measurements on water levels have been kept by the dam committee.

Thank you for allowing me to present at this hearing.

Don Schassberger



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

Signature | Donald Schassberger (Name) | 1-21-25 (Date)

Maine Notary Acknowledgements

State of Maine

County of Somerset

The foregoing instrument was acknowledged before me the 1/21/25 (Date),

at Smithfield, Maine by Donald Schassberger (Name)

to be his/her free act and deed.

Nichole J Clark

Notary Public Signature

Name

NICHOLE J CLARK
NOTARY PUBLIC
State of Maine
My Comm. Expires June 22, 2028

Notary Public, State of Maine
My commission expire_____
Date

Exhibit K

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
GOVERNOR

MELANIE LOYZIM
COMMISSIONER

January 22, 2024

Dale Finseth, Executive Director
Kennebec County Soil and Water Conservation District
2305 North Belfast Avenue
Augusta ME 04330

Dear Dale,

This letter acknowledges DEP acceptance of the North Pond Watershed-based Management Plan as an approved Nine Element plan for protection. The plan is well written and provides a thorough overview of current conditions and a clear action plan for restoring water quality in North Pond. This plan fulfills the prerequisite to be eligible to apply for a Nonpoint Source Pollution Control Project Watershed-based Plan implementation grant.

Congratulations to KCSWCD and Ecological Instincts for completing the work necessary to produce this plan. We wish you success with implementation of the plan and look forward to continuing to work with you to restore the water quality of North Pond.

Sincerely,

Wendy Garland

Wendy Garland

Director, Division of Environmental Assessment
Bureau of Water Quality

cc: Alex Wong, DEP
Greg Beane, DEP
Jen Jespersen, Ecological Instincts

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

website: www.maine.gov/dep