



Lake Anasagunticook Association Newsletter

Volume 9: April 2003

President's Corner

Spring took a long time arriving this year and we learned to expect the unexpected this winter. In addition to being a year with much snow, there was much news on the IAA email network. Please read this issue thoroughly to learn of the events taking place over the winter. Our main concern was the dam and water levels. I would like to thank those who have been working to find solutions to these issues; in particular, Joe Cloonan, Judy Hamilton and Mike Ranhoff. In addition, I urge everyone to attend the annual meeting on Sunday, August 10, at the Canton Municipal Building. There will be some tough decisions to be made and your ideas will be needed as well as your vote.

A meeting of officers and directors will be held on Saturday evening, August 2, a week before the annual meeting. If you are in either of these groups, please circle this date on your calendar. This meeting is very important for planning the annual meeting and nominating officers, and everyone's input helps. If you cannot be there on this date, please email me <redpolls@global2000.net> or write 284 Josh Hall Pond Rd., Petersburgh, NY 12138. If there are too many who cannot attend, we will change the date.

Three sites still remain where more work can be done under our BMP erosion control project. 1) the Route 140 beach parking area, to be done by MDOT; 2) Godding Road, to be finished by the town of Hartford; and 3) Church Street, where it crosses Thompson Brook, also a possible joint project with Hartford. All are in different stages of planning. In addition to these, there should be one more workshop. Jeff Stern has suggested that it focus on the use of a "forerunner" to shape a gravel road. We need to be involved in these, especially the workshop. We need a good turnout, not just the old reliable few. The purpose of the BMP project has been to correct certain problems, but more, to demonstrate HOW to deal with erosion, so that we can continue to protect the lake from erosion. And the future starts now!

Although there are serious issues, there are fun and games in our plans as well. Lake Days (August 9) before the annual meeting (August 10), will be a week later than past years. We will begin to gather at the Hartford Beach about 11 a.m. A raffle of prize contributions (yours is appreciated) will raise funds for LAA projects. Lake Days committee plans to have new and exciting games, an opportunity to meet neighbors and friends, and, of course, the 3rd Annual Priscilla Brown Regatta, open to anything that floats and is driven by wind power. And finally, the Annual Golf Tournament held on Lake Days weekend - watch for the announcement of date, time and place!

In summary, let's plan on a year of fun and accomplishment for the benefit of our lake. I'm looking forward to seeing you all! Here's to a successful year when we all pitch in! Jack Atwater, President

Record Membership in 2002

One hundred ten families in the watershed were paid members of the lake association for 2002. So far this year there are 55. Let's see if we can break the record again in 2003. Send in your dues and help us by financially supporting the efforts and projects that protect the lake.

Note from the Editor

Send me your notes and ads (got property in the watershed to sell). I'd like to include them in the L.A.A. Newsletter.

Thanks! Judy Hamilton jhamilton@andover.edu or 39 Salem St. Andover, MA 01810 (to June 1)

Notes from L.A.A. Members:

Though I no longer live in Canton, I shall always have wonderful memories of my summers there and, later after marrying Conrad, of our living there. A great deal of my memories include lake activities: the building of the island by my father-in-law in which my husband, then in his teenage year, was also involved. The riding of the aquaplane (an old single board, sort of like a broad water ski) behind the ChrisCraft. The many moonlight canoe rides; the ice-boat rides and skating parties with stops at the island for

warming up over hot chocolate; watching the last ice block harvesting--and so many other wonderful memories.

Because of these memories, I am so glad that your association is doing such a wonderful job of protecting and nurturing the lake and its creatures.

And three cheers for bringing back its real name. All the years it was called Cantan Lake. I corrected speakers and even wrote a letter to the Lewiston paper encouraging them to use the lovely Indian name - Anasagunticook.

Sincerely, Adelaide Ray - November 13, 2002

Hi there! The ice is going out fast, I would guess a couple more days and it will be gone. This morning I heard Canadian Geese then was surprised to hear a Loon call twice. Got my first Tick of the year walking in the woods.

Buzz Croston - April 22, 2003

Well, despite the mud and the thin coating of ice upon the lake, spring has finally come to Canton Lake. Jack and I were taking our daily walk along the shore taking mental notes of the prints in the mud. We have spotted an increase in deer and for the first time what we believe to be wild turkey (three long toes like a chicken only much larger). We have heard the owl hooting at night and the beginning chirps of the peepers.

We have seen the ducks landing on the lake in their northward flight but the greatest thing we have seen to date were the eagles. I say eagles because there were three of them flying high over the lake and our house. Two large, apparently adults, and one smaller we believe to be a youngster. The largest of the three flew low enough for us to note its beautiful white head. With all of the fantastic things we have seen and heard in the 16 years we have been on the lake, the eagles are by far the most wondrous and beautiful of them all.

Gloria Rains - April 22, 2003

Water Level Management Plan Revised August 30, 1996

During the summer of 1996, the lake experienced extremely high water levels. After many complaints to DEP, meetings and further investigations, the dam owner admitted that he had scabbed boards to the bottom of two of the gates in an attempt to repair them. The following comes from Dana Murch's (DEP Dams & Hydro Supervisory) letter of 9/3/96 to dam owner, Ray Fortier.

"My measurements at the dam showed that a board 10 inches high has been scabbed onto the bottom of the two old spillway gates. ... The effect of the addition of these boards has been to raise the top of the gates by 10 inches, as referenced to the height of the gates at the time of the State Soil and Water conservation Commission's 1978 water level order.... "

The following is a copy of the Lake Anasagunticook (Canton) Lake Water Level Management Plan/Revised August 30, 1996.

The purpose of this plan is to explain how the Anasagunticook (Canton) Lake Dam will be operated to comply with the State Soil and Water Conservation Commission's September 13, 1978 water level order. This order will be enforced by the Department of Environmental Protection.

November 1 to Ice-In (Fall Drawdown Period)

On or about November 1, the four spillway gates will be opened to draw the lake down to its natural water level (a sill at the natural outlet of the lake limits the drawdown of the lake to a maximum of about 3 1/2 feet). The drawdown will occur as gradually and consistently as possible, with the goal of being completed by ice-in.



April 21, 2003- First two gates were closed

Ice-In to April 15 (Winter Period)

After the fall drawdown has been completed, the spillway gates will be left open and clear of the water. This will ensure the gates do not freeze in place during the winter and will preserve the flood control capacity of the lake through the winter months and into the spring run-off season. The lake will rise above and fall back to its natural level during this period as a result of rainfall and snow melt.

April 15 to May 15 (Spring Re-fill Period, Phase I)

On or about April 15, two of the four spillway gates will be closed. On or about May 1, the remaining two spillway gates will be closed to start re-filling the lake to an interim target level at Mark 19 on the staff gauge at the dam (located immediately upstream of the spillway gates on the Route 140 side of the dam, with numbered 3-inch wide bands or marks). Until May 15, gates will be opened as necessary to keep the water level from staying above the interim target level. This will ensure that some storage capacity remains in the lake to handle substantial rains.

May 15 to June 1 Spring Refill, Phase II)

On or about May 15, and when the threat of substantial flooding appears to be passed, all four spillway gates will be closed to refill the lake to its final target level at Mark 23 2/3 on the staff gauge at the dam. The final target level corresponds to the point 15 inches below the top of the old spillway gates and 21 inches below the top of the rebuilt spillway gates. This level corresponds to 5 inches below the top of the gates as they existed at the time of the 1978 water level order.

June 1 to November 1 (Summer/Fall Period)

Between June 1 and November 1, the water level of the lake will be managed to be as close as possible to, without exceeding, the final target level at Mark 23 2/3 on the staff gauge next to the dam. The timbers on top of the sluice gate (which controls flow through the old powerhouse pit) will be removed so that the top of this gate is no higher than the final target level. This will allow some degree of self-regulation of water levels at the target level. Whenever heavy rains are expected or the lake is rising above the target level, one or more gates will be opened as much as necessary to bring the lake back down to the target level as quickly as possible.

During dry years, the lake will unavoidably drop below the target level due to evaporation, leakage through the dam, and water level withdrawals by the Canton Water District.

Consent Order of 1998 (Superior Court Civil Action docket No. CV-97-55 ; State of Maine Oxford, SS.

By verified Complaint for Injunctive Relief dated June 30, 1997, the Inhabitants of the Town of Canton (hereinafter "Canton") commenced this action against Raymond Fortier

(hereinafter "Fortier"). The action is a code enforcement action, and Canton alleged violations of the Shoreland Zoning Ordinance for the municipality of Canton consisting of building a masonry structure with 25 feet of the high water mark of Canton Lake; locating a trailer within 25 feet of the high water mark of Canton Lake; and cutting vegetation along the banks of Canton Lake. Canton received a Temporary Restraining Order on June 30, 1997, and an expanded Temporary Restraining Order by agreement February 23, 1998. Fortier contests some of the Town's allegations, but the parties are desirous of resolving the matter without further litigation.

Since the date of the Complaint, June 30, 1997, Fortier has engaged in no further construction on the masonry structure. In addition, in relation to the trailer, Fortier has applied for and received a permit to relocate the trailer out of the 25-foot buffer strip, and the relocation has been accomplished. The parties have presented this Consent Order to the court to complete the resolution of the balance of this lawsuit.

Fortier has plans to implement those items enumerated in a report by MBP consulting, Portland, Maine to the Maine Emergency Management Agency, dated August, 1997, which is incorporated herein by reference. Relevant to the Shoreland Zoning Ordinance for the municipality of Canton, the report recommends that Fortier obtain the services of a registered professional engineer, and implement the following corrective measures to the dam, which will hereinafter be referred to as the "Project":

1. Rehabilitate the gated spillway including the areas of deteriorated concrete and corroded steel guides in the gate slots.
2. Rehabilitate the abandoned power intake including the areas of deteriorated concrete in the penstock walls.
3. Rehabilitate the approach channel including the placement of rip rap on the slopes of the east and west earthen dikes.
4. Repair a void in the downstream stone wall of the west dike and deteriorated concrete in the retaining and training walls of the approach channel, spillway apron, and downstream channel.
5. Cut and remove trees, brush and tall grass from the approach channel slopes and at the area of the abandoned tail race.

The parties represent to the Court that the following points have been agreed to, for inclusion in the Consent Order:

1. The case can be dismissed without prejudice and without costs to either party.
2. Fortier will obtain a registered professional engineer to prepare and approve, or review and approve work of others, for each aspect of the Project.
3. Fortier will apply for and obtain any required federal, state or local permit before commencing any portions of the Project requiring permits.
4. Fortier will comply with any administrative orders related to the dam, the existing one being the Lake Anasagunticook (Canton) Lake Water Level Management Plan, dated August 30, 1996.
5. Canton agrees to review any applications for local permits in good faith within the parameters of its ordinances.
6. Canton withdraws its claims for civil penalties or attorney fees, but does not waive them should this Order be violated.
7. Canton agrees that after completion of the Project, the Project does not require additional permits for ongoing maintenance. The parties agree however that new items such as the installation of a turbine require certain federal, state or local permits.

Alliance Formed to Find Dam Solutions

A presentation was made in November to interested parties including representatives from Canton and Hartford Selectmen, the Water District and the Lake Anasagunticook Association (L.A.A.). The objectives of the meeting were to form an alliance of stakeholders (Towns of Canton and Hartford, the Water District, the L.A.A.) "Alliance", to develop a plan of action to ensure compliance with the 1996 revised Water Level Management Plan and reduce the risk of loss of life and property damage if the dam should fail.

The plan of action included a short-term goal to get the dam repaired before the summer of 2003 to prevent the water loss and potential damage to the lake experienced last year. The owner has declined offers to repair the dam for free. Hopefully, the Alliance can enforce the existing Consent Order and obtain permission to get the dam repaired. The long-term solution may be to have the dam owned and operated by a member(s) of the Alliance.

Members of the lake association attended Canton and Hartford Selectmen meetings in December. Hartford Selectmen voted

to place an item on their next Town Warrant to accept funds from others in support of the lake. Canton Selectmen expressed a preference to have the lake association circulate a petition and gather the necessary votes to have the item placed on the warrant. A petition was drafted and circulated to obtain sufficient signatures before the town meeting. Both towns voted in favor and, if the need arises, are able to accept funds from other organizations.

In January, the town of Canton requested outside counsel's opinion on the enforceability of the existing 1998 Consent Order between the town and the dam owner. Counsel consulted with Dana Murch from the DEP and issued two letters to the town that seemed to recommend that the best course of action was to have one of the Alliance members obtain ownership of the dam.

In February, the Canton selectmen held an informational meeting and invited Dana Murch from the DEP to speak to the history and issues of the lake and the dam. The lake association, with Canton's approval, invited Art Cleaves from MEMA to speak on the issues of dam safety. The meeting was well attended and most informative.

Strong concern was raised over the lack of dam safety and that the MEMA report required the dam owner to issue an emergency plan back in 1998. The lack of dam safety was initially raised as a concern by the lake association in the November presentation. Canton selectmen took immediate action and requested the Fire Chief to execute such an emergency plan in the absence of the dam owner's plan.

The option to remove the dam and allow the lake to return to a level it has not seen in one hundred years was explored. This option would eliminate potential expenditures associated with maintaining the dam but likely place the lake at greater environmental risk. Letters from biologists at the DEP and Department of Wildlife and Fisheries seem to support that concern. A long-term solution of a spillway is of interest to many people and the option of installing one up river from the existing dam.

People have been encouraged to photograph the dam/lake around the critical dates of the management order if a violation or related issue is noticed. Email pictures to Dana Murch immediately and on a regular basis until the particular issue is resolved. Please copy Judy Hamilton who can broaden distribution. See the specific dates in the

Water Level Management Plan in the issue on page 2.

The Town of Hartford issued a letter to the Canton Selectmen expressing support and a willingness to help protect the lake.

During March and April, the Canton Board of Selectmen have been in conversations with the dam owner and have issued him a letter addressing the various issues and asking for him to meet with the Selectmen during the first week of May.

The L.A.A. obtained the Town of Canton's permission to speak with the counsel that represented the town in obtaining the Consent Order in 1998 (see Consent Order on page 3). The L.A.A. was informed by counsel that the order could be enforced and the cost to do so would likely be between \$3,000 and \$5,000. However, the real cost would be a function of the number of hours spent by counsel on obtaining enforcement action.

The L.A.A. wrote to the Alliance requesting that each obtain approval to spend \$1,250 to enforce the consent order. The Water District replied and due to its current financial condition, regrettably had to decline financial support at this time. However, the Water District is still in support of the Alliance and willing to entertain a more active role in dam management in the future. Canton and Hartford have not responded as of this date- April 26, 2003.

The L.A.A. has contacted other lake associations with lakes that are dam controlled, including Sabbatus and Highland Lake. The Army Corp of Engineers has also been contacted and pending a letter of request from the Alliance, is willing to entertain a request for their help.

Many believe that the Alliance should proceed with enforcement of the Consent Order even if the other members of the alliance are unable to financially participate.

The next meeting of the Alliance is scheduled for May 17 at the Canton Community Building. All interested individuals are welcome.

Joe Cloonan, Alliance/L.A.A.

Life on a Man Made Lake

Lake Anasagunticook used to be called Whitney Pond. It was enlarged by the construction of a dam and renamed. The dam provided power for a variety of businesses. When the tannery went out of business, the dam was abandoned. From the 1800s to 1990 or so, lakeside dwellers, wildlife and the dam operated businesses coexisted harmoniously.

I have lived on the lake for the last half century. In the last decade I have observed the start up of a new business venture at the dam site and its effects on lakeside dwellers and wildlife. I have chronicled the effects on wildlife mostly through the experiences of loons in Loon Notes since the first issue of the Lake Anasagunticook newsletter quite a few years ago. Each year one column describes destruction of loon habitat through flooding or leaving the nest high and dry. Life on the lake is wild but it is also man made. There is no excuse for these man-made assaults on wildlife that happen with alarming regularity. Weather events (drought or hurricanes) are not the cause. Slow response in dam management (or none at all) are.

The often precipitous rise and fall in lake level are equally as dangerous to the loons as they are to all wildlife and vegetation along the margins of the lake. Drought conditions that alternate with flooded conditions create an uninhabitable environment. The lake floor was carved out by glacier and is mostly rock-bottomed so the margins of the lake are the source of most of lake life. Two small marshes serve all important functions: aquatic nurseries for plants and fish; breeding grounds for birds, frogs, and semi-aquatic mammals such as muskrat; water hole for deer, moose and bear; food source for wildlife; and water filtration which increases water clarity.

As a character of Dr. Seuss says in his book The Lorax, "I speak for the trees," let us speak for wildlife. It has no other voice. Margaret Taylor TaylorMargaret@msn.com

EASY DO'S AND DON'TS FOR LAKE AREA USERS

Land Use/Land Area: Site disturbance, yard work, clearing, landscaping

Do keep site disturbance to a minimum, especially removing natural vegetation and exposure of bare soil. **Reason:** Site disturbance dramatically increases surface runoff and erosion that contributes phosphorus to lakes.

Do leave naturally vegetated areas (buffer strips) along lake shores, streambeds, road ditches, intermittent streams. Leave at least 25 feet of undisturbed buffer, with more on poor soils or steep slopes. **Reason:** Buffer strips intercept sediment and phosphorus from water before they reach the lake or stream.

Do plant deep rooted, woody vegetation along lake shores, streambeds, road ditches (Like Blueberry, Elderberry & Dogwood). **Reason:** Plant roots stabilize shoreline, prevent erosion, and take up nutrients carried by water before they reach the lake.

Do use fertilizer sparingly and non-phosphorus brands. I.e. 30-0-10. Aubuchon, Agway, Paris Farmers Union & Home Depot. **Reason:** Solid, inorganic fertilizers are readily dissolved by water and transported in runoff.

Don't use herbicides and pesticides if possible. Avoid Fertilizer etc within 75 feet of the water. **Reason:** Many of these products are toxic and can get into the water.

Don't put leaves, branches or any kind of organic matter into or near the lake. **Reason:** Plant debris adds phosphorus and other nutrients directly to the lake.

Shore frontage

Do minimize shoreline alteration, such as removal of vegetation, rocks, trees and shrubs, breakwaters, etc.. **Reason:** Shorelines are generally stable due to years of wind, wave and ice action. Alteration of the natural shoreline destabilizes the shoreline, increases erosion and impairs fish and wildlife habitat.

Tree cutting, forestry

Do leave trees along the shoreline or streamfront. Consult shoreland zoning laws before cutting. Harvesting limitations may apply. **Reason:** Trees and natural cover best protect against shoreline erosion and sedimentation of lakes. Trees take years to grow and only minutes to cut down.

Waste Disposal/ Septic systems

Do check sludge level in septic tank every year. Pump when sludge fills half of the tank. (Average is every 2-3 years for year-round residents, 5-6 years for seasonal residents).

Reason: Septic systems must be maintained if they are to function properly. If settled solids are not removed from the tank, they will wash into and clog the leachfield.

Do organize neighborhood septic tank pumping. **Reason:** Pumpers usually reduce the price for volume jobs.

Don't flush cigarette butts, paper towels, etc., down the toilet. **Reason:** These items fill up the septic tank quickly and cannot be broken down by microorganisms.

Don't put paint or chemicals into the septic system. **Reason:** These hazardous products kill micro-organisms in the septic tank and contaminate drinking and lake water.

Waste Disposal/ Septic systems

Do pick up after your pet and dispose of waste in toilet, trash or bury it. **Reason:** Major source of phosphorus and bacteria in lakes.

Ice Houses

Do dispose of human waste properly and away from the lake. **Reason:** Like animal waste, major source of phosphorus and bacteria.

Detergents

Do use nonphosphate detergents. **Reason:** Minimizes algae growth in lake.

Do Wash cars, boats near vegetated areas. **Reason:** Allows plants and ground to filter out pollutants before reaching lake.

Surface Runoff from Driveways, roofs, lawns

Do prevent water from running directly into lake and streams. Divert into vegetated/ wooded areas. **Reason:** Flowing water contains phosphorus. Filter it through plants and the ground that will remove phosphorus.

Roads

Do not allow road water to enter lakes or streams directly. **Reason:** Water contains sediment, phosphorus and pollutants.

Do direct water off road into vegetated buffer areas. **Reason:** Allows plants and ground to filter out pollutants before reaching lake.

Houses/decks/sheds

Do not build close to water. **Reason:** See shoreland zoning statutes. Such building dramatically increases sediment and phosphorus into the lake.

Sand Beaches

Do not build new beaches. **Reason:** Sand contains phosphorus.

Litter

Do not litter. **Do** pick up litter and dispose of properly. **Reason:** Plastic remains for years and is a threat to wildlife.

Do not leave your Butt on the Beach.

Reason: Cigarette butts are full of carcinogens which leach into the water, do not decompose and are a threat to birds and fish which mistake them for food.

Boats/engines

Do minimize the use of two cycle engines.

Reason: 25% or 1 of every 4 gallons of fuel/oil used by a 2-cycle engine is flushed into the lake as pollution.

Education

Share your knowledge with your neighbors.

Reason: Together we can protect our lakes and rivers.