

**Exotic Aquatic Weeds and Species Committee  
Meeting of 12 December 2011, LOB 308, 10:30 AM  
Minutes of Proceedings**

Members present: Rep. Chris Christensen (Chair), Rep. Dick Drisko, Rep. Mike Kappler, Rep. David Russell (Vice Chair); Public Members Don Foudriat and Bob Reynolds (Clerk)

NHDES Representative Amy Smagula

Members Excused: Rep. Laurie Pettengill, Sen. Jeb Bradley, and Public Member Ken Warren

Guests present: Rep. Robert Kingsbury (Laconia), Ted Diers (DES), Tom O'Brien (NH Lakes Association), Ken Marschner (Wolfeboro Milfoil Committee)

Chairman Christensen called the meeting to order at 10:35 AM. Members and guests introduced themselves.

Minutes of the October 10 meeting were discussed, and no revisions were suggested. Rep. Drisko moved that the minutes be approved as written. Rep. Kappler seconded. The motion passed 5-0-1 (Rep. Christensen abstained).

Mr. Ken Marschner (Chairman of the Wolfeboro Milfoil Committee and Chairman of the Joint Milfoil Board of Moultonboro, Tuftonboro, and Wolfeboro) addressed the Committee. The Wolfeboro Milfoil Committee has been in existence for 7 years and is very active with milfoil control activities. Funding for their milfoil control efforts comes from town budgets and warrant articles, DES grants, and private donations. There has been remarkable success in controlling extensive milfoil infestations in Back Bay – after a few years of treatments with 2,4-D herbicide, the infestations have been reduced to a “maintenance” management level by diver harvesting. Due to a grant from the NH Lakes Association in 2010, the towns of Moultonboro, Tuftonboro, and Wolfeboro jointly purchased and built two Diver Assisted Suction Harvesting (DASH) units that were used for 80 days of harvesting in 2011. 20,000 gallons of milfoil were harvested this summer from water bodies in Wolfeboro and Moultonboro using the two DASH units and contract divers. The EAWS Committee contributed \$16,000 of funds in 2010 to supplement the NHLA’s \$50,000 grant fund to assist towns with milfoil control activities.

Rep. Chris Christensen distributed the draft Annual Report for the EAWS Committee, and requested that members provide any suggested revisions or corrections to him. Rep. Drisko moved that the report be approved with minor corrections. Rep. Russell seconded. The motion passed 6-0-0.

Rep. Drisko discussed the status of HB 439 (co-sponsored by Representatives Drisko, Christensen, and Russell) to prohibit invasive species from being claimed as habitats for endangered species, as a reason to stop activities to control the spread of invasive species. At the latest hearing of the Senate Energy and Natural Resources Committee (Senators Jeb Bradley, John Gallus, Gary Lambert, Amanda Merrill, and Chairman Bob Odell), Mr. Rene Pelletier (DES Water Division) reported that a Memorandum of Agreement was in the process of being negotiated between the Departments of Agriculture, Environmental Services, Fish and Game, and Resources and Economic Development to improve cooperation and procedures and to avoid obstacles to the process of approving applications to apply herbicides for the treatment of milfoil infestations. The Natural Resources Committee voted unanimously to declare the bill as inexpedient to legislate.

Ms. Smagula reported that the draft MOA has been completed by DES and was distributed for interagency review before Thanksgiving. It includes a summary of interagency activities conducted and agreements reached during the past year including the overall agreement that management of invasive species was a priority objective and that any obstacles to planned management activities would be raised and addressed well in advance of scheduled milestones. Review comments from the various agencies are due to be submitted to DES by December 15. Rep. Christensen requested to receive a copy of the final MOA so that Committee members will be aware of how the agencies have agreed to work together on milfoil control issues.

Rep. Robert Kingsbury spoke to the Committee regarding LSR 2012-2338-L (subsequent to the meeting the LSR was re-designated HB1529) as regarding "prohibiting the introduction of fluoride and herbicides into the drinking water of the state." Rep. Kingsbury stated that Laconia is the only municipality that obtains its drinking water directly from Lake Winnepesaukee, and that his bill would apply primarily to Laconia, the district that he represents. He commented that DES had been very helpful

in providing him with information that had modified his original thoughts on this issue. He stated a) that two commonly used herbicides contain fluorides, b) that Laconia's water supply was already loaded with fluorides added to protect teeth, c) that fluorides are not excreted from the human body – that they just accumulate, and d) that large amounts of fluorides accumulate in the central nervous system and eventually cause dementia – similar to Alzheimer's disease. Therefore, his bill would ban the introduction of any fluoride, or any chemical containing fluorides, into the public drinking water supply. His bill would also ban the introduction of any herbicide within 10 miles up-gradient of a drinking water intake. Since he believed that Laconia had the only drinking water intake on Lake Winnepesaukee, that herbicides such as 2,4-D could be used anywhere else in the lake except within 10 miles up-gradient of the Laconia water intake. He stated that milfoil infestations within the 10-mile limit could be controlled by diver harvesting.

Rep. Christensen pointed out that bills prohibiting the introduction of fluoride into the drinking water supply had been consistently voted down in the past. Rep. Drisko complimented Rep. Kingsbury on the extensive research he had conducted that resulted in positive modifications to his original bill. Rep. Russell asked if the Laconia Water Works had ever found any evidence of herbicide or fluoride contamination in their drinking water. Rep. Kingsbury replied that Laconia did not test for herbicide or fluoride contamination, and that required water testing was limited to measuring the amount of silt or mud suspended in the water, usually caused by boat propeller turbulence near the water intake. Ms. Smagula stated that there are analytical tests available to detect the presence of fluorides and herbicides in drinking water. For example, in 2010 DES conducted a 2,4-D treatment (at a concentration of 100 parts per billion (ppb)) of an 8-acre milfoil infestation near Christmas Island in Paugus Bay, located within 3 miles of the Laconia water intake. Extra testing was performed at every ½-mile interval between Christmas Island and the drinking water intake, and at the finished, treated drinking water output. The EPA's safe limit for 2,4-D in drinking water is 70 ppb. The highest concentration of 2,4-D measured at the water intake following milfoil treatment was 1 ppb, and it was undetectable in the final treated drinking water output.

Rep. Christensen and Ms. Smagula discussed the fact that applications for herbicide treatments in Spinnaker Cove, located approximately 1,200 feet from the drinking water inlet, were repeatedly denied by the Dept. of Agriculture, which suggested that alternative milfoil control treatments be

used instead of herbicide treatment. Thus, there already exists a procedure that protects drinking water from the introduction of chemical herbicides in NH water bodies.

Rep. Kappler suggested that the Committee meet in January 2012 to discuss this bill. Rep. Russell inquired if it might be more prudent to have the sponsor introduce the bill to the Resources, Recreation, and Development Committee and have the EAWS Committee testify with its recommendations. Ms. Smagula pointed out that DES would wait until seeing the final language in the bill before making any recommendations. Noting that the members had no particular recommendations, he stated that the EAWS Committee would not take a position at this time, and thanked Rep. Kingsbury for his attendance.

Mr. O'Brien, the new President of the New Hampshire Lakes Association, addressed the Committee. He stated that the key problem is the amount of resources and strategies available to prevent the spread of invasive species. He stated that New Hampshire has extensive experience and knows what works and what doesn't work in the control of variable milfoil infestations. For example, he mentioned the excellent results recently achieved in Lake Winnepesaukee and Squam Lake using DASH units. He suggested that the Committee view a video presentation of how DASH units work and to see them "in action."

NH LAKES fully understands that the lakes and rivers are critical to the quality of life in New Hampshire, and are a key part of the economic engine that drives tourism here. The reality is that there are not enough resources to go around, and the question is how are we going to fund effective strategies to control invasive species. He believes that we need to "expand the size of the pie" in a number of different ways and to take the most cost-effective approach.

Mr. Marschner added that the December issue of AARP Magazine presented the results of a study on the "value" of volunteer hours. An hour of volunteer time was estimated to be worth \$20.85 in the state of New Hampshire. Members agreed that we should attempt to estimate the value of the significant efforts of volunteers involved in milfoil control efforts.

Rep. Christensen asked for members' suggestions on how the Committee should interact with lake associations, conduct public outreach, and engage in legislative education during the next months and year. Mr. Reynolds commented on the value of the interaction, exchange of ideas, and sharing

of industry best practices achieved during the Committee's "Milfoil Summit" conducted in 2009. Rep. Drisko discussed the origination, conduct, and outcomes from the Milfoil Summit. Mr. Marschner also commented on the value of the interaction of experts and exchange of ideas, and the positive outcomes including the NHLA grants for milfoil control activities and the regional cooperation pioneered by the Joint Milfoil Board of Moultonboro, Tuftonboro, and Wolfeboro. Several people discussed various conferences where the EAWS Committee could conduct Committee-related presentations. It was agreed to schedule a special track of presentations and workshops devoted to the EAWS Committee at the NEC NALMS (New England Chapter of the North American Lake Management Society) Annual Conference on June 8-9, 2012 at UNH in Durham, coordinated next year by Ms. Smagula. Mr. Foudriat mentioned that DES and EPA fund many programs involving public outreach and education on pollution issues, suggesting that the EAWS could become involved as a key component of some of these outreach and education initiatives.

At this time, Rep. Drisko excused himself and left the meeting to attend a previously scheduled meeting.

Ms. Smagula presented information on financial and activity reports of the DES Exotic Species Program. She provided a written update on recent program activities and a listing of milfoil control grants awarded (copies attached). The Exotic Species Program received grant requests for 27 control projects, 2 prevention projects, and 2 research projects. DES was able to award \$203,862 in grants at a 50% funding level for milfoil control projects in 2012; applications for prevention and research grants are still under review.

Regarding future scheduling of meetings, Rep. Christensen noted that the next EAWS Committee meetings were scheduled on February 13, April 9, and June 11, 2012. The members agreed to change the date of the June meeting to Friday, June 8 to coordinate with a planned presentation session at the NEC NALMS Annual Conference at UNH in Durham.

Regarding the earlier suggestion of a January meeting to discuss Rep. Kingsbury's LSR 2012-2338-L regarding prohibiting the introduction of fluoride and herbicides into the drinking water of the state, Rep. Christensen requested that members submit their comments to him so that he could testify before the Resources, Recreation, and Development

Committee. Rep. Kappler moved that this bill is not necessary and is therefore not supported by the EAWS Committee. Rep. Russell seconded. The motion passed 5-0-0.

Ms. Smagula introduced Mr. Ted Diers, the DES Watershed Management Bureau Administrator. He estimates that statewide, invasive species control expenditures are likely valued at more than \$1.5 million per year. He is very interested in improving his Bureau's linkage of pollution control and watershed planning activities with ecosystem responses in terms of invasive species. He also wants to improve outreach activities such as increasing the "user friendliness" of watershed data for users such as conservation commissions and lake/river associations.

Rep. Kappler moved to adjourn the meeting at 11:50 AM. Rep. Russell seconded. The motion passed unanimously.

Respectfully submitted,  
Bob Reynolds, Clerk

Attachments: DES Exotic Species Program Reports

## Exotic Species Program Updates for 12/12/11 Meeting

Since the last meeting the Exotic Species Program:

- Finished up the field season
  - Only one new infestation (variable milfoil in Rocky Pond, Hollis) found but it was addressed quickly and likely eradicated
- Sent out a grant notification for prevention, research and control grant funds
  - Received 27 requests for funds for 2012 control projects
  - Received 2 requests for prevention grant funds
  - Received 2 requests for research grant funds
- Finalized the inter-agency Memorandum of Agreement with other agencies relative to milfoil and other exotic aquatic plant control
- Began the process of contract development and long-term management plan drafting for 2012 control efforts
- Continued working on program report
- Gave presentation on invasive species to NH Drinking Water Supply Plant operators
- Performed a round of end of year herbicide residue sampling to ensure non-detects were achieved in lakes that had treatments in 2011
  - All but one site had a non-detect
  - Post Pond in Lyme had a barely detectable level of 2,4-D present, but it was a fall treatment and was to be expected. Retest slated for week of 12/12

2012 Requests for Grant Funds

LAKE NAME	AKA	TOWN	Control Technique	Total Grant Award	Contractor(s)
Cobbetts Pond		Windham	DASH	\$4,517.90	Aqualogic
Contocook Lake	Jowders Cove Area	Jaffrey	DASH	\$4,280.00	Ted Aldrich
Danforth Ponds		Freedom	DASH and 2,4-D	\$8,850.50	ACT and New England Diving Services
Flints Pond		Hollis	DASH	\$6,537.50	ACT and AB Aquatics
Forest Lake		Winchester	2,4-D and hand pull	\$3,487.50	ACT
Gorham Pond		Dunbarton	2,4-D	\$11,287.50	ACT
Horseshoe Pond		Merrimack	2,4-D	\$10,175.00	ACT
Jones Pond	Merrymeeting River		DASH and 2,4-D	\$4,275.00	ACT or Lycott
Lees Pond				\$5,180.00	ACT
Long Pond		Danville	2,4-D and DASH	\$7,637.50	ACT
Melendy		Brookline	2,4-D and DASH	\$3,187.50	ACT
Namaske Lake		Goffstown/Manch	2,4-D and DASH	\$6,305.00	ACT
Nashua River		Nashua	Clipper in Pond/Canal and Mechanical Harvest above dam	TBD	TBD
Ossipee	Various locations	Ossipee/Freedom	DASH and 2,4-D	\$4,750.00	ACT
Otternic Pond/Robinson Pond		Hudson	DASH	\$12,950.00	AB Aquatics
Post Pond		Lyme	DASH and fall trt if needed	\$3,212.50	ACT
Potanipo		Brookline	DASH or fall trt	\$4,450.00	ACT
Powwow Pond		Kingston		\$4,850.00	ACT
Scobie Pond		Francesstown	Small 2,4-D trt then DASH	\$4,214.00	Lycott
Suncook River	Barnstead Parade	Barnstead	2,4-D and DASH	\$10,447.50	ACT
Sunrise Lake		Middleton	Small 2,4-D trt then DASH	\$3,700.00	ACT and ?
Winnepesaukee	Alton Areas	Alton	2,4-D and DASH	\$17,172.50	ACT and AB Aquatics
Winnepesaukee	Hawkins Brook, Fish/Round/Flag & Tommy Coves	Meredith	2,4-D and DASH	\$10,025.00	ACT and AB Aquatics
Winnepesaukee	Isolated				
Winnepesaukee	Tuftonboro Areas	Tuftonboro	2,4-D and DASH	\$14,975.00	ACT and AB Aquatics
Winnepesaukee	Pickerel Cove	Laconia	2,4-D then DASH/Handpull	TBD	TBD
Winnepesaukee	Smith Cove/Glendale Cove	Glendate/Gilford	DASH	\$7,200.00	n/a
Winnepesaukee	Moultonborough Areas	Moultonborough	DASH and 2,4-D spot treatment	\$30,195.00	ACT
				<b>\$203,862.40</b>	<b>Total</b>