

Lakeside

A Quarterly Publication of the New Hampshire Lakes Association (NHLA)

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NHLA Weighs in on the Comprehensive Shoreland Protection Act (CSPA)

Last year, NHLA initiated legislation that created a Commission to study the Comprehensive Shoreland Protection Act (RSA 483-B). NHLA's representative on the Commission shared our five major problems with the Act and five corresponding solutions at a recent meeting of the Commission.

Below, each problem is briefly described, followed by our recommended solution. In all cases the solution is designed to protect water quality — which is the purpose of the CSPA and one of NHLA's major goals.

Problem #1

Lack of enforcement and funding

- DES has one enforcement person covering the shorelands of 976 lakes and ponds.

Solution

- Be proactive. Enact a permitting process, similar to the wetlands permitting process, in which the town receives the application first and then sends copies to the local conservation commission, the zoning board of adjustment, and to DES for review. Once DES signs off on the application, the town can move forward with issuing the permit. There would be a \$200 application fee, passed on to the applicant. A portion of the fee would go to the town and the remainder would go to DES. This would help fund additional DES staff, who could then act on enforcing the CSPA. This proposed permitting system may also help the towns fund appropriately trained code enforcement officers to help enforce the CSPA.

Problem #2

Lack of understanding, communication and cooperation between local and state entities

- "An ounce of prevention is worth a pound of cure." Town officials need to be educated, as few local policy-makers understand the extent of their local jurisdiction versus the state's jurisdiction with regard to the CSPA. While DES recognizes the need



Jared Teutsch (r) talks with CSPA Chairman Rep. Dave Currier (l) and Bill Smith, Vice Chairman and NHLA's representative on the Commission.

for more education and outreach, it has only one staff person dedicated to this activity.

Solution

- Earmark some of the money raised from the proposed permitting process for education, thus providing additional DES staff for this purpose.
- Engage other groups, such as NHLA, in education and outreach. For example, NHLA is moving forward on procuring funding for a new Education Outreach Director position. This person would work collaboratively with DES in educating towns and local lake associations on the CSPA (among other activities). DES is very supportive of NHLA "sharing the work load," as is the Governor's office.

Problem #3

Confusing and ambiguous terms and language

- Calculating basal area for removal of trees is confusing.
- There is no limit on nonconforming undeveloped lots.

CSPA — to page 8

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From the Chairman...

After several months of carrying out our executive search, I have wonderful news to share with you. The Board has promoted Jared Teutsch, our Environmental Policy Director, to the position of President effective May 1, 2006. This timing allows Jared to finish his second legislative session for NHLA.

Last fall, Jared was busy with the legislative session and unable to commit to being considered for the position at that time. So, the Board moved forward and in a January news release announced that Don Kretchmer had been hired as our new President. Unfortunately, it became evident to Don that the job was just simply not a good fit with his skills and interests and he resigned. When the President's position again became available, Jared felt that the timing was right to express his interest in leading NHLA into the future.

The Board is thrilled to have Jared's proven track record applied to our President's position. In addition to having a keen understanding of NHLA, Jared brings a passion for lakes, a knowledge of lake issues and key state players, and one year's experience working for a non-profit organization to the position. We are excited to welcome one of our own as the new President of NHLA, believing that his understanding of science and expertise in policy will serve us well (for more on Jared's background, please see page 7).

I am pleased to report that former President Nancy Christie will serve as a part-time administrative consultant — attending to the needs of the office and administering the Lake Host program into June. The board is grateful that she has agreed to provide this assistance. In the meantime, we now have two full time staff positions to fill, an Environmental Policy Director and a Development & Membership Director.

With the Lake Host Program about to be launched and the upcoming Lakes Congress at Plymouth State University on the horizon, we look forward to celebrating ice out and the rebirth of our New Hampshire lakes. While we have been wrestling with these organizational issues, you — our members and friends — have patiently stood by us with your encouragement and support. We are confident it was worth the wait.

Thank you — and have a good summer!

The New Hampshire Lakes Association gratefully acknowledges the support of

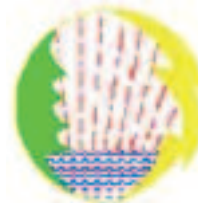
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2006 LEGISLATIVE UPDATE

NHLA offers cutting-edge information in Lakeside designed to educate and advocate for lake issues. The following bills reflect our, and indeed your, proactive efforts to help manage and protect our lakes and ponds through key legislation. Please visit our website at www.nhlakes.org regularly for the latest information. To join our grassroots activists, contact Jared Teutsch (jteutsch@nhlakes.org.)

Leasing of State-Owned Waterfront Property (HB 1684)

- ◆ Would have created a committee to study the leasing of critical state-owned land around public waters. Unfortunately, despite all our best efforts, the NH House of Representatives voted against this bill, thereby killing it this session.
- ◆ There are still important issues left unresolved including: (1) How much waterfront is owned by the state? (2) Should public land be saved for future public access? (3) Is \$25 per linear foot of shoreline too cheap a rental fee? and (4) Should the state maintain its waterfront property to enhance shoreland protection and water quality? NHLA will raise this last issue with the Commission that is studying the Comprehensive Shoreland Protection Act.



The value of a housing development back from the lake at 18-mile-point on Lake Winnepesaukee is greatly enhanced with dock access, due to a lease agreement with the state.

Mercury Emissions Reductions (HB 1673)

- ◆ Provides for an 80% reduction of mercury emissions from the Bow power plant by requiring the installation of scrubber technology no later than July 1, 2013; it also provides economic incentives for earlier installation and greater reductions in emissions.
- ◆ Scrubber technology also reduces sulfur dioxide emissions, thus improving air quality and keeping costs down since PSNH will not have to purchase sulfur dioxide credits.
- ◆ NHLA worked with Public Service of New Hampshire, NH Department of Environmental Services, Audubon Society of New Hampshire and other groups to help develop this important legislation.
- ◆ The bill passed the NH House of Representatives and is currently before the NH Senate.

Speed Limit on Public Waters (HB 162)

- ◆ This bill would have set a statewide speed limit of 45 mph during the day and 25 mph at night on all public waters. After the bill passed the NH House of Representatives, it went on to the Senate – where unfortunately, it was killed in a 15-9 vote.
- ◆ NHLA supports statewide speed limits on public waters and encourages local involvement through the petition process. If you would like to petition the Department of Safety for a speed limit on your lake, please contact NHLA.

Milfoil Prevention (HB 1407)

- ◆ Repeals the sunset provision in the Milfoil and Other Exotic Aquatic Plants Prevention Grant Program and therefore ensures continued funding for milfoil research and prevention.
- ◆ NHLA supports this bill as it provides the necessary funds for prevention programs such as the Lake Host Program.
- ◆ The bill passed the NH House of Representatives and is currently before the Senate.



Representatives Mike Whalley (1) and Dick Drisko (3rd from 1) discuss milfoil with board members at NHLA's legislative breakfast on Jan. 18.

Funding of Dam Maintenance (SB 103)

- ◆ Appropriates \$1,000,000 for the Dam Maintenance Fund.
- ◆ Creates a study committee to look at long-term funding of the DES Dam Maintenance Fund.
- ◆ NHLA supports providing funds for the insolvent Dam Maintenance Fund.
- ◆ The bill is currently before the NH House. The NH Senate passed the bill after reducing the \$1,000,000 appropriation to \$1.00. NHLA will advocate for reinstating the \$1,000,000 appropriation. ■

Cleaner Marine Engines

Cleaner Marine Engines: Are You on Board?

Jacquie Colburn, Lakes Coordinator, NH Dept. of Environmental Services

To meet tougher EPA emissions' standards, all new outboard engines and personal watercraft manufactured in the U.S. in 2006 must be the new low-polluting variety. As a result, cleaner, more fuel-efficient four-stroke and direct-injected two-stroke engines have replaced conventional carbureted engines — benefiting both the environment and the boater.

Conventional carbureted two-stroke outboard engines, which traditionally powered most of our watercraft, are very inefficient in their use of gasoline and oil, discharging as much as one third of the fuel used directly into the water, unburned. This fuel contains toxic benzene, methyl tertiary-butyl ether or MtBE, and other harmful substances. In addition, the air-borne emissions from these old two-stroke engines contribute to the formation of ground-level ozone.

The US Environmental Protection Agency's (EPA) marine regulations call for a 75% reduction of hydrocarbon and nitrogen oxide emissions from outboard engines and personal watercraft by 2025. To help marine engine manufacturers reach this goal, in 1996 EPA negotiated an agreement with the manufacturers to phase-in the cleaner burning, more fuel-efficient outboard engines between 1998 and 2006. An added benefit is that these engines also reduce water pollution.

In response, the engine manufacturers developed low polluting marine engines (see companion article on p. 5). With the cleaner engines hitting the market in the late 90s, New Hampshire seized the opportunity to promote them, rather than wait for the 2006 federal mandate to take effect.

In 2000, the New Hampshire Department of Environmental Services (NH DES) and the New Hampshire Marine Trades Association (NH MTA) signed a voluntary agreement to accelerate the phase-in of low polluting outboard engines through a cooperative partnership, the NH Clean Marine Engine Initiative - the first of its kind in the country.

More than 30 marine dealers voluntarily agreed to participate and established sales goals for clean marine engines each year between 2000 and 2006. The program has been very successful, with goals being exceeded in 2000, 2001, 2003 and 2004. Impressed with this initiative, other entities such as EPA New England and several other states adopted the NH program as a model.

In 2001, EPA New England presented NH DES and the NH MTA with an Environmental Merit Award for this proactive approach to reducing air and water pollution. Recently, Robert W. Varney, Regional Administrator of EPA's New England office, said:

"We are pleased that this unique program started in New Hampshire in 2000 and we owe the NH Marine Trades Association a great deal of thanks for their cooperation which resulted in this first-in-the-nation voluntary program."

If you are in the market for a new engine, you may still be able to find some of the conventional carbureted two-stroke outboard engines for sale. But why would you want one, when you can purchase a more fuel efficient (burning 35–50% less gasoline), less polluting, quieter, less disruptive to wildlife and easier-to-start engine? They are better for New Hampshire's environment and a cleaner way to enjoy boating.

Among other duties, Ms. Colburn coordinates the Lakes Management and Protection Program (LMPP) at DES. ■



Jacquie Colburn (l) meets regularly with the Lakes Management Advisory Committee to discuss lake issues.

es Mean Cleaner Lakes

Marine Engines that Meet and Exceed the New 2006 EPA Emissions Regulations

Jeff Thurston, Co-Owner, Thurston's Marina, Weirs Beach

Many are familiar with the cleaner 4-stroke marine engines, which meet the new EPA requirements. NHLA asked Jeff Thurston to fill us in on the new direct fuel-injected two-stroke marine engine technology that not only meets EPA regs, but also reduces toxic carbon monoxide emissions as well.

For years you and I have been told that the two-stroke marine engines were inferior to four-strokes. That no two-stroke could compete on cleanliness, reliability, quiet operation, or efficiency. The facts are that there is now a two-stroke outboard motor line that not only meets the new EPA standards for emissions, but also beats the four-strokes in other categories that matter: fuel economy, maintenance costs, weight, and carbon monoxide and hydrocarbon emissions.

Evinrude has developed a new direct fuel-injected two-stroke engine technology (E-Tec) that has won the praises of the U.S. Environmental Protection Agency (EPA), which recently awarded its Clean Air Excellence Award for 2005 to Evinrude — the first time any outboard engine has ever received this coveted award. No outboard motor

is cleaner — and not just a little cleaner, but at least three times cleaner than the four-strokes.

The U.S. Coast Guard's Office of Boating Safety recently issued a letter encouraging the use of the direct-injected two-stroke technology in new and re-powered boat installations to minimize the carbon monoxide (CO) hazards in recreational boats. A recent study of carbon monoxide emissions from various marine engines conducted by the National Institute of Occupational Safety and Health noted that the direct-injected two stroke engines emitted 600 ppm (parts per million) of CO. This amount is less than the

1200 ppm lethal limit of CO emissions and significantly less than the nearest four-stroke engine at 11,000 ppm.

The table below compares some of the features of the new technology direct fuel-injected two-stroke with the four-stroke marine engines.

While both meet the EPA emissions standards, only the new two-stroke has significantly less CO emissions.

As a member of the NH Marine Trades Association, Thurston's Marina helped initiate the creation of the Memorandum of Understanding with the NH DES in May 2000 to promote NH's Clean Marine Engine Initiative. ■



An E-Tec 90 hp outboard motor is an example of the new direct, fuel-injected two-stroke engines.

Engine	Weight	Maintenance	Fuel	Smoke	Noise	Cost
Direct Fuel-Injected Two-Stroke	12–15% less in engines over 50 hp	None required for 3 years	55% better fuel economy at lower speeds	None	Very quiet	Middle of the pack
Four-Stroke	Under 50 hp, similar in weight	In for maintenance 3 to 7 times in 3 years	Similar mileage at higher speed (4,000+ RPMs)	None	Very quiet	Often the least expensive

A Successful Partnership Sponsors the 2005 Lake Host Program

Celeste Lunetta, Director, Antrim Recreation Department, and Jerry Schultz, Gregg Lake Association

In 2005, the Town of Antrim and the Gregg Lake Association collaborated to protect Gregg Lake from exotic plants by sponsoring the Lake Host Program.

For many years, the Gregg Lake Association (GLA) has been a member of NHLA, learning much about lake conservation from its publications. After seeing Lake Hosts in action at other lakes in the region, GLA members and past officers Jerry and Marlene Schultz contacted the Town of Antrim last March, to see if there was interest in a partnership to manage the Lake Host program at Gregg Lake. Celeste Lunetta, the town's recreation director, responded enthusiastically to the idea of working with the resident lake association to help protect the town's valuable natural resource. She saw this as a way to educate all who use the lake for recreation, while strengthening the relationship between the community at large and the lake residents.

Jerry and Marlene completed the application for the grant and Celeste agreed to serve as Point Person. These seemed like natural assignments for the people involved. The Gregg Lake Association members provided incentive, enthusiasm, volunteers and commitment, while the town's recreation office served as the organizational facility for the administrative and space needs of the Lake Host Program. Since the Recreation Department is already in

the business of hiring extra summer staff, filling the Lake Host positions was a natural function.

From Jerry and Marlene's standpoint, "this collaboration confirmed for the members of the Gregg Lake Association that the town shared our desire to protect the lake, and gave us more confidence that our actions as stewards of the lake would make a real difference."

The benefit to the town was clear in that the Lake Host program inspired and trained volunteers to protect one of the town's most precious natural resources.

As the program moves into its second year and beyond, the intention is to strengthen these roles by increasing local publicity about the program and encouraging members of the Antrim community to serve as volunteer Lake Hosts in addition to volunteers from the Gregg Lake Association. Everyone is looking forward to the summer of 2006, and a continuing successful collaboration between the Town of Antrim, the Gregg Lake Association, and the NHLA.

Ms. Lunetta served as the Point Person for the 2005 Lake Host program; Mr. Schultz is a lake steward and past president of the Gregg Lake Association.



Marlene and Jerry Schultz of the Gregg Lake Association proudly model their Lake Host shirts

NHLA Receives Grant Support for its Lake Host Program

Pending Governor and Council approval, NHLA expects to receive \$185,000 to administer its popular Lake Host program this summer. This grant, coupled with an anticipated \$234,232 two-year grant from NOAA (thanks to Sen. Judd Gregg), will enable NHLA to expand its program to 60 lakes and ponds in 2006.

The Lake Host program, with its focus on education and courtesy boat inspections, has proven to be an effective approach to stopping the spread of exotic milfoil and other aquatic invasives in New Hampshire. Since the program began in 2002, no lakes participating in the program have experienced an exotic aquatic plant infestation. ■

2006 Lake Host Program Coordinator

Andrew Goldman, a resident of Concord and a junior at Wesleyan University in CT, will serve as Lake Host Program Coordinator this summer. Majoring in Earth and Environmental Studies, Andrew's background includes a stint as counselor at YMCA Camp Belknap. As a child, he enjoyed summers at his family's camp on Lake Kolelemook in Springfield.

Welcome, Andrew! ■

Membership Matters

We welcome these new members, who joined NHLA during the period 10/19/2005–2/15/2006.

Individuals

Mr. Arthur Baldwin
Ms. Karen Burnett-Kurie
John & Helen Collins
Mr. Theodore Covert
Amy & Chris Daley
Mr. & Mrs. John Denison
Rep. Richard B. Drisko
Dean Malouta & Rose Hache
Rep. William J. Infantine
Mr. & Mrs. Thomas Mansfield
Harry Parker & Kathryn Keeler
Mr & Mrs. Richard Peckham
W. Warren Ramirez
Dr. George Rhoads
Dr. Janet Sawin & Freyr Sverrisson
Thomas & Janet Vogel
Dr. & Mrs. John Wilson

New Lakes Legacy Members

Bea & Woolsey Conover
Mr. & Mrs. Roy G. Gordon
Carol M. Granfield

Associations

WinnFABS (Winnepesaukee Family Alliance for Boating Safety)

Corporate

Camp Spofford
Foremost Builders

Grants (also see p. 6)

Toward a full-time Development & Membership Director (new)

- NH Charitable Foundation Otto Fund of NHCF — Piscataqua Region
- Wolfeboro Fund — Lakes Region Charitable Fdn.

Toward an Education Outreach Director position

Davis Conservation Foundation (for information about this new initiative, contact the office) ■

STAFF NEWS

Meet the New President

In May, Jared Teutsch transitions from NHLA's Environmental Policy Director to President, bringing a strong understanding of the Association's goals, vision, and day to day operations to his new position.

Many of you already know Jared as an effective lake advocate, working on issues for NHLA for well over a year now. Previously, he worked on shoreland protection and lakes management at the NH Department of Environmental Services. Growing up on a lake in Michigan, Jared shares the passion for protecting and managing our lakes for everyone's enjoyment.

Jared holds a B.S. degree in Environmental Science and Policy from Michigan State University and a Juris Doctor Degree focusing on Land Use Law and Water Law from Vermont Law School.

Please join us in celebrating one of our own as the new President of NHLA! ■

We Bid Farewell to Our Part-Time Development Director

Nancy Kingsley has tendered her resignation in anticipation of the arrival of a full-time Development & Membership Director in the near future.

During her 2½ years of service, Nancy was able to create structure within the development program despite working only 10 hours per week. Her accomplishments included writing successful grants for the technology upgrade and marketing survey of our members; creating a corporate presentation and Advocate program; and significantly increasing the responses to our Annual Appeal and summer prospect mailings through her heartfelt letters.

Nancy was a valuable member of the team. We wish her all the best! ■



NHLA board member and former NALMS president Jeff Schloss (r) receives the prestigious Secchi Disk award from the 2004 recipient, Steve Colvin. The North American Lake Management Society (NALMS) is an international organization dedicated to the science of lake and watershed management. (photo courtesy of Bill Jones, Indiana University) ■

2006 Lakes Congress — Save the Date!

When? Sat. June 17
Where? Boyd Science Center, Plymouth State University
Hosted By: PSU's Center for the Environment
Plenary: The impact of growth on NH's lakes and ponds

Sample workshop topics: involving youth in lake stewardship; impact of climate change on the state's public waters; milfoil research update; riparian wildlife; shoreland protection; lake management, and much more!

Watch for a flyer in May!

Solution

■ Remove all language referring to basal area. It is confusing and was meant for large forestry tracks spanning hundreds or even thousands of acres. The language was not meant for 1 or 2 acre lots designed for residential development.

■ Establish a 10% maximum on impervious surfaces within 250 feet of the shoreline. Impervious surfaces include roads, driveways, all buildings, and certain landscaping such as patio stones. Most scientific studies indicate that lots consisting of anything greater than 10% impervious surfaces within the watershed results in a decrease in water quality.

Problem #4 Lack of a defined state-wide shoreland vegetative buffer zone

■ Currently, there is no vegetative buffer requirement in the CSPA.

Solution

■ Eliminate the 50 foot setback and in its place enact a statewide shoreland buffer provision, or a vegetative “no-cut” zone, which prohibits the removal of all trees, shrubs, and groundcovers. This will provide needed protection against run-off. NHLA recommends a 75

foot buffer or “no-cut” zone, which would be consistent with other statutes dealing with shoreland setbacks (e.g., septic systems have a minimum 75 ft. setback) A maximum 6 foot wide meandering, unpaved path to the shoreline would be allowable to access the water.

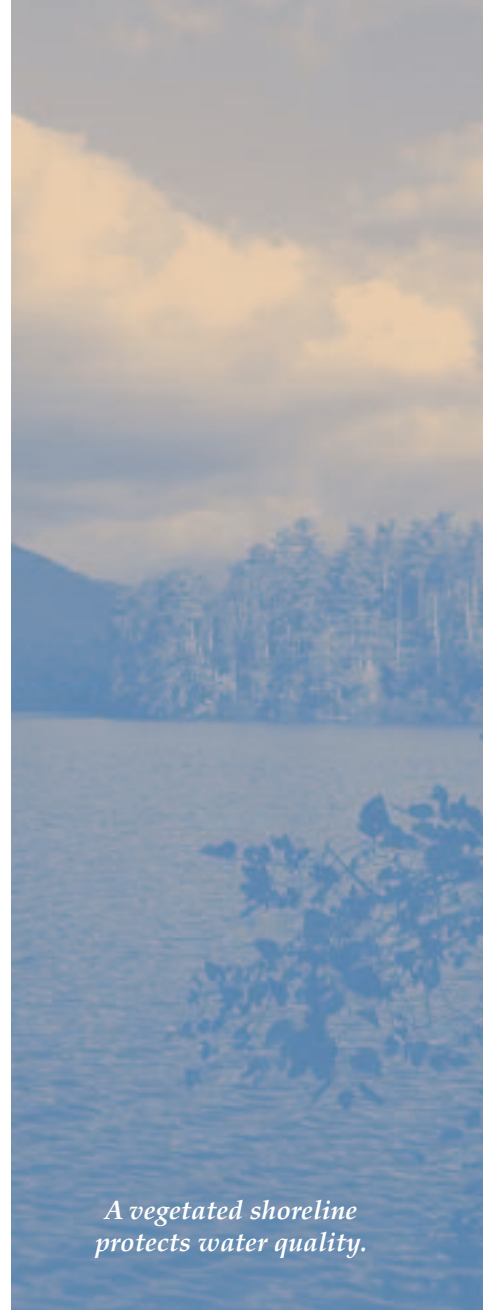
Problem #5 Dug-in boathouses conflict with the intent of the CSPA

- Digging into the shoreline creates an irreversible impact to our public waters and potentially impairs water quality.
- Milfoil and other exotic weeds are more likely to take root in a disturbed lake bottom.
- It makes no sense to mandate a 50 foot setback for primary structures if we are going to allow 900 sq. ft. structures with roofs, siding, decking and foundations to sit directly on the shoreline and into the lake. This situation is completely contrary to the development standards in the Comprehensive Shoreland Protection Act.

Solution

■ Ban dug-in boathouses in the CSPA.

The Commission will make its final recommendations on the Act in November. ■



A vegetated shoreline protects water quality.



**New Hampshire
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