

**LMRLAC – October 22, 2009**

**LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE**

**MINUTES**

**October 22, 2009**

**Members:**

- ✓ = present
  
- ✓ Bob Robbins (Chair) – Hudson
- ✓ Kathryn Nelson (Vice Chair) -- Nashua
- ✓ Karen Archambault (Secretary) -- Nashua
- ✓ Jim Barnes (Treasurer) – Hudson
- Glenn McKibben – Litchfield
- ✓ George May - Merrimack

**Associate Members:**

Mildred Mugica – Nashua

**Also in attendance:**

Geoff Daly, corridor resident and potential member, Nashua  
Tom Friel, Independence Rowing Club, Nashua  
David Scaer, corridor resident and Nashua Country Club manager, Hudson  
Hank Sennott, Director of Corporate Affairs and Communications, Enel North America

The meeting was called to order at 7:05pm downstairs in the media wing of the Nashua Library.

**Boott Hydropower Dam in Lowell – Discussion with Enel Representative**

Mr. Hank Sennott introduced himself and provided a brief background of the company. Boott Hydropower is a subsidiary of Enel North America, which in turn is a part of Enel Green Power, formed about a year ago and under which Enel has most of its renewable energy business. Enel is the largest power company in Italy and the second largest in Europe. Mr. Sennott explained that he has been with Enel since August of 2008.

Mr. Sennott explained that, as a result of the flood events of 2006 and 2007, residents of the Pawtucketville section of Lowell expressed concerns that the dam operation played a part in the flooding. Residents approached the Federal Energy Regulatory Commission (FERC) about the issue. As a result of the complaints and concerns voiced, FERC ordered Enel in June 2008 to put in a different flashboard system. Mr. Sennott stated that, from Enel's point of view, this flashboard system is weaker, and that Enel has notified FERC of this view.

Mr. Sennott explained that representatives of Enel have met with the neighborhood, city officials, and Rep. Tsongas' office about the concerns and alternatives. Enel is investigating the possibility of using inflatable bladders in place of the wooden flashboards. He explained that the dam in Lawrence, also owned by Enel, has a bladder system. He indicated the Amoskeag Dam in Manchester has one as well. He stated the bladder system is computer controlled and does not require repair.

Mr. Sennott continued that there are two major issues with the bladder approach. One is cost; installing the bladder system would be a multimillion dollar project. The other is historic issues based on the dam location and its relationship to the Lowell National Historic Park. Mr. Sennott stated that the park is likely to oppose the bladder approach because it is not historic. Members commented that the bladders in Lawrence are orange. Geoff mentioned that bladders exist now which have the look of wood.

## **LMRLAC – October 22, 2009**

Jim asked whether the change in flashboards has satisfied the Pawtucketville neighborhood and Mr. Sennott replied that it had not. Jim asked about impacts on properties downstream and Mr. Sennott replied that the weaker flashboards can cause problems downstream but that it is not currently a FERC focus.

Kath asked whether the dam's FERC license was for run of the river or included storage. Mr. Sennott replied that it was for run of the river.

George asked how many times the river level has been lowered this year by the dam. Mr. Sennott replied that he was not sure. Geoff mentioned that he has observed 19 drops since May of this year.

Mr. Sennott indicated that some drops are due to the system (the flashboards) failing and others are for regular maintenance within the plant itself, such as for turbine servicing or replacement. He stated that levels may also change at the request of the city. He indicated that the city of Lawrence, for example, has recently made just such a request for canal maintenance.

George mentioned that some dams remove the flashboards in flood conditions. Mr. Sennott pointed out that such action at the Lowell dam would have to occur prior to the flood event. He stated he does not believe the boards have ever been pre-emptively removed since his arrival at Enel.

Members expressed concern that the current situation of river level change is beyond a reasonable tolerance from a recreation standpoint. Mr. Sennott replied that it is not in Enel's best interest to have the river level up and down all the time, either.

Kath asked whether the maintenance frequency could be compared to maintenance at Amoskeag and at Lawrence. Mr. Sennott indicated he could get data for the Lawrence dam to compare to the Lowell dam.

Mr. Sennott stated he believes the key to the situation is to get the inflatable crest gate installed on the dam. George asked where the company was in the process of exploring the bladder approach. Mr. Sennott replied that company engineers are studying the approach and that it will go through internal review first.

Kath mentioned that we could talk to representatives of the Upper Merrimack LAC to get their point of view on the bladders being used at Amoskeag and their effect on river levels upstream.

Kath asked about the bladder approach, how it would work and what LMRLAC would see from a river management standpoint. Mr. Sennott replied that it should result in a steadier river. Kath asked how the residents of Pawtucketville would react to the bladder approach, and Mr. Sennott replied that that's if one agrees with the premise that the dam had an influence on the flooding in 2006 and 2007. Mr. Sennott explained that he understands that the Pawtucketville flooding was a localized flooding due to 100-year flood events. Geoff agreed that the 2006 and 2007 flood events had exceptional high flow rates. Geoff indicated that bladders would not have helped for those events. David agreed that the river level rose quickly for those events.

Bob made the point that level drops for plant maintenance would still occur and asked how much of a reduction we would expect to see.

Members mentioned the situation over July 4<sup>th</sup> weekend about 4 years ago when the river level was lowered just before the holiday, preventing recreational use of the river during the holiday. Bob restated that people along this part of the river are unhappy with the situation as it currently

## **LMRLAC – October 22, 2009**

exists and that it will be easier to understand the situation and determine a way forward when one knows the facts.

Mr. Sennott stated it's in everyone's best interest to have the river at a more consistent level. Members agreed that part of the situation is also raising awareness of normal river level patterns and balancing the many interests along the river.

Mr. Sennott commented that trash left upriver from the dam becomes an issue for Enel because it eventually ends up at the dam. He indicated that dozens of truckloads of trash had been removed from the dam area.

Mr. Sennott stated that Enel wants to make sure that FERC hears from all stakeholders along the river.

Kath asked about realistic mitigation options. Mr. Sennott replied that Enel cannot change the flashboard without FERC approval. Kath asked how many of the events were due to flashboards breaking and how many were due to internal maintenance.

Kath stated that LMRLAC appreciates getting the notification of river level changes now and George asked whether sending out the notification has been decreasing complaints. Mr. Sennott replied that it had.

Mr. Friel mentioned that he has been on the river nearly daily since April. He mentioned he understood a textile regatta in Lowell had to be shortened due to low river level. He asked if there was coordination among the dams up and down the river. Mr. Sennott replied that he believes there is.

Kath asked whether Enel has been in contact with the Merrimack River Watershed Council and Mr. Sennott replied that he has met with Executive Director Christine Tabak.

Mr. Sennott agreed to come to the next LMRLAC meeting, scheduled for Thursday, December 3, with responses to the following action items. Mr. Sennott will bring more information on the river level change events this year – the reason for each event, date and duration, amount of head draw. He will also try to get maintenance data for Lawrence to compare the number of maintenance events between Lowell and Lawrence for the same period of time.

Members thanked Mr. Sennott for his time.

## **Local Updates**

### **Litchfield – culvert replacement**

Bob summarized that LMRLAC had been notified of a DOT culvert replacement in Litchfield. LMRLAC responded with comments recommending an open box culvert. Kath and Bob stated LMRLAC should put together a standardized template. Kath mentioned that the state is working on stream crossing rules and that the rules are making their way through the regulatory process.

LMRLAC did receive a response to the comments, indicating that the box culvert idea was a good one, but that the project just involved replacing each end of the culvert and not the whole thing.

Kath stated she went online to try to determine whether the stream was indeed intermittent, and passed around some maps.

## **LMRLAC – October 22, 2009**

Members agreed that the fact that LMRLAC had received notification of and information about the project is a positive thing. George mentioned that the Souhegan River LAC is getting responses as well.

Kath reminded members that the job of the LAC is to pay attention to activities in the corridor, to follow up and to write recommendations.

### **Hudson – culvert replacement**

Kath commented that LMRLAC has not heard back on this project. Jim mentioned it was outside the corridor but on a major tributary. He stated the plan had not made it to the Planning Board.

### **Hudson – prime wetlands designation**

Jim summarized the status of the Hudson Conservation Commission and its work on defining prime wetlands in Hudson. The plan is to have the prime wetlands adopted at next spring's warrant.

### **Nashua**

Geoff informed the LAC that he has learned of a bus parking lot at the end of Burke Street in Nashua. He indicated the upper part of the parking lot has about 100 vehicles on the steep slope at the top of Burke Street. Geoff stated he saw a bus leaking fluid at the site on October 21. Geoff also described that there are over 100 working buses parked on the lower part of the site, some of which are leaking fluid. Flow from this property flows into Salmon Brook and from there into the Merrimack.

Members discussed what would be the legal or regulatory vehicle for pursuing this issue. Jim suggested the site plan should be reviewed to see whether it provided for such a use. The site plan would also show whether the site had oil treatment as part of its stormwater management, for example.

Kath will e-mail Lucy St. John in the Nashua Planning Department to make her aware of the situation and asking her to forward the information to the appropriate party.

### **Litchfield – Annandale Estates**

Geoff expressed his concern that there appears there will be a lot of tree clearing associated with the next phase of this project. Kath replied that the applicant has not replied to LMRLAC's comments yet.

Members briefly discussed who best to contact in Litchfield, in light of the fact that LMRLAC does not currently have any active Litchfield members. Jim suggested we could contact the Litchfield Planning Board. Karen mentioned that Steve is the NRPC circuit rider for Litchfield. Kath said she would contact Steve. George will try to contact Glenn McKibben.

### **Miscellaneous**

Jim mentioned that there is an open house at the Benson's site on Saturday and Sunday from 10am to 2pm each day.

### **Meeting Minutes**

Minutes from the meeting of September 24, 2009 were accepted.

Meeting adjourned 8:55pm.

**LMRLAC – October 22, 2009**

The next regular meeting is scheduled for Thursday, December 3 at 7pm at the Nashua Public Library.

Respectfully submitted,  
Karen Archambault  
secretary