Water Sustainability Commission
Public Comments Received Via Mail and E-mail
through
August 30, 2012

Water and Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle St.
Exeter, NH 03083

July 25, 2012

Dear Commissioners:

I understand that you are seeking feedback from the public by July 31, 2012. My question is feedback on what? I have been unable to find any type of draft report that you have compiled upon which to comment.

The right to private property is a foundation stone for our basic rights as citizens. This right is supported by both the US and the NH constitutions. It is my understanding that at your meeting on or about July 12, 2012, the question of the constitutionality of your recommendations was raised by one of your commissioners and was dismissed by another who stated that you will let the courts decide the issue of constitutionality.

Our constitution is the founding document of our state and of our nation. Every elected official takes an oath to perform the duties incumbent upon them according to the rules and regulations of the constitution. The question of your responsibility to use the Constitution of the State of New Hampshire as a prism through which to craft your report should not simply be an afterthought; it must be the very basis of all of your actions.

The protection of our natural water resources should not take precedence over the protection of our natural rights as codified under our constitutions.

I respectfully request that the Commission issue a preliminary report and then ask for public input before issuing its final report.

Respectfully,

Andrew Bridge

[redacted]

PS: A hard copy of this letter is being mailed by US Mail as well as sent via email to the Commission.

DAVID A. POPE
[redacted]

7-27-12

WATER SUSTAINABILITY
COMMISSION
10 MYRTLE ST
C/O SYNCHRONY ADVISORS LLC
EXETER, NH 03833

GENTLEMEN AND LADIES!

THERE IS NO PROBLEM WITH THE WATER IN OUR STATE, AND WE DO NOT NEED ANOTHER BUREAUCRATIC GROUP TO COME UP WITH NEW REGULATIONS AND CHANGES WHICH EFFECT OUR RIPARIAN AND WATER RIGHTS.

ANYTHING WHICH IS DONE IN OUR STATE MUST BE DONE ACCORDING TO OUR CONSTITUTION, AND NOT BY SOME GROUP OR COMMISSION THAT CHANGES THINGS TO SUIT THEIR OWN AGENDA.

IF YOU WANT TO "FOUL" THINGS UP, "FORM A COMMITTEE" OR PUT A BUNCH OF "DO-GOODERS" IN CHARGE AND IT WILL HAPPEN.

THIS IS THE SAME IDEA WHICH IS BEING PUT FORTH WITH THE "AGENDA 21" PROGRAM WHICH SHOULD BE OUTLAWED. RESPECTFULLY

D A Pope

Joann Lyons
[redacted]

July 26, 2012

Water Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle Street
Exeter, NH 03833

July 18, 2012

Dear Commissioners,

You have asked for public comment regarding "managing the water challenges faced by New Hampshire over the next 25 years."

I'll begin by expressing my belief that everything you eventually propose to the Governor should be based upon respect for our Constitutional Rights. In one of your recent meetings, one of your commissioners raised a concern for Constitutionality... and I was stunned to hear another commissioner dismiss those concerns by stating they will let the courts decide. That is a reckless disregard of the responsibilities that you have been entrusted with.

Your commissioners have also made statements that disregard our riparian rights to the well water on our personal property. Some examples include:

"Need to view water as a whole entity rather than whether it comes from a public system or private well."

"Water is a state resource that belongs to the people – it needs to be worked on at that level."

"Need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together."

I disagree with these statements that the State should/does own all NH water.

Part First, Article 2 of the NH Constitution states; "All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin."

Water is an essential element for life. I am deeply disturbed that your commission assumes the state must usurp my property rights to take control of my well water on my property. Regulation of my well water translates into a direct regulation of my liberty.

When a state commission unilaterally decides, as yours has, that it has the authority to decide whether or not my right to my well water should be transformed into a regulated commodity... you have exceeded your charter – and our form of government has broken down.

From the beginning of your commission (from the spring of 2011), your commissioners have openly questioned individual property rights to our private well water. The following excerpt is taken directly from your minutes; "Valuing water – there was much discussion about need to challenge basic assumptions about the cost vs. value of water – is it a commodity or right?"

Let me be clear. It is a Right.

I'm also disturbed that commissioners share a belief the water from our "private wells are too cheap". Am I not entitled to enjoy the inexpensive extraction of water from my well on a daily basis after spending thousands of dollars up front to gain access to it?

This leads me to your commission's statement that people "need to think differently about accounting – what do people currently measure – how could they measure?" Does this mean that you are/will consider pushing for legislation to have a meter placed on my private well in order to regulate my usage of my well water (that you consider the State's)? This seems a logical assumption based upon the fact that your commission believes I am not the owner of the water in my well and that my water is currently too cheap. I would like for you to respond to this question to my address above.

Additional concerns of mine are based upon the commission's desire to impress a sense of "urgency" (your word) for a solution where a problem does not exist. Your commission has previously stated multiple times that NH is a "water rich state", and we currently have mechanisms in place to protect the quality of that water.

My suggestion for your proposal to the Governor is to leave well enough alone. Each local community already has the resources and structure in place to manage their water needs, and there are already mechanisms for state help when towns have difficulty with water, e.g. assistance when there is flooding (emergency plan); or droughts (drought management plan); or potential contamination (DES, etc...).

Respectfully,

Joann Lyons

Joann Lyons

7/19/12

Dear Commissioners,

Why is that our Constitution is continually being challenged? There appears to be a far left group who are trying very hard to change our country to Socialism / Communism.

Please be responsible in your posts and stay within our CONSTITUTION and never violate property rights.

Respectfully,

Suzanne Pope

From: Water Commission [watersustainabilitycommission@gmail.com]
Sent: Sunday, July 29, 2012 9:14 PM
To: Susca, Paul
Subject: Fwd: Water Matters Video

---------- Forwarded message ----------
From: Daley, Michelle
Date: Monday, May 21, 2012
Subject: Water Matters Video
To: "watersustainabilitycommission@gmail.com" <watersustainabilitycommission@gmail.com>

Hello,

At the NH Water and Watershed Conference a “water matters” video was mentioned as a good video to play on town public access channels. I would like to check this out and share it with my town. Do you know how to access this video and if it is on YouTube?

Thanks,
Michelle

****

Michelle L. Daley

Research Scientist

Associate Director NH Water Resources Research Center (http://www.wrrc.unh.edu/)

Manager Northeastern States Research Cooperative Theme 2 (http://www.uvm.edu/envnr/nsrc/)

Department of Natural Resources and the Environment

University of New Hampshire

[redacted]

From: Water Commission [watersustainabilitycommission@gmail.com]
Sent: Sunday, July 29, 2012 9:13 PM
To: Susca, Paul
Subject: Fwd: audience question

---------- Forwarded message ----------
From: McMillan, Barbara
Date: Thursday, June 14, 2012
Subject: audience question
To: watersustainabilitycommission@gmail.com

Is this the meeting for those that work with water? I had June 19th at DES for that one.

Thanks, Barb

Barbara McMillan, Watershed Outreach Coordinator

NH Department of Environmental Services

29 Hazen Drive, Concord, NH 03301

[redacted]

From: [redacted]
Sent: Tuesday, July 03, 2012 8:49 AM
To: watersustainabilitycommission@gmail.com
Subject: HOH pollution

Thank you for taking my comments. The state DOT is one of the largest polluters. They spend millions on replacing wells that have been polluted with salts. The DOT needs to do what the towns have to do. Mix sand with salt or do not use salt at all. People will slow down.

Respectfully,

Carolyn B. Webber
[redacted]

From: Leigh Webb [redacted]
Sent: Wednesday, July 11, 2012 12:14 PM
To: watersustainabilitycommission@gmail.com
Subject: Water resource survey comment

To the Members of the **Water Sustainability Commission**,

I would be interested in knowing the value of this survey when the results are to be given to a governor who will only be in office for three more months after the survey is completed. Depending on who is elected to replace Gov. Lynch, compilation of this data could be nothing more than an academic exercise. To possibly add insult to injury, is there a cost to the state to conduct this survey?

Hon. Leigh A. Webb, former State Representative, and current candidate for Merrimack County District 3
Member Choose Franklin Advisory Board
www.choosefranklin.org
President, Franklin Historical Society
www.franklinnhhistoricalsociety.org
Director, Association of New Hampshire Historical Societies Board
www.historicalsocietiesnh.org
Director, Footlight Theatre Board
www.franklintheatre.org
Director, YMCA Camp Belknap Board
www.campbelknap.org

From: Sharon Meeker [redacted]
Sent: Thursday, July 12, 2012 12:06 PM
To: watersustainabilitycommission@gmail.com
Subject: Surface and ground water protection

Hi, I am a long-term member of the 20-+-year-old Local Advisory Committee for the 4 lower towns on the Lamprey and, since the LAC was combined with the Wild and Scenic Rivers Program for the four towns, I have worked with program also.

I just wanted to emphasize my own commitment to protection of the Lamprey River and its tributaries and the watershed that feeds them. Groundwater supplies about 50% of the water coming into these rivers, as well as supplying the many wells (private and commercial) that are in the watershed. Protection and wise use of water has always been a priority for me and for the committees on which I serve. Education, regulation and proper management practices are essential partners in that effort.

I applaud the efforts of the Governor's commission and hope to participate in its future activities, as well as continue to serve on the Lamprey LAC.

From: Pooh Sprague [redacted]
Sent: Saturday, July 14, 2012 6:27 AM
To: watersustainabilitycommission@gmail.com; Hamilton, George; Becky Sideman; robert.chappelle
Subject: water useage
7/13/12
[redacted]

Dear Denise and to whomever else it may concern,

Having just filled out my water daily useage journal for the DES, maybe it is a good time to so send a comment to the commission. I would note that this comment comes in behalf of the vegetable and small fruit farmers of NH, being the president of that trade association as well as myself and my family whom have been farming alongside the Connecticut River for the last 39 years.

I attended the commissions informal hearing in New London a month or so ago. I was concerned then, as I am now, that agriculture gets to sit at the table with recreational as well as private water users and not the industry and municipal interests. That speaks to me that once again state government does not really see agricuture as an industry, and so our voice gets minimized.

In times of drought, such as the one we are currently going through, NH farmers use a great deal of water, and you are all welcome to view our farm records that we have submitted to NH DES for the last 15 years. There are many more currently unregistered users than there are registered users. Although it is extremely expensive, we are currently irrigating daily to try to save crops during this drought as are many others across the state. In a "wet" year farmers still utilize water to transplant crops into the field, aid in growing those crops as well as spring frost control. Those engaged in animal husbandry, such as dairy, are heavy users of water as well.

Someone once said that water is the new crude oil of the 21st century. I stated at the New London meeting that I believe in the near future there will be water allotments and use restrictions. I hope that the this commission will recognize the value of the NH agricultural product and its industry and in so doing, make sure that we have a larger seat at the table than we currently have.

Kindly,

Pooh Sprague
[redacted]

From: [redacted]
Sent: Wednesday, July 18, 2012 4:48 PM
To: watersustainabilitycommission@gmail.com
Subject: Public Comment for Final Report

AL WOOD DRIVE ROAD ASSOCIATION

A NH Nonprofit Corporation

[redacted]

18 July 2012

RE: Public Comment for Final Report

Commission Members,

Thank you for your hard work and this opportunity to offer a final thought as you deliberate strategies and management efforts on the water issue for your final report.

Al Wood Drive Members have been long involved in the protection of the waters of Mendums Pond. Representative of our involvement is found in the 1992 NHDES-WSPCD 92-4 and our 2005 Watershed Assistance Grant. It is from this involvement that we suggest for us what should be your overall arching objective in your final report.

Embrace a thoughtful but full, robust enforcement of the laws on the books. A central concern is that there are inadequate resources to enforce the environmental laws that many have spent significant personal time and money to get enacted. Yet we see and hear on a regular basis this triage concept that has been forced at the State level regarding the protection of our water resources. At the 2012 Water Conference at Plymouth State, the assessment presentation on the Shoreland Water Quality Protection Act removed any doubt regarding this.

Creative strategies and integrated management schemes will take you only as far as you are willing to enforce their implementation. Better that the proposed initial approach be focused on taking what we have and applying ourselves to making that work rather than to believe that a wholesale rework is the only future salvation.

Us locals will keep plugging away, but please give some consideration to this thought.

Steve Conklin

Chairman Al Wood Drive Road Association

From: Duncan Mellor [redacted]
Sent: Wednesday, July 18, 2012 8:09 AM
To: watersustainabilitycommission@gmail.com
Subject: road salt use, wastewater treatment plants

Hello,

Having been involved in surface water quality monitoring in Seabrook for a number of years it is striking what the impact has been from the exclusive use of road salt by NH DOT in this region. One drainage outfall we have been monitoring discharges 3 parts per thousand chlorides throughout each summer – the groundwater is saturated with salt along Rt 1. Why did NH DOT stop using sand for road traction control? In some conditions, sand is much more effective than salt – drive a town road treaded with sand the same day and you will see the difference. The well at my office inland in Stratham has much higher chloride concentrations than my camp well in Kittery which is only 60 feet from a salt water creek (both drilled wells in rock about 300 feet deep).

On wastewater treatment plants: look at the big picture. Municipal water is drawn from wells or reservoirs, used by the public, and then discharged to rivers or the ocean after treatment. Why is this treated water not being re-infiltrated to recharge groundwater? In fact in the seacoast area, NH DES has been pushing hard for a regional ocean outfall – how does this help groundwater recharge? Is the concern hidden issue of pharmaceuticals in waste water discharges? UNH Civil Engineering has been doing research on treatment systems to destroy pharmaceuticals in waste water – you would do well to support that work as this is a very significant and generally concealed issue.

On MTBE you should be well aware of this significant issue, especially for private wells, where DES does nothing and has not performed public outreach to inform NH residents of this issue, particularly since the introduction of ethanol gasoline which is more water soluble.

Of note, the comment web link provided in the DES e-mailing does not work

Regards,
Duncan

Duncan Mellor, PE
Waterfront Engineers LLC
[redacted]

From: Pat Newhall [redacted]
Sent: Sunday, July 22, 2012 12:22 PM
To: watersustainabilitycommission@gmail.com
Subject: Sustainability of Underground Aquifer

To the New Hampshire Water Sustainability Commission: July 22, 2012 From Patricia Newhall, Barrington, NH. I have lived in Barrington for 52 years. We bought the 108 Acre Twombly farm on Wood Rd. in 1960, and a Dowser found a well-site with his apple branch! The water came in at 13 feet and never went dry until the drought summer 0f 2010. There were three springs running into that well--pure and sweet!! That Fall (2010) we had to have an Artesian well drilled!! I am an abutter to the USA Springs, Inc. property ,and their proposal to withdraw thousands of gallons of water from the Aquifer under Route 4 in Nottingham and Barrington was totally reprehensible!! When this request by USA Springs was first made in 2000, DES deliniated a 7-mile radius around their site; declaring this a threatened zone of influence, and denied their application!! Due to their persistance and a change of Governors, the application was approved!! I have written many letters over these 10 years opposing this project, and am GLAD they are in Bankruptcy Court!! To me it is rediculous that USA Springs, Inc. has been in bankruptcy for going on 5 years!! Many families have moved from that vicinity over the years due to the threat of losing their water!! Since the July date for the Auction has been postponed (again) to September, I pray that will see the end of USA Springs forever!!! I know many wells depend on the sustainability of that underground aquifer under Rte. 4 and no one should EVER be allowed to tap into it!! Patricia Newhall, [redacted] [redacted] [redacted] Thank you for your attention!

From: Andy Bridge [redacted]
Sent: Wednesday, July 25, 2012 10:35 AM
To: watersustainabilitycommission@gmail.com
Subject: Comment Letter
To Whom it May Concern:

Attached please find a letter concerning your upcoming report.

I have pasted a copy below and have also mailed a hard copy.

Thank you.

Andy Bridge
[redacted]

Water and Sustainability Commission July 25, 2012

c/o Synchrony Advisors, LLC

10 Myrtle St.

Exeter, NH 03083

Dear Commissioners:

I understand that you are seeking feedback from the public by July 31, 2012. My question is feedback on what? I have been unable to find any type of draft report that you have compiled upon which to comment.

The right to private property is a foundation stone for our basic rights as citizens. This right is supported by both the US and the NH constitutions. It is my understanding that at your meeting on or about July 12, 2012, the question of the constitutionality of your recommendations was raised by one of your commissioners and was dismissed by another who stated that you will let the courts decide the issue of constitutionality.

Our constitution is the founding document of our state and of our nation. Every elected official takes an oath to perform the duties incumbent upon them according to the rules and regulations of the constitution. The question of your responsibility to use the Constitution of the State of New Hampshire as a prism through which to craft your report should not simply be an afterthought; it must be the very basis of all of your actions.

The protection of our natural water resources should not take precedence over the protection of our natural rights as codified under our constitutions.

I respectfully request that the Commission issue a preliminary report and then ask for public input before issuing its final report.

Respectfully,

Andrew Bridge

[redacted]

PS: A hard copy of this letter is being mailed by US Mail as well as sent via email to the Commission

From: LOU SAVIANO [redacted]
Sent: Wednesday, July 25, 2012 1:12 PM
To: watersustainabilitycommission@gmail.com
Subject: NH Water Rights

Dear Commissioners,

I am a 13th Generation American. We have 3 boys who have grown up and love NH. I was born in Boston and my Mom in Philadelphia. My family arrived in the 1600s. Two of my relatives were NH Governors in the 1700s. I wish to express my opinion that you help maintain our current constitutional rights to water on NH resident's property. There is no need to make new regulations and changes to our riparian and water rights.

Thank you,

Lou Saviano
[redacted] NH resident
Live Free or Die

From: Colette Worsman [redacted]
Sent: Wednesday, July 25, 2012 5:00 PM
To: watersustainabilitycommission@gmail.com
Subject: Objection to usurping property & riparian rights.

Water Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle Street
Exeter, NH 03833

July 25, 2012

Dear Commissioners,

You have asked for public comment regarding "managing the water challenges faced by New Hampshire over the next 25 years." There is no problem with water in our state, and there is no need to make new regulations and changes to our riparian and water rights.

Riparian rights have been in this land since it was brought over by our first settlers. Our Constitutional rights to property, including water, has proved sufficient for our needs for over 200 years, and a report of a water commission should not be used to usurp those rights and constitutional principles. Our water rights and riparian rights do not, and should not, be "updated."

Additional concerns of mine are based upon the commission's desire to impress a sense of "urgency" for a solution where a problem does not exist. Your commission has previously stated multiple times that NH is a "water rich state", and we currently have mechanisms in place to protect the quality of that water.

I will add my suggestion to that of others, that your proposal to the Governor is to leave well enough alone – especially here in Meredith and Gilford. Each local community already has the resources and structure in place to manage their water needs, and there are already mechanisms for state help when towns have difficulty with water

Thank you for taking the time to address my concerns and those of my constituent's.

Sincerely,
Colette Worsman
Representative to the NH House –Belknap 2

From: ted crisman [redacted]
Sent: Wednesday, July 25, 2012 10:59 PM
To: watersustainabilitycommission@gmail.com
Cc: electionlaw@doj.nh.gov; [redacted]
Subject: Our Water
WSC members,

I want to make my wife and my objection to the WSC: **We categorically object to and reject the idea which wrongly asserts that the state of NH owns the water in our well.** Further, we hold that this idea and its conclusions violates our personal property rights. We are prepared to fight this movement at every turn.

Secondly, your survey at Survey Monkey is a sham. The takers of the survey may take it any number of times, and the nature of the questions are framed such that the results may be explained to support any number of contradicting conclusions. Both of these issues would demand that you shut down this survey and use both email and U.S. Mail as the only two ways to receive feedback regarding our water rights and our positions on it.

The largest issue, the issue staring all of us in the face is that when anyone speaks of the "State of NH" it absolutely should not be forgotten that we the citizens are the substance and body of that title and the constitutional basis which grants it. The government is for us and at the service of the people who form it, not the reverse.

Those of us who live here have not forgotten that one of the purposes of our laws is to protect and shelter our personal property rights as they relate to the common good from violations. We can see clearly that this idea that our private property really isn't ours is simply a **power grab and we aren't going to stand by and let it happen.**

Sincerly,
Edward Crisman
[redacted], NH

From: Weare Representative [redacted]
Sent: Wednesday, July 25, 2012 3:52 PM
To: watersustainabilitycommission@gmail.com
Subject: Public Comment

Members of the Commission:

I wish to respond to the Commission's request for public comments on its work before issuing a final report. My comments apply to privately-owned wells on privately-owned property used for residential purposes.

First, should a recommendation be made that would involve state regulation of, or indeed a state interest in, (a) the amount of use, (b) the timing of use or (c) the purpose of use of water in a private well used for residential purposes, it would be impinging on what most folks in this state view as a basic property right. Many would view it as a "taking" under the eminent domain power. Executive branch implementation of the recommendation would not be tolerated and would no doubt be countermanded by legislative action.

Second, a recommendation that private residential well water is somehow a state resource to be used or managed in the interest of all of the state's residents would be regarded similarly.

Third, a recommendation that municipalities establish water-use policies for private residential wells or join with other communities for such regulations would be regarded similarly. No comparable objection would be made to such a recommendation made with respect to public water supplies.

New Hampshire is the "live free or die" state. I urge the Commission to tread lightly.

Respectfully,

Neal M. Kurk
Weare, NH

From: Howard Coffman [redacted]
Sent: Wednesday, July 25, 2012 7:19 PM
To: watersustainabilitycommission@gmail.com
Cc: Howard Coffman
Subject: Public Feedback on Water Sustainability Commission

Dear Commissioners,

There is no problem with water in our state, and there is no need to make new regulations and changes to our riparian and water rights.

Please DO NOT FIX WHAT ISN'T BROKEN.

Stop looking for a solution to a problem that by your own words does not exist.

Sincerely,

Howard Coffman
[redacted], NH

From: [redacted]
Sent: Wednesday, July 25, 2012 10:21 AM
To: watersustainabilitycommission@gmail.com
Subject: response to myour monkey survey

Dear Commissioners,

There is no problem with water in our state, and there is no need to make new regulations and changes to our Riparian and water rights.Riparian rights has been in this land since it was brought over by our first settlers.Our constitutional rights to property, including water, has proved sufficient to our needs for over 200 years,and a report of a water commission should not be used to usurp those rights and constitutional principles.Our water rights and riparian rights do not, and should not, be "updated" I am appalled that this Commission, which I deem unconstitutional under the N.H. laws and therefore has no jurisdiction over my property or water rights.My water on my land is not state property! My toil and money went into property and no-one will take away my human rights as a citizen of N.H.Your commission is not connected with the N.H. state government, therefore your decision about sustainable water in our regions is unfair practice and very deceitful to our citizens.The governor has chosen to dance around our elected government officials with a total disregard for the citizens and our constitution.I abide by our constitution and our state house decisions.

From A Concerned Citizen, Rosemary Landry

From: [redacted]
Sent: Wednesday, July 25, 2012 12:46 PM
To: watersustainabilitycommission@gmail.com
Subject: Update

Dear Commissioners,

There is no problem with water in our state, and there is no need to make new regulations and changes to our riparian and water rights.

Riparian rights has been in this land since it was brought over by our first settlers. Our Constitutional rights to property, including water, has proved sufficient for our needs for over 200 years, and a report of a water commission should not be used usurp those rights and constitutional principles. Our water rights and riparian rights do not, and should not, be "updated."

Respectfully,

Paul Amante
[redacted], NH

"Live free or die"

From: [redacted]
Sent: Wednesday, July 25, 2012 9:16 PM
To: watersustainabilitycommission@gmail.com
Subject: water rights

Dear Commissioners,

There is no problem with water in our state, and there is no need to make new regulations and changes to our riparian and water rights.

Riparian rights has been in this land since it was brought over by our first settlers. Our Constitutional rights to property, including water, has proved sufficient for our needs for over 200 years, and a report of a water commission should not be used to usurp those rights and constitutional principles. Our water rights and riparian rights do not, and should not, be "updated."

I should add that I am strongly opposed to any implementation of UN Agenda 21 and hope the Commissioners will never take steps toward any of that agenda. We are a sovereign country and should never adhere to the desires of the UN.

Respectfully,

Joann Lyons
[redacted], NH

From: Luke Botting [redacted]
Sent: Wednesday, July 25, 2012 11:29 AM
To: watersustainabilitycommission@gmail.com
Subject: water usage and conservation
Dear Commissioners,

I urge you not to introduce any legeslation or pass and regulations on the private usage of well water, We value our property rights here in New Hampshire and the freedoms we are allowed upon them, we don't pay some of the highest property taxes in the Country for nothing.

Luke Botting

From: [redacted]
Sent: Thursday, July 26, 2012 10:02 PM
To: watersustainabilitycommission@gmail.com
Subject: Comments

Hello -

The article "Why Municipal Bond Fears are Overblown" on your website dates from February 2011 and is woefully inaccurate in light of events that have (and have not) transpired since that time. "The Fed is expected to begin raising interest rates in late 2011 or early 2012" is one example of information that did not come to pass - as the pundit/bond salesman who authored the article predicted. I am not even sure why it is on your website...unless it's to convince readers that it's ok to invest in shaky municipal projects?

Do you expect the residents of New Hampshire to take your "commission" seriously when you offer such out-of-date information? Besides being out-of-date, it's a naive perspective on the state of the economy. No, New Hampshire isn't California, however, we do have millions in unfunded pension obligations, etc. that will be paid before the bondholders. Full faith and credit of the issuing entity and the unlimited authority (and ability) to raise taxes are both lies.

I also object to your commission's mission to "provide recommendations on how to build public...support for the actions and priorities it identifies." Really? And if those "actions and priorities" run counter to the best interests of the people and landowners of New Hampshire, does your commission with the help of the Governor intend to ram it down our throats? Go back to Massachusetts.

I also am concerned about the stance that the State has the right to usurp the water rights of private landowners (any more than it already does). This ain't the Soviet Union, regardless of what you've seen and heard coming out of Washington for the last 3.5 years.

Based on what I have observed and read, much of what your commission does seems like a major waste of time and taxpayer money.

Sincerely,
Cheryl Lassiter
[redacted]

From: cathy leftin [redacted]]
Sent: Thursday, July 26, 2012 6:39 PM
To: watersustainabilitycommission@gmail.com
Subject: Public comment for water sustainability commission

Water Sustainability Commission

c/o Synchrony Advisors, LLC

10 Myrtle Street

Exeter, NH 03833

July 26, 2012

Dear Water Sustainability Commission:

I was disheartened and dismayed to hear and read (in your meeting minutes) that commission sustainability members had publicly made statements that give the impression that the intent of this commission is to declare that well-water on private property is not the right and asset of the land owner, but rather, the property of the State.

Statements such as "**Water is a state resource that belongs to the people – it needs to be worked on at that level**", and "[we] **need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together**", are very troublesome and the cause of great concern to me.

I believe that less government is better (we are now seeing the negative effects of too much government locally, nationally, and globally), and it is my impression that your commission would like to increase the role of government in my life and the lives of my fellow New Hampshire residents, as well as to intrude upon my constitutionally granted private property rights.

I see a disturbing trend in New Hampshire recently, with ever-intrusive zoning and regulation, making it more difficult for property owners to use their assets as they choose. I understand and agree that we need a level of basic, common-sense regulation, to prevent people from polluting and affecting neighboring properties from damage and devaluation. However, what I see taking place is that these regulations are being taken too far by a handful of people who are not Constitutionally aware, thus ignoring settled jurisprudence and common law.

My first clue to this is the use of the word "**sustainability**" in your commission name; I have come to recognize that word as a synonym for "*excessive control and restriction in the name of environmental protection*", and I do not welcome it.

Cathy Leftin

[redacted]

From: Thomas Flaherty [redacted]
Sent: Thursday, July 26, 2012 4:05 PM
To: watersustainabilitycommission@gmail.com
Subject: Public Comment for Water Sustainability Commission

Water Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle Street
Exeter, NH 03833

July 26, 2012

Dear Water Sustainability Commission:

I was dismayed to hear and read (in your meeting minutes) that members of this commission had publicly made statements that give the impression that the intent of this commission is to declare that well-water on private property is not the right and asset of the land owner, but rather, the property of the State.

Statements such as "**Water is a state resource that belongs to the people – it needs to be worked on at that level**", and "[we] **need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together**", give me great concern.

I am of the mindset that less government is better (we are now seeing the negative effects of too much government locally, nationally, and globally), and it is my impression that your commission would like to increase the role of government in my life and the lives of my fellow New Hampshire residents, and to intrude upon my constitutionally granted private property rights.

I see a disheartening trend in New Hampshire recently, with ever-intrusive zoning and regulation, making it more difficult for property owners to use their assets as they see fit. Yes, we need a level of basic, common-sense regulation, to prevent people from polluting and affecting their neighboring property from damage and devaluation, but the trend I see is that it is being taken too far by a handful of people who are not Constitutionally aware.

My first clue to this is the use of the word "**sustainability**" in your commission name; I have come to recognize that word as a synonym for "*excessive control and restriction in the name of environmental protection*", and I do not welcome it.

Tom Flaherty
[redacted], NH

From: Ananta Gopalan [redacted]
Sent: Thursday, July 26, 2012 8:24 PM
To: watersustainabilitycommission@gmail.com
Cc: [redacted]
Subject: Public Comment
July 26, 2012

Water Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle Street
Exeter, NH 03833

Dear Commissioners,

I came across a news item that called for public comment from your organization regarding "managing" the water challenges faced by New Hampshire over the next 25 years. I didn't even know that such an organization exists in the state of "Live Free or Die". Beyond that, I didn't realize that we need yet another governmental agency or some sub-system of an agency to contemplate how the spirit of New Hampshire can be destroyed under the guise of water shortage.

I understand that one of your commisioners stated that Constitutional concerns can be left up to the courts. May I remid you that the Constitution defines what the people allow for the scope of governmental powers and it is not to do away with their property rights. When I read the New Hampshire or the US Constitution I didn't read that it was written for the courts. Such progressive thinking which is destroying this country must be rooted out. It does not belong in our state with the referenced motto. It would be more appropriate in the former Soviet Union.

Your commissioners have also made statements that disregard our rights to the well water on our personal property. Some examples include:

“Need to view water as a whole entity rather than whether it comes from a public system or private well.”

“Water is a state resource that belongs to the people – it needs to be worked on at that level.”

“Need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together.”

All those statements assume that the state has the right to do what it may with well water in my property. In other words, there will be NO property rights. This is precisely what is used everywhere tyranny has been in place, from the English rule in Ireland to the Nazis and communists.

I think the best way to deal with a non-existent water problem in New Hampshire is to do away with your commission and enhance the private property rights as the NH Constitution is intended. It is people that use their creative skills to develop solutions to real "problems" in the world. The "green revolution" of 1970s resulted in significant per acreage yield of rice and thwarted the impending starvation in third world countries. Scientific effort has resulted in development of drought-resistant crops. Places like Saudi Arabia, Israel and other Mid-East countries rely on desalination to supply water to their communities. All those developments are due to private ingenuity and property rights.

Finally, let me draw your attention to the purpose of government as founded- NH Constitution, Bill Of Rights, Art.2 clearly states,"...acquiring, possessing and protecting, property; in a word, of seeking and obtining happiness". This water intrusion contemplated by your commission is illegal considering, the Constitution is the supreme law of New Hampshire. Let me also draw your attention to another article in the same section- Art.10 which states, "...therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress is ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish and destructive of the good and happiness of mankind".

As a minimum, what is in one's property belongs to that person. Without property rights, there is no liberty.

You may think my criticism of your Commision and its intentions are harsh. However, experience dictates that without resistance to the socialist ideas of "Community rights" over personal property, New Hampshire would become another

socialist state.

My recommendation is to disband your commission and save the taxpayers' funds and their god-given rights.

Sincerely,

A. Gopalan
[redacted].

From: [redacted]
Sent: Thursday, July 26, 2012 5:08 PM
To: watersustainabilitycommission@gmail.com
Subject: Water

What the hell is wrong with you people nobody owns the water,we have rights to it we have riparian rights,some have flowage rights.

Know well water is a total different animal we take it out of the ground the which the good lord put it there and know you have sold this country out "AGENDA 21" you are given in to the U.N. sham sham what about all your grand children you want them to grow up as slaves! What about all our Four Fathers that died for our freedom in this country and all the men and woman fighting today for our FREEDOM!!! Just remember you might have power today while you set up this Agenda but when your done being used they will throw you in the pen like the rest.

From: Ernie [redacted]
Sent: Thursday, July 26, 2012 5:42 PM
To: watersustainabilitycommission@gmail.com
Subject: Water rights

I've only today become aware of the existence of **Governor Lynch's *Water Sustainability Commission***. *I am very concerned at the apparent mindset of the commission's, who seem to think of water harvested from private land for private use as a public good. That kind of arrogance is very dangerous in a body apparently empowered to recommend government action. Yes, government ought to have the mandate to regulate water supplied by a public utility as a service to its users as an ordinary supplier/seller business relationship but the idea of usurping private property rights in the name of sustainability has no place in this, or any government commission.*

Ernie Bridge
[redacted], NH

From: Water Commission [watersustainabilitycommission@gmail.com]
Sent: Thursday, July 26, 2012 9:03 PM
To: Susca, Paul
Subject: Fwd: Water rights

---------- Forwarded message ----------
From: **Don Currier** [redacted]
Date: Thu, Jul 26, 2012 at 9:18 AM
Subject: Water rights
To: watersustainabilitycommission@gmail.com

Dear Commissioners,

You have asked for public comment regarding "managing the water challenges faced by New Hampshire over the next 25 years."

I'll begin by expressing my belief that everything you eventually propose to the Governor should be based upon respect for our Constitutional Rights. In one of your recent meetings, one of your commissioners raised a concern for Constitutionality… and I was stunned to hear another commissioner dismiss those concerns by stating they will let the courts decide. That is a reckless disregard of the responsibilities that you have been entrusted with. Be certain if you vote to take away our personal property rights, including the water on our own lands you will be voted out of office and be in the unemployment lines.

Your commissioners have also made statements that disregard our riparian rights to the well water on our personal property. Some examples include:

"Need to view water as a whole entity rather than whether it comes from a public system or private well."

"Water is a state resource that belongs to the people – it needs to be worked on at that level."

"Need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together."

I disagree with these statements that the State should/does own all NH water.

Part First, Article 2 of the NH Constitution states; "All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin."

Water is an essential element for life. I am deeply disturbed that your commission assumes the state must usurp my property rights to take control of my well water on my property. Regulation of my well water translates into a direct regulation of my liberty.

When a state commission unilaterally decides, as yours has, that it has the authority to decide whether or not my right to my well water should be transformed into a regulated commodity… you have exceeded your charter – and our form of government has broken down.

From the beginning of your commission (from the spring of 2011), your commissioners have openly questioned individual property rights to our private well water. The following excerpt is taken directly from your minutes; "Valuing water – there was much discussion about need to challenge basic assumptions about the cost vs. value of water – is it a commodity or right?"

Let me be clear. It is a Right.

I'm also disturbed that commissioners share a belief the water from our "private wells are too cheap". Am I not entitled to enjoy the inexpensive extraction of water from my well on a daily basis after spending thousands of dollars up front to gain access to it?

This leads me to your commission's statement that people "need to think differently about accounting – what do people currently measure – how could they measure?" Does this mean that you are/will consider pushing for legislation to have a meter placed on my private well in order to regulate my usage of my well water (that you consider the State's)? This seems a logical assumption based upon the fact that your commission believes I am not the owner of the water in my well and that my water is currently too cheap. I would like for you to respond to this question to my address above.

Additional concerns of mine are based upon the commission's desire to impress a sense of "urgency" (your word) for a solution where a problem does not exist. Your commission has previously stated multiple times that NH is a "water rich state", and we currently have mechanisms in place to protect the quality of that water.

My suggestion for your proposal to the Governor is to leave well enough alone. Each local community already has the resources and structure in place to manage their water needs, and there are already mechanisms for state help when towns have difficulty with water, e.g. assistance when there is flooding (emergency plan); or droughts (drought management plan); or potential contamination (DES, etc…).

Respectfully,
Don Currier

From: Robert Elliott [redacted]
Sent: Thursday, July 26, 2012 7:45 AM
To: watersustainabilitycommission@gmail.com
Subject: Water Rights
Dear Commissioners,

There is no problem with water in our state, and there is no need to make new regulations and changes to our riparian and water rights.

Riparian rights has been in this land since it was brought over by our first settlers. Our Constitutional rights to property, including water, has proved sufficient for our needs for over 200 years, and a report of a water commission should not be used to usurp those rights and constitutional principles. Our water rights and riparian rights do not, and should not, be "updated." Please stop trying to tax us and control us out of existence!!!

Respectfully,
Robert Elliott
[redacted]

From: [redacted]
Sent: Thursday, July 26, 2012 11:28 PM
To: watersustainabilitycommission@gmail.com
Subject: Water Sustainability Commission

I would like to make one thing very clear. I own my home and my property including my well and the water I get from that well. The state does NOT own my water or any other part of my property. There is no "right" in the name of *sustainability* or the *common good* that can **take away my property rights.** This manufactured crisis of our water in NH and the attitudes and agenda of the Water Sustainability Commission will not go unnoticed or unchallenged by NH citizens and property owners. We have had **enough** of government intrusion, regulation and the "agenda of sustainability". Enough of these expensive commissions working without authority or consent and without transparency and **honest** accounting to the public about their intentions.

Nancy Dulac
[redacted] NH

From: Donna McDonald [[redacted]
Sent: Friday, July 27, 2012 1:02 PM
To: watersustainabilitycommission@gmail.com
Subject: [redacted], NH - Water Resources

Importance: High
To Whom It May Concern;

I am a resident at [redacted], in [redacted], NH and as such am extremely concerned not only with the quality of the water but with the quantity of water as well. This is a Co-op community that relies on a well as its water source.

Every year residents receive notices of contamination and boiling orders, and frequently have water bans placed upon us. Epping Well and Pump tests and services this location. We were notified in mid to late June of a contamination and boiling order for e-coli, were told it would be rectified in 10 days and are now at the end of July and still are awaiting notification that the problem has been fixed.

This is not only an inconvenience, but it is a health concern as well. This community primarily consists of the elderly and young children, and we are often not made aware of water quality problems for 10 or more days upon identification of such, thereby placing many of us at risk and resulting in increased medical office visits for flu like symptoms as a result of the contamination.

Therefore, New Hampshire's water resources are of grave concern for us. All residents need to act now to prevent any further contaminations, and to protect the future sources of water in this beautiful state. I would like to request that this commission take a close look at this community as part of your scheduled tasks, for we, as a community, just cannot continue on this path of uncertainty. Any assistance you can provide in ensuring we have a clean and adequate water sour would be truly appreciated. Thank you for your efforts and consideration in this matter.

Sincerely,
Donna M. McDonald
[redacted]

ExchangeDefender Message Security: Check Authenticity

From: [redacted]]
Sent: Friday, July 27, 2012 2:20 PM
To: watersustainabilitycommission@gmail.com
Subject: New Hampshire Water Rights

Dear Commissioners,

I disagree with your assertion that the State of New Hampshire should/does own all New Hampshire water.

I am deeply troubled that your commission assumes that the State of New Hampshire must usurp my property rights to seize control of my well water on my property. Such regulation of my well water would be a direct regulation of my liberty. Article 2 of the NH Constitution states; "All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness……."

Our Constitutional rights to property, including water, must not be usurped, and our water rights and riparian rights do not need updating.

Sincerely,

Barbara Ferman

[redacted]

[redacted]

--
What we have once enjoyed, we can never lose;
All that we love deeply, becomes a part of us.
- Helen Keller

From: Jane [redacted]]
Sent: Friday, July 27, 2012 12:38 PM
To: watersustainabilitycommission@gmail.com
Subject: Public Input
To whom it may concern at the 'Water Sustainability Commission';

On Earth Day of April 22, 2011, Governor Lynch issued Executive Order #2011-2 which created a New Hampshire Water Sustainability Commission.

Although it states simply that the commission is “charged with developing (a) plan to ensure (a) clean, sustainable NH water supply” it is unknown by whose or what mandate or authority the Governor created this order, per their staff when we inquired.

He then appointed (unelected) members who now sit on this commission and work toward a list of "goals" that also seem to have originated from an unknown source.

The commission has employed the public relations "arm" (NH Listens) of a non-governmental private corporate foundation (Carsey Institute) to help "facilitate" meetings during which sweeping changes to the constitutionally guaranteed rights of property ownership are being challenged.

The NGO's "facilitation" group trains and sends out "facilitators" to run a limited amount of public input meetings with whatever small groups of people might have stumbled upon them — usually it's barely a fraction of the general populace.

In an attempt to hurry along the process of implementing these aforementioned unmandated goals, the "facilitators" employ the Delphi technique in order to overwhelm the attendees with ideas that would make it necessary to recodify our rights, with emphasis on a sense of "urgency" or emergency that does not actually exist in water-rich New Hampshire.

Meanwhile the general public are unwittingly at risk of having their property rights usurped and possibly more taxes levied upon them by illegal means because of certain outcomes that are being guaranteed by public relations firms like NH Listens, and therefore, predetermined by people for whom they never voted, and who seem to be carrying out the wishes of some unknown entity.

Let me remind you that in 2005, Bedford Rep. Michael Scanlon (R) was the sole sponsor of HB 572, a bill which attempted to AMEND RSA 38:2-a to allow the taking of water wells by eminent domain. It failed.

http://www.gencourt.state.nh.us/legislation/2005/HB0572.html

President Obama warned us that he would use the EPA to override the Constitution. All he needed was a willing accomplice in Governor Lynch to issue an executive order. And so the end run around democracy begins.

My suggestion is that you stop what you are doing IMMEDIATELY and close up your operation. In my opinion, your commission is patently UNCONSTITUTIONAL.

Finally, anyone who enters my private property without my permission to measure, meter, or otherwise observe intake of water from my well, or output of wastewater, or to place restriction on how I collect rainwater, will be treated as a trespasser and asked to leave.

Sincerely,
Jane Aitken, Homeowner
[redacted]

From: Val ogden [redacted]
Sent: Friday, July 27, 2012 9:49 AM
To: watersustainabilitycommission@gmail.com
Subject: Water Rights etc...

Dear Commissioners,

There is no problem with water in our state, and there is no need to make new regulations and changes to our riparian and water rights.

Riparian rights have been in this land since it was brought over by our first settlers. Our Constitutional rights to property, including water, has proven sufficient for our needs for over 200 years, and a report of a water commission should not be used to usurp those rights and constitutional principles. Our water rights and riparian rights do not, and should not, be "updated."

The citizens of New Hampshire are watching and more importantly, they are activated and committed to fighting and eliminating sustainability nonsense!

Respectfully,

Valerie A. Ogden
[redacted] NH

From: Ken Eyring [redacted]
Sent: Friday, July 27, 2012 3:12 PM
To: watersustainabilitycommission@gmail.com; Ken Eyring
Subject: Water Sustainability Commission Public Input
Water Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle Street
Exeter, NH 03833

July 27, 2012

Dear Commissioners,

You have asked for public comment regarding "managing the water challenges faced by New Hampshire over the next 25 years."

I'll begin by expressing my belief that everything you eventually propose to the Governor should be based upon respect for our Constitutional Rights. In one of your recent meetings, one of your commissioners raised a concern for Constitutionality… and I was stunned to hear another commissioner dismiss those concerns by stating they will let the courts decide. That is a reckless disregard of the responsibilities that you have been entrusted with.

Your commissioners have also made statements that disregard our riparian rights to the well water on our personal property. Some examples include:

"Need to view water as a whole entity rather than whether it comes from a public system or private well."

"Water is a state resource that belongs to the people – it needs to be worked on at that level."

"Need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together."

I disagree with these statements that the State should/does own all NH water.

Part First, Article 2 of the NH Constitution states; "All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin."

Water is an essential element for life. I am deeply disturbed that your commission assumes the state must usurp my property rights to take control of my well water on my property. Regulation of my well water translates into a direct regulation of my liberty.

When a state commission unilaterally decides, as yours has, that it has the authority to decide whether or not my right to my well water should be transformed into a regulated commodity… you have exceeded your charter – and our form of government has broken down.

From the beginning of your commission (from the spring of 2011), your commissioners have openly questioned individual property rights to our private well water. The following excerpt is taken directly from your minutes; "Valuing water – there was much discussion about need to challenge basic assumptions about the cost vs. value of water – is it a commodity or right?"

Let me be clear. It is a Right.

I'm am also disturbed that commissioners share a belief the water from our "private wells are too cheap". Am I not entitled to enjoy the inexpensive extraction of water from my well on a daily basis after spending thousands of dollars up front to gain access to it?

This leads me to your commission's statement that people "need to think differently about accounting – what do people currently measure – how could they measure?" Does this mean that you are/will consider pushing for legislation to have a meter placed on my private well in order to regulate my usage of my well water (that you consider the State's)? This seems a logical assumption based upon the fact that your commission believes I am not the owner of the water in my well and that my water is currently too cheap. I would like for you to respond to this question to my address above.

Additional concerns of mine are based upon the commission's desire to impress a sense of "urgency" (your word) for a solution where a problem does not exist. Your commission has previously stated multiple times that NH is a "water rich state", and we currently have mechanisms in place to protect the quality of that water.

My suggestion for your proposal to the Governor is to leave well enough alone – especially here in Windham. Each local community already has the resources and structure in place to manage their water needs, and there are already mechanisms for state help when towns have difficulty with water, e.g. assistance when there is flooding (emergency plan); or droughts (drought management plan); or potential contamination (DES, etc…).

Respectfully,

Ken Eyring
[redacted], NH

[redacted]

Water Sustainability Commission
c/o Synchrony Advisors, LLC
Ten Myrtle Street
Exeter, NH 03833

Gentlemen and Ladies:

It is my understanding that you are presently in the process of creating new regulations/changes to our riparian and water rights in the state of New Hampshire. To my knowledge, the citizens of this Live Free or Die state have not been fully informed by any department in the State government of any justification for this purpose. To confiscate, regulate, or additionally tax our wells, such as through meters, on our properties would be robbing us of our rights.

If in fact you believe that there is a need to CONSERVE water, there are better ways of asking the public to do just that, other than to take it to the extreme by confiscating wells on our properties that are already being taxed at rates higher than in many other states. We are not interested in "a collective sense of accountability." To whom is this accountability to be made, might I ask?

As a visitor to other states, I have seen notices in hotels, condos, and other tourist facilities where the occupants are asked to not waste water, by leaving faucets running, flushing toilets unnecessarily, and to taking shorter showers. Therefore, I would ask that this commission begin to think "out of the box" and consider less drastic measures of "regulating" and conserving our water resources in New Hampshire. You might begin with hotels, motels, inns, cottages, and public restrooms everywhere. Then, urge renters and homeowners to do the same, as well as limit car washing and watering lawns during dry periods.

My family owned and operated a tourist business (cottages and motel) for over 55 years. Our water usage was kept under control by asking guests (verbally and through posted notices) to help conserve water. Many tourists come to our state from cities where all they know is that they can turn on the water faucet without any thoughts of where water comes from, let alone thinking of conserving it. Many leave kitchen faucets running while doing other tasks, take extra long showers, and basically unknowingly and thoughtlessly waste our state's natural resource. However, a little education can make a difference and goes a long way. Most are understanding when it is explained to them that this is not New York City or Boston where water supply is "unlimited," so it never occurs to them to not waste this precious commodity.

I suggest you also begin with either limiting or taxing existing water companies that bottle and export water at great profit. Further, prevent expansion of existing companies and do not permit additional companies from coming into our state whose primary purpose is bottling and exporting local water.

We strongly oppose any decision or action on your part that would disregard our rights to well water on our personal property. There is no urgency to confiscate or regulate our personal wells. Your commission does not have the authority to interfere in our lives and deprive us of our rights.

Respectfully,

Jacqueline A. Gacek

July 28, 2012

Water Sustainability Commission
c/o Synchrony Advisors, LLC
10 Myrtle Street
Exeter, NH 03833

RE: **Public Comments on Final Report**

Dear Commission Members:

Thank you for the opportunity to comment regarding water and water resource challenges facing New Hampshire. I am writing as the volunteer chair of the Neighborhood Guardians (NG). The NG's are a local citizen action group which is **dedicated to protecting and guarding groundwater**, property values, and the health and safety of the residents of Nottingham and the surrounding communities.

The primary water quantity and quality dilemma facing our area for more than ten years has been the USA Springs debacle and the mismanagement by local, state and federal officials. Although USA Springs has been in bankruptcy for more than four years, this quandary may continue indefinitely if they can obtain financing in an attempt to complete the project. If they do, then they will start the process all over again in an effort to renew several of their expired major permits from local, state and federal officials.

During the interim the towns of Nottingham and Barrington have spent in excess of $700,000 in an effort to stop this project. Based on the results of the 10-day DES pump test in 2002 and the reported adverse impact to wells, water quality, and wetlands, they were left with no choice but to fight this project from draining the groundwater contained in this confined bedrock aquifer that is used by hundreds of families.

Although the Town of Nottingham's Selectboard hired an expert hydrologist (Dr. Tom Ballestero) to review the results of the pump test and to give them expert advice on whether this water bottling plant meets both state and local requirements to operate, his expertise was ignored by government officials and others. The DES originally denied the issuance of a Large Groundwater Withdrawal (LGW) permit in 2003 to USA Springs based on 27 scientific reasons. However, once Craig Benson became Governor in 2004 he appointed three top officials at DES who approved the LGW based on politics and not science.

Dr. Ballestero's expert reports and advice were even ignored at the local level by the Nottingham Planning Board, their lawyer and their consultant. With an inexperienced planning board coupled with their use of an education lawyer versus a land use and/or environmental, did not bode well for the project.

The most important challenge I see is the ability of local, state and federal officials to meet the requirements of the law and regulations already on the books. If that happened during the past ten years the USA Springs project would have been dead in the water. Politics must not trump the science.

If you have any questions, or need clarifications, please contact me by email at [redacted]

Sincerely,

Jim Hadley

Jim Hadley, Chair ~ Neighborhood Guardians
MPA, MBA, MS in Community Economic Development

From: william morris [redacted]
Sent: Saturday, July 28, 2012 11:20 AM
To: watersustainabilitycommission@gmail.com
Subject: Private water wells

I do not agree with the manner your commission is attempting to regulate the water in private wells. Doing so is in direct violation of our rights under the constitution. Slowly but surely, the federal and state governments are taking away our rights as citizens, and I have seen enough of it. You, as a commission, have NO right to grant yourselves such power. You ALL need to re-read the Constitution (assuming you all have) and understand WHY it was written in the first place. It cannot be CHANGED by you, and it may NOT be bartered away as a means with which to further your agendas. William R. Morris. [redacted], NH [redacted]
Sent from my U.S. Cellular BlackBerry® smartphone

From: [redacted]
Sent: Saturday, July 28, 2012 10:18 PM
To: watersustainabilitycommission@gmail.com
Cc: smith, will
Subject: Proposed Water Regulations

I am very much concerned about the Commission's belief that we have an urgent water problem in the state and its plans to regulate and/or confiscate our personal water wells.

The attached letter speaks for itself. Please contact me with any questions you might have at my home 964-1599 in Rye Beach, New Hampshire.

Respectfully,

Jacqueline A. Gacek

From: Louise Andrus [redacted]
Sent: Monday, July 30, 2012 9:51 AM
To: watersustainabilitycommission@gmail.com
Subject: Wells

We have learned that the Water Sustainability Commission wants to take control of our well water. We say vote NO. Our well water is none of this commissions business. And the State of NH is acting like the Federal Government in that the State thinks it needs to tell everybody in the State what to and what not to do.

We have taken care of our well all of our life. We are that smart. We are very surprised that we have lived to the age that we have without the State controlling our lives totally.

This stupidity on the part of the State and Water Sustainability
Commission needs to stop here and now. VOTE NO.

Ted and Louise Andrus
[redacted]

From: Skip Murphy [redacted]
Sent: Tuesday, July 31, 2012 4:06 PM
To: watersustainabilitycommission@gmail.com
Subject: A question on your survey

Good afternoon,

Having just taken your survey, I have a question: will you be publishing all of the surveys taken so as to validate the summary result? Like any good scientific OR Governmental process, it is always best, for openness and transparency, to publish all raw data.

If not, please consider this a Right To Know request under RSA 91_A for all of the filled out surveys that were received from SurveyMonkey (or by other means) on that survey, as shown by your page (http://www.nh.gov/water-sustainability/)

Kindest Regards,

Skip Murphy
[redacted]

--
- Skip
GraniteGrok.com

From: Warren Kindler [[redacted]
Sent: Tuesday, July 31, 2012 2:29 PM
To: watersustainabilitycommission@gmail.com
Subject: comment on water sustainability

Dear sirs,

Please do not take away the individual water rights of the citizens of New Hampshire. This would be a big step towards the road to servitude.

This is not the kind of "progress" that we need.

Thank you,

Warren & Nancy Kindler
[redacted], NH

From: [redacted]
Sent: Tuesday, July 31, 2012 8:34 AM
To: watersustainabilitycommission@gmail.com
Subject: Comment to Water Sustainability Commission

There is no problem with water in our state. There is no need to make new regulations nor to make any changes to our riparian and water rights.

Our Riparian rights have been in this land since it was brought it over by our first settlers. Our Constitutional which solidifies our rights to property,including water has proved sufficient for our needs for over 200 year. The report of a water commission should not be used as a mechanism to usurp our rights and constitutional principles.

Eileen Mashimo
[redacted], NH

Better Than A Facelift&#63
Doctor Reveals Lazy Way To Look Up To 15 Years Younger in 17 Seconds
http://thirdpartyoffers.juno.com/TGL3131/5017d1092708b51083539st54vuc

July 31, 2012

Comments to:
The Water Sustainability Commission

I attended one of the listening sessions that was set up for the benefit of the water sustainability commission. I came away from the meeting frustrated that we didn't talk about specific issues that exist within the state today as they relate to water usage. One such issue that is of great concern me, is the Lamprey River Water Management Plan that is part of the Protected In stream Flow Pilot Project for the Lamprey River. This one program has the potential to not only damage the Lamprey River watershed but, if rolled out across the state, negatively affect all rivers and streams and the lakes from which these rivers and streams flow. The points I want to make here are: the details matter, the public involvement matters, and a transparent planning process is necessary with all stakeholders. Here are some of my observations of the Protected In stream Flow Project.

The Lamprey River Water Management Plan (LRWMP)is one of the most disorganized difficult to read documents that I have seen. DES has said they have rewritten much of the LRWMP but no one has seen the final product outside of DES. The content of the report was not much better than the presentation. I am not a scientist or an expert on the environment but I do understand numbers. When comparing various tables in the report and doing some math I realized the full extent of what could become of the water in Pawtuckaway Lake (PW). The report in two tables unconnected by the authors would take as much water as they felt necessary out of the lake. The public hearing on this matter featured one of the DES personnel holding his finger 2 inches apart saying we would only take this much. This was not true as was later admitted to by DES.

The LRWMP was finalized before DES's own staff completed a study on the lake. They even denied that one was under way in public meetings.

There appeared to be a deliberate attempt to hide what DES was doing from certain stakeholders and the public as it relates to the LRWMP. Questions of: Why did the public hearing notice sent to the town not mention Pawtuckaway Lake? Why was the hearing held in Durham and not closer to the stakeholders? Why was the public notified in a 2" notice in the Manchester paper on the winter drawdown? Only after a complaint was registered with them did they put it on the web site.

In the listening session, we spoke of idealized communication and education between planning authorities and the public and stakeholders. The LRWMP project is a study in what not to do and could not be further from what I expect from the state.

Below are the comments I made on the winter draw down change proposed be DES in the LRWMP. I encourage your committee to look at the comments made by the public on the LRWMP as well as the public comments made on the proposed winter draw down of Pawtuckaway Lake.

Sincerely,
Edward Kotowski
[redacted]

July 25, 2012

Kent Finemore
NH Department of Environmental Services
27 Hazen Drive
Concord, NH 03302

Via email: Kent.Finemore@des.nh.gov
Cc: Thomas.burack@des.nh.gov

Re: Comments on the proposed changes to the winter drawdown of Pawtuckaway Lake

I am 100% opposed to changing the winter drawdown level of Pawtuckaway Lake. There is no scientific evidence that this will help either the lake or the river environment. In fact, there are serious questions as to whether changing the lake level will damage both the lake ecology and the river ecology. There is adequate evidence that this will damage property, and there are questions about safety to users of the lake.

The Protected Instream Flow Report for the Lamprey River (PISFR) references a "recommended winter level" for Pawtuckaway Lake. In this report they explained the "need" for additional water downstream in certain years and for that reason there is a need to retain more water in the lake.

There was a third party review made of the PISFR as part of a NOAA grant received by the state. The reviewers were scientists with expertise related to in stream flow ecology. They made

several comments that indicated the study was flawed. Here are some of the comments made by experts indicating there should be either no change in flow rates or a better understanding of the flow rates before any change is made.

The third party review (TPR) said that there was no substantive evidence or study to conclude that the winter flow rates in the stream should be as great as stated. In fact they stated that the flow rates could be detrimental to the fish (winter flow rate = 10 x summer flow rate).

(TPR)"This procedure is likely to washout or dilute the sensitivity to some fast-water dependent species or life-stages with most others that are insensitive"

In other words, the potential exists for damaging the fish in the stream by increasing the overwinter flow.

The response DES gave to the third party experts was that no meaningful study was made of winter flow rates due to harsh conditions and difficult data collection.

Therefore, it appears the winter flow rate is just a guess and in fact could damage the stream. The third party reviewers hired by DES concluded that they have not done enough studies in the winter to draw any conclusions on proper winter flow.

(TPR)"Without any hard data on the effects of spring floods and winter flow conditions on the habitat use of resident fish I'd say it's a stretch to develop quantitative, predictive models"

(TPR)"Over-wintering common flow (238cfs) appears too high for the Lamprey River"

The DES in response to these comments by the experts agreed that there was inadequate study and the best guess as to the ideal conditions was made. No data was offered in response to these comments.

According to the experts the study is flawed. Therefore we should not go forward with the plan and there should be no retention of additional water in the lake.

In another comment made by the TPR, they brought up the subject of factors other than in stream flow on the habitat of the fish in the stream. They specifically focused on thermal pollution and the effects this would have on some species of fish.

(TPR) " I am somewhat unsettled that the Meso- HABSIM approach primarily focuses on the physical habitat (velocity/substrate) relationships of fish to identify the PISF, when other factors namely thermal pollutions ,which all but eliminates habitat…"

DES responded that it was not the goal of the study and therefore the "problem will need to be managed separately. "

The only conclusion that can be drawn from this is that the designated stream was inadequately studied. DES admits no study of the thermal effects on the ecology of the area was done and only today did I find out they are installing meters to study the thermal effect on the designated portion of the river. Note, they still don't consider the thermal properties of Pawtuckaway Lake.

The release of water in any season would change the thermal characteristics of the stream and should not be done without adequate study. No changes should be made to releases from the lake. Therefore no additional overwinter storage is necessary.

The complete report done by the TPR can be obtained from DES. The report is titled "The Instream Flow Council's Review of the New Hampshire Instream Flow Pilot Program: Protected Instream Flow Phase." Dated September 29, 2009. Within the report is a much more technical discussion of the faults in the PISFR.

In another report prepared by the DES the "Total Maximum Daily Load for Pawtuckaway Lake, Nottingham, NH" (TMDL study), dated January 2011, there is a lengthy discussion of the chemistry of the lake and the effects of increased phosphorus and decreased oxygen on the algae and cyanobacteria blooms. The TMDL study of the lake, which was asked for within the comments to the PISFR, was being done by the same agency that said they couldn't do it.

The TMDL study did not anticipate the winter or summer drawdown changes. In fact, DES answers to some of the comments made to DES contradict the TMDL study done on the lake. The answers to the comments had no data behind them but the TMDL study does.

The TMDL study indicates that the phosphorus loading comes mainly from farming activity, not from naturally occurring rotting of plants after the drawdown. The more water in the lake, the more dilution of the farm- induced phosphorus in the lake and the less likely there will be cyanobacteria blooms in the summer months. Furthermore, if the lake water is flushed out in the fall, there will be less phosphorus retained in the lake over winter.

Part of the TMDL study refers to "Anti-degradation regulations which are included in Part ENV-Wq 1708 of the New Hampshire Surface Water Quality Regulations. According to Env-Wq 1708.02, anti-degradations applies to: …All hydrologic modifications, such as dam construction and **WATER WITHDRAWALS"** (my emphasis). DES will be modifying the flow violating their own regulations and leading to degradation of the lake.

If the current drawdown plans are put in place, then the phosphorus load will increase and there would be more cyanobacteria outbreaks, endangering public uses of the lake as well as drinking water quality downstream.

DES has made many mistakes explaining the summer drawdown of the lake and now with the winter drawdown in question, I wonder if they understand their own plan. In any case, they certainly haven't made convincing arguments to either the experts or the public. For that reason, the winter drawdown on Pawtuckaway should remain at 7 feet.

Edward Kotowski
[redacted]

From: [redacted]
Sent: Tuesday, July 31, 2012 4:06 PM
To: watersustainabilitycommission@gmail.com
Subject: Hands Off our water
I whole heartily agree and support the letter below from Mr Ken Eyring if Windham. No way I could improve upon Ken's letter so I am forwarding it to you in it's entirety.

Bryan Donovan
[redacted] **NH**

Dear Commissioners,
You have asked for public comment regarding "managing the water challenges faced by New Hampshire over the next 25 years."
I'll begin by expressing my belief that everything you eventually propose to the Governor should be based upon respect for our Constitutional Rights. In one of your recent meetings, one of your commissioners raised a concern for Constitutionality… **and I was stunned to hear another commissioner dismiss those concerns by stating they will let the courts decide**. **That is a reckless disregard of the responsibilities that you have been entrusted with.**
Your commissioners have also made statements that disregard our riparian rights to the well water on our personal property. Some examples include:

- "Need to view water as a whole entity rather than whether it comes from a public system or private well."
- "Water is a state resource that belongs to the people – it needs to be worked on at that level."
- "Need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together."

I disagree with these statements that the State should/does own all NH water.
Part First, **Article 2 of the NH Constitution** states; "All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, **and protecting, property**; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin."
Water is an essential element for life. I am deeply disturbed that your commission assumes **the state must usurp my property rights to take control of my well water on my property**.
Regulation of my well water translates into a direct regulation of my liberty.
When a state commission unilaterally decides, as yours has, that it has the authority to decide whether or not my right to my well water should be transformed into a regulated commodity… you have exceeded your charter – **and our form of government has broken down**.
From the beginning of your commission (from the spring of 2011), **your commissioners have openly questioned individual property rights to our private well water**. The following excerpt is taken directly from your minutes; "Valuing water – there was much discussion about need to challenge basic assumptions about the cost vs. value of water – is it a commodity or Right?"
Let me be clear. **It is a Righ**t.
I'm am also disturbed that commissioners share a belief **the water from our "private wells are too**

cheap". Am I not entitled to enjoy the inexpensive extraction of water from my well on a daily basis after spending thousands of dollars up front to gain access to it?

This leads me to your commission's statement that people "need to think differently about accounting – what do people currently measure – how could they measure?" Does this mean that you are/will consider pushing for legislation **to have a meter placed on my private well in order to regulate my usage of my well water** (that you consider the State's)? This seems a logical assumption based upon the fact that **your commission believes I am not the owner of the water in my well and that my water is currently too cheap**. I would like for you to respond to this question to my address above.

Additional concerns of mine are based upon the commission's desire to impress a sense of "urgency" (your word) for a solution where a problem does not exist. Your commission has previously stated multiple times that NH is a "water rich state", and we currently have mechanisms in place to protect the quality of that water.

My suggestion for your proposal to the Governor is to leave well enough alone – especially here in Windham. Each local community already has the resources and structure in place to manage their water needs, and there are already mechanisms for state help when towns have difficulty with water, e.g. assistance when there is flooding (emergency plan); or droughts (drought management plan); or potential contamination (DES, etc…).

Respectfully,

Ken Eyring
[redacted] NH

From: Bill McNally [redacted]
Sent: Tuesday, July 31, 2012 9:35 AM
To: watersustainabilitycommission@gmail.com
Cc: Ken [redacted] Eyring
Subject: In support of local communty control of our Water
Dear WSC,

I am writing in support of local communities controlling their water resources and in opposition to State mandates on our property rights by the Water Sustainability Commission edicts.

Recalling the words of Taylor Caldwell about how the middle class flourished throughout history by acting as a buffer between the ruling elite and the laboring poor:
"The middle class made the dream of liberty a possibility, set limits on the government, fought for its constitutition, removed much of government privilege and tyranny, demanded that rulers obey the just laws as closely as the people, and enforced a general civic morality."

The middle class is self-relient, Independent (not wanting to be ruled by a bloated bureaucracy), is religiously inclined and knows that Morality and Freedom are inseparable, has an entrepreneurial spirit, believes strongly in owenership of property.

Yours for America's future,

Bill McNally
[redacted]
[redacted], NH

From: Ed Comeau [redacted]
Sent: Tuesday, July 31, 2012 9:29 PM
To: watersustainabilitycommission@gmail.com
Subject: My opinion on the Water Sustainability Commission.

Water Sustainability Commission,

An executive order should never have been utilized to create the Water Sustainability Commission. The correct method to create such a commission should have been created by the people through their legislators. Since this did not happen its function should be nullified. Our State and US Constitutions provide the protection of private property. If our founding constitution is upheld, this protection fully protects our water.

It is very clear that the work of the Commission to make water communitarian goes against every aspect of a society that is based on individual property ownership. It is also clear that the Commission's Sustainability Principles are nothing but a resource control framework and will not be tolerated by the people of New Hampshire. This is nothing more then an attempt at circumventing our system. The people of this State will not tolerate giving control, even under the guise of protection, the control of water.

It is clear by the track record of the corrupt Government of today that it is not capable of the task to protect water, it only knows how to consume the wealth of the productive. It only knows theft. The Government cannot be trusted with the protection of our own liberties, how could it ever be trusted with the protection of such an important life giving resource- water.

Respectively Submitted,

Ed Comeau, [redacted] NH

From: Richard [redacted]
Sent: Tuesday, July 31, 2012 8:54 AM
To: watersustainabilitycommission@gmail.com
Subject: My Water Rights
To Whom It May Concern:

I am troubled by the attempt of your Commission to try and create a government solution to a problem that does not exist. Controlling my water that flows under my property and which I utilize as needed. The collective solution it seems your commission is driving towards appears to be nothing more than a power grab and a way to have the government further intervene into my life and infringing on my rights to use of naturally occurring resources. I want it to stop and I will throw my support behind any effort to discontinue with this governmental intrusion.

Regards,

Richard G. Konzelmann
[redacted]

From: [redacted]
Sent: Tuesday, July 31, 2012 11:57 AM
To: watersustainabilitycommission@gmail.com
Subject: My Well Water !

How can you take my well water without payment? How can you take it anyway? It it my water, my well, my house, my land. The constitutions of federal and state don't let you do this so why would you? Leave us alone and go do what you are supposed to do legally. My water is mine and you can't have it so don't try.

From: lucille robbins [[redacted]
Sent: Tuesday, July 31, 2012 4:35 PM
To: watersustainabilitycommission@gmail.com
Cc: Bryan Donovan
Subject: Water "Sustainability" - the new excuse for further government encroachments?

Gentlemen:

Those "in power" will always use every means to maintain and promote their power! This is the inexorable trend we see in each and every government agency, commission, etc. Your agenda has been established as a self-serving means of keeping yourselves in power. Water is not what you are wanting to sustain, it is yourselves and your power.

We, the people of New Hampshire, resent and will resist your encroachments into our individual liberties. Our Constitution makes it clear that we, as private citizens, will not permit guaranteed freedoms to be subverted in the name of some vague "public good".

The creeping pathology you are espousing is a typical example of what the great author and philosopher Ayn Rand called "collectivism". if you have not already read her epic novel, "Atlas Shrugged", please put it on your Must Read list. Perhaps then you will come to understand why freedom-loving citizens will never condone the "sustainability-collectivism" excuse for yet another government power grab.

Live Free or Die -
Lucille Robbins

Sent from my iPad

From: [redacted]
Sent: Tuesday, July 31, 2012 9:50 AM
To: watersustainabilitycommission@gmail.com
Subject: NH Water Sustainability Commission's Request For Public Comment

Dear Commission,

I have been advised and then recently read several editorials on this subject and am very concerned about the impact of a Governor Lynch Water Sustainability Commission that is in the process of redefining property water rights and that will make rules on how a property owner can (or cannot) use that water. WSC has confirmed that NH is a water rich state. NH already has a system in place that has provided an abundance of renewable water to the State. Local communities have the resources and structure in place to manage their water requirements; also, the state responds in cases of emergencies (floods, drought, etc,) so there isn't any further need for more State control.

Many/most homes in NH have wells on their property and depend on this water (on their land) for their use and sustainability. Common law has always been that what resides under your land belongs to you. So why does a Governor's Water Sustainability Commission have any authority to make rules/regulations on property owners' water?

Sincerely,
Carolyn Therrien
[redacted]

From: Walter F. Freeman [redacted]
Sent: Tuesday, July 31, 2012 7:57 AM
To: watersustainabilitycommission@gmail.com
Subject: Public comment on WSC proposals

Please be advised that I am writing to make it known that I am strongly opposed to the State confiscating the property rights of landowners by claiming all water is the property of the State. The water on the property of any landowner is the property of that landowner and the landowner is entitled to use of that water. I agree that the water use must be reasonable and no one has the right to deplete the water supply to the point of endangering the amount of water available to other users. Beyond that the State has no business regulating or charging landowners for the use of what is already theirs by virtue of their onwership. I trust you will consider this in your discussions.

Walter F. Freeman
[redacted]

From: John A Diefenbach [redacted]
Sent: Monday, July 30, 2012 10:41 PM
To: watersustainabilitycommission@gmail.com
Subject: Re: Letter from Mr. Ken Eyring; July 25, 2010:

Water Sustainability Commission:

Mr. Eyring raises many interesting points concerning not only who water REALLY belongs to, but the use of a [so-called] Survey Monkey that apparently raises questions that, in turn, questions the integrity of such a survey.

As far as the wording of several statements:

“Water is a state resource that belongs to the people – it needs to be worked on at that level.”

“Need to develop a collective sense of accountability for a resource so that people comprehend that sustainability can only be achieved with all working together.”

These statements, unfortunately, resemble those of some societies that still exist, although one of them, one commonly referred to as the USSR, has somewhat changed it's form of government...albeit slightly.

The terms: "...belongs to the people..." and "...collective..." [Oh, I love that last one] were [are?] favorites that that same Union of Soviet Socialist Republics (USSR), and are now shared with Cuba, North Korea, China and a few other assorted "states".

I thank Mr. Eyring of Windham, NH, for making me, and others, aware of this and I will be following the activities of the Water Sustainability Commission closely...very closely.

Respectfully,

John Diefenbach
[redacted], NH

From: Penny Young [redacted]
Sent: Tuesday, July 31, 2012 11:38 AM
To: watersustainabilitycommission@gmail.com
Subject: Rights to our own wells

Please add my name to the list of concerned citizens who own their own wells on their own private property and have paid considerable dollars to access that water.

There are much bigger fish to fry, and your efforts on the more pressing issues would be appreciated.

Sincerely,
Penny Young

From: Susan Olsen [redacted]
Sent: Tuesday, July 31, 2012 1:12 PM
To: watersustainabilitycommission@gmail.com
Subject: Survey
Nearly 2 years since I first protested their leading nature, questions 3 and 4 still foul any credibility you might have had. Stay out of my pocketbook and off of my property.

Susan Olsen

From: [redacted]
Sent: Tuesday, July 31, 2012 11:55 AM
To: watersustainabilitycommission@gmail.com
Subject: Water "Sustainability"

To the commission:

There is no way for state governments to own water on private land and remain constitutional. Water is not to be owned by any government, whether state, federal or municipal or otherwise. Period. I have experience in water pollution control regulation as an attorney and can tell you that for you to attempt to do so is blatantly illegal.

This commission is charged with developing a plan for clean, sustainable water in reference to waters under it's control or purview. It is NOT to interfere in any way with private ownership of water. My well water is not a state commodity and it never will be. Read the long line of cases under the constitution where my well water is owned by me and move on to more politic concerns.

The commission would be better off spending its efforts on existing financial and scientific resources, and securing additional resources, to meet its charge to ensure the safety of muncipally-owned water systems. To take my water for the good of the state is not something you can do. So leave my well water alone.

Also, I see your survey uses questions that are scientifically invalid. I have a master's degree in survey design from BU so know the pitfalls of such surveys.

From: Peg Stoodley [[redacted]
Sent: Tuesday, July 31, 2012 11:47 PM
To: watersustainabilitycommission@gmail.com
Subject: Well water ownership

Water Sustainability Commission,

I have neither the time or expertise to present a lengthy argument against the state taking over ownership of the water we draw from our own privately held, privately financed well. What I do know is that I have spent tens of thousands of dollars over the years of property ownership in New Hampshire. The water that I have paid to drill and draw up from my own land is - in fact and in practice - MY water. I recognize that the water that flows through my land also flows through others' lands and wells. They are welcome to draw water from their own wells. Like me, they have paid for the rights to use that water in a responsible way.

Please be assured that the people of New Hampshire are watching closely to see how the commission will vote and attempt to seize our well water. We will vote against those in state government to attempt to steal (and that is not too strong a word) our rights to our private property.

Margaret Stoodley
[redacted]

Sent via email from Robert Johnson [redacted]

July 31, 2012

Re: Public Comments

Dear Water Sustainability Commission Members:

The New Hampshire Farm Bureau is a federation of the ten New Hampshire county Farm Bureau organizations. Farm Bureau policies are determined through a grassroots, democratic process by our nearly 2,000 farm family members. We whole-heartedly believe agriculture and the open space it supports is a major part of the solution when identifying strategies and management measures for ensuring the water quality and quantity of the state's water resources into the future - the charge the Governor has given the Commission. By enhancing agriculture's future in the state we will go a long way toward ensuring clean and abundant water supplies in the future.

Farm Bureau's primary suggestion to the Commission for addressing these challenges is to stay away from controversial and radical thought such as looking to develop a hierarchy of water users and/or developing recommendations based on the "Precautionary Principal." These will only serve to divide users and focus attention away from the task at hand. We firmly believe a hierarchy of water users is already in place through riparian rights where riparian landowners have the established property right to reasonable use of that water.

We believe the Commission must focus on the "how" and "where" of public awareness and education, with a particular emphasis on conservation. In addition we believe the Commission can point to areas of water conservation innovation and data needs in order that the state's decision makers can make informed decisions. We are trying to do our part - Farm Bureau policy encourages farmers to meter and document their water use and we regularly promote water reporting and conservation to our members.

We thank you for your time serving the Commission and for your consideration of our comments.

Sincerely,

Robert Johnson, II, Policy Director

From: bredbury [redacted]
Sent: Tuesday, July 31, 2012 2:17 AM
To: watersustainabilitycommission@gmail.com
Subject: water sustainabilities commission

Dear Water Sustainabilities Commission:

I have learned of the commision's interest in collectivizing NH water rights.

This looks like a thinly disguised step towards socialism. If the state controls my water access and use, then the state is in control of my very life.

How can the following phrases be interpreted as anything but socialism?

"develop a collective sense of accountability for a resource"
"water is a state resource"
"view water as whole entity...whether from public system or PRIVATE WELL"

We have plenty of plans in place for floods, droughts and contamination. There is no need for additional regulation except as an effort to position the state over the individual citizen.

Please do NOT infringe on private property rights.

With Respect,

Jerilyn Bredbury
[redacted], NH

From: Liz Kotowski [redacted]
Sent: Wednesday, August 01, 2012 12:01 AM
To: watersustainabilitycommission@gmail.com
Subject: Comments on NH's Water Resource Challenges

Dear Commissioners: I'd like to begin by thanking you for all your hard work over the past few months. In particular, the Public Engagement Subcommittee has done an outstanding job of soliciting input and communicating with participants.

Despite all the discussions, however, I am concerned that the Commission may not have fully evaluated the shortcomings of NH DES's Instream Flow Protection Program and its long-term impact on water resource viability. As currently designed, it employs a very narrow definition of water users (large water withdrawal permit holders and dam owners) and gives little attention to small water withdrawers, stormwater best management practices, interwatershed transfer (Lamprey to the Oyster River), water reuse, commercial and institutional water efficiency measures, and other issues on which the state could be leading the way in water resource management.

In the Lamprey, one issue is the need for more drinking water in Durham and on the UNH campus. Another issue involves actions to restore anadromous fish. Another issue relates to ensuring high-quality water in the river, especially in times of low flows. Unfortunately DES's instream flow plan for the Lamprey has one main solution for meeting downstream flow needs: the manipulation of the water levels in Pawtuckaway Lake during the summer, fall, and winter. The plan's proposed actions would diminish the value of one of the most beautiful and economically important recreational lakes in southern New Hampshire. It takes a simplistic bathtub approach to increasing flow downstream, despite the fact that the Lamprey Watershed covers 212 square miles and despite the fact that the entire river and major tributaries are now designated under the Rivers Management Protection Program.

There will always be competition for water, but river uses shouldn't trump the value of the lakes or the rights of property owners on those lakes. Pawtuckaway may be an impounded lake, with dams managed by DES's Dam Bureau, but it was not created as a drinking water reservoir and has its own issues of water quality (such as cyanobacteria and phosphorus loading). For a variety of reasons related to safety, property values, recreational quality, and lake ecology, Pawtuckaway residents are opposed to releasing water from the lake in the summer, as well as the concept of retaining more water in the fall for a winter release.

The Protected Instream Flow Report and Draft Lamprey Water Management Plan have not been well received by most reviewers, although the program continues to move along. A significant amount of public comment can be read online at the following links:

Protected Instream Flow Report and Study Phase (2009):
http://des.nh.gov/organization/divisions/water/wmb/rivers/instream/lamprey/pisf_comments.htm
http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/r-wd-10-16.pdf

Lamprey Water Management Plan (2011):
http://des.nh.gov/organization/divisions/water/wmb/rivers/instream/lamprey/water-mngmt-plan-comments.htm
http://des.nh.gov/organization/divisions/water/wmb/rivers/instream/documents/lamprey-wmp-app-i.pdf (DES responses, 2012)

Also, DES recently held a hearing and comment period on the proposed change in the winter drawdown for Pawtuckaway from 7' to 4.92'. The written comments have not been published online yet, but here are links to a survey of lake residents that was done by the Pawtuckaway Lake Improvement Association and videos of the hearing itself.
http://www.pawtuckawaylake.com/images/stories/pdfs/surveysummary_07262012.pdf
http://www.pawtuckawaylake.com/content/view/396/195/

As can be seen from these comments, the issues are very contentious. The instream flow plan for the Lamprey has created a battle between lake interests and river interests that seems at odds with what the Commission envisions for the future.

Much of this tension could have been solved by more comprehensive decisionmaking and research within NH DES's Water Division, more coordination with other state agencies beyond Fish and Game, more reliance on experts at UNH's Lamprey River Hydrologic Observatory and Center for Freshwater Biology, better communication with upstream towns, more stream gages to track flow at a variety of locations in the watershed, and a more forward-thinking and comprehensive planning process that considered the social and political factors of flow management, not just water quantity computer modeling. It's not too late to reconsider whether this program will move the state to where it needs to be in the future. Rivers, reservoirs, recreational lakes, wetlands, and aquifers are all important to maintaining NH's quality of life, identity, and economic future. I hope we can find better ways to conserve and protect all of our water resources in the future.

Thank you for considering these comments.

Liz Kotowski
[redacted], NH

From: max stamp [redacted]
Sent: Thursday, August 02, 2012 3:04 PM
To: watersustainabilitycommission@gmail.com
Subject: Expand Use of Local Advisory Committee Resource

Water quality protection was seriously damaged with the legislature's gutting of Comprehensive Shoreland Protection (RSA 483B) in 2011. Compounding this mistake, it then proceeded to reduce DES staff support for the extensive volunteer effort to protect lakes, ponds, rivers throughout the state. In my opinion you will not be able to succeed with the mission identified without expanding and increasing effectiveness of LACs. This should be an explicit recommendation in your water resource program going forward. The state should outline a formal program to motivate and support this effort much more than is being done now. A large part of the "structure" is there. Think creatively about how to build on it.

Max Stamp
Pemi River Local Advisory Committee

From: Douglas Whitbeck [redacted]
Sent: Monday, August 13, 2012 5:26 PM
To: watersustainabilitycommission@gmail.com
Subject: Two water stories from NPR's Marketplace

1) Where the water is free, but not forever:

"The ongoing drought helped set more records today -- the kind, sadly, that you don't want to be setting. Corn prices hit an all-time high. The Department of Agriculture said this morning it figures we could have the worst corn harvest we've had in 17 years. Since there's not a whole lot of water falling from the sky, much of the farm belt is looking underground to local aquifers. But here's the thing about that: A new study in the journal "Nature" says 20 percent of the world's aquifers are being over-exploited. That is, the water level's going down. In part because water's not priced like other scarce commodities."

Read more at:

http://www.marketplace.org/topics/sustainability/texas-water-may-be-free-its-not-forever

2) From Texas -- where the water ran out:

"OK, raise your hand if you've been subjected to 1,000 showings of the kids' movie *Cars.* We know who we are. Remember Radiator Springs, the abandoned town that lost all its business when the local road gave way to the interstate?

"The Texas panhandle town of Happy feels like that. Yes, that's the name, Happy (insert your own ironic joke here). I traveled here for a story I'm working on about Texas water. Main Street is entirely abandoned, save for the Happy State Bank. Locals told me it's been that way for decades, ever since they "ran out of water." More accurately, the farmers irrigated so much the aquifer level fell below a level affordable enough to pump."

Read more at:

http://www.marketplace.org/topics/sustainability/reporters-notebook/unhappy-texas-where-water-ran-out

From: [redacted]
Sent: Wednesday, August 15, 2012 7:05 PM
To: watersustainabilitycommission@gmail.com
Subject: UN Agenda 21

I am urging this commission to not implement water sustainability in any part of NH or for the matter, America. I am totally against UN Agenda 21. The UN has no right to dictate anything in America. We are a sovereign nation.

This is against everything America has stood for throughout history.

Joann Lyons
[redacted], NH