

Highland Lake Ordinance Committee Meeting

Minutes, May 16, 2019

Attendance: Jeff Dennis (DEP), Chris Brewer (CCSWCD), Dennis Brown, Tom Peterson, Clayton Haskell (Chair of Windham Town Council), Wendy Garland (DEP), Ethan Croce, Kim White, Gretchen Anderson, Kimberly Darling, Matt Randall (Maine Dept. of Agriculture) Amanda Lessard

Dennis began the meeting by noting that the horse farm on the Windham/Falmouth line triggered this concern regarding nutrient management to nearby streams which flow into Highland Lake.

Sources of pollutants in streams and lakes

Jeff explained that phosphorus is the limiting nutrient for algae production in freshwater systems. Highland Lake doesn't have high levels of phosphorus to begin with; roughly starts at 7ppb.

Consequences of poor nutrient management regulations and or implementation

Jeff explained that typical large horse produced about 50 lbs. of phosphorus per year in their manure; making the previous Rand Farm with 40 horses a significant concern. When you don't manage the nutrients in farming operations small and large, it can be a significant contributor of phosphorus within the watershed.

Dennis said that in Windham, there are streams with high readings of E. coli. It can be getting there from a variety of sources including manure. One thing about bacteria is that they don't stay in the system (they die), where phosphorus can persist in the system for a long time.

Mention of the Pleasant River with a potential threatened mussel. There appears to be some misleading information in watershed management plans for rivers.

Overview of the State's nutrient management regulations

Matt with the State encourages the public to contact them with farms that they may not be aware of. What is generally found is that large operations usually know the rules and regulations, where the smaller operations may not know. Changing in weather certainly changes the production of farms, commodity prices have also dropped. It is important to make sure that information that is discussed is current.

Kim asked what triggers a nutrient management plan?

Matt responded saying 50,00lbs of live weight. In the Town of Gray, they had regulations on 3.5 animals.

Dennis mentioned a small hobby farm around Highland Lake and the need to educate the landowners to cover their farm.

Matt mentioned that a manure pit doesn't have to necessarily be highly engineered or costly,

Has worked with DMR in the past and have put on some training and provided educational material.

Dennis mentioned the Nutrient Management Plan from 2003 that was never acted upon at that time.

Gretchen wonders how the Gray's ordinance may impact the Rights to Farm Act?

Matt responded that under the manure handling law that the state can still enforce. They can't take away the right to farm but there are rules that can regulate poor manure management.

Along the Pleasant River, it seems that the trend of clearcutting to the river is reversing; where things are beginning to grow back.

Jeff mentioned that the worst lakes in the state have a history of a combination of wastewater discharge along with agriculture. That connection is there, however there is a reason why Maine's lakes are better than others because we have far less agriculture than other states. When you're doing agriculture successfully, you will need a lot of nutrients but when you're mindful they will not be lost at high rates to the environment.

Matt mentioned that there is a study that suggests that dog manure has higher rates than horse, cow and human combined, which may be an indicator of what is happening around the Pleasant River. Matt thinks that when we look at these issues it is very important to look at these comprehensively.

Wendy mentioned that through the Watershed Management Plan all these components are hoped to be addressed, but we're trying to find ways to be proactive and hold folks accountable for what they are doing.

Clayton mentioned NRCS provides funding that could help with improving manure management.

Matt mentioned that smaller farms may start farming as a hobby but don't necessarily realize the impact that they could be having on the environment if they are not regulated. Matt thinks the towns can help by doing some outreach on the issue through mailings and/or seminars.

Overview of Windham/Falmouth Ordinance on nutrient management

Amanda said that in Windham it's based on the performance standard with the allowed uses for agriculture it references the Maine Department of Agriculture BMP guidelines from 2007.

Matt says these BMPs will be updated soon.

Could also add the contact information for the DACF into a smaller operation or have DACF send the information directly to these smaller operations.

Matt thinks that it's best not to overwhelm with the threat of enforcement and that a better use of time and money is to devise a solution and to get that solution implemented.

How does the shoreland zone and farming interact? The current rules do not allow manure piles to be stored within a certain distance from the lake.

A registration process may not work for smaller hobby farms, a system where they would be required to DACF would be a better process.

Meeting adjourned at 5:02pm.