

# **BIRCHES LAKESIDE CAMPGROUND LLC**

201 Norris Point Rd  
Litchfield ME 04350  
207-268-4330

Senator **Stacy Brenner - Chair**

Representative **Ralph Tucker – Chair**

Distinguish members of the Joint Standing Committee on Environment and National Resources

## **RE: Testimony opposing LD 743 An Act To Amend The Laws Governing Invasive Aquatic Species**

Thank you for taking the time to hear from me today. My name is Philip Roy, my wife and I operate the Birches Lakeside Campground in Litchfield Maine. Our Campground is defined as public water supply as one of the 16 effected by this bill. The Birches Lakeside Campground draws directly from Cobboseecontee Lake (Other known as Cobbosee Lake). We are governed by and tested monthly by The Maine Drinking Water Program at DHHS. Our campground operates 130 RV sites and 7 tent sites. Our time of Operations is from May 1<sup>st</sup> to October 15<sup>th</sup> of each year. The Campground can only operate for six months as our water system is all above ground and will start to freeze in October. We service 95 to 100 seasonal sites each year, seasonal site is an RV or Tent site that is used for the full season by a single family as their summer camp. Out of our seasonals at our campground 72 seasonals live at their campers during the season full time.

As one of the few of the 16 public water supplies that have been directly affected by the Bureau of Water Quality of the Maine Department of Environmental Protection introducing a herbicide directly into our Public Drinking water, we would like to review briefly the two occasions herbicide applied.

Approximately two years ago an infection of milfoil was discovered on Cobbosee Lake. An article in the local news paper sparked what could only be called hysteria through-out the campground. Notification was not given to the three public water supplies on the lake so our first notification of an herbicide application was by news media. Soon after we received first a phone call then email from the Bureau of Water Quality (BWQ) notifying us as per govern by 38 MRSA 1865. The BWQ after realizing their error did reach out and bring us to the table and enter into conversations with us and at the end all three public water systems signed off on the herbicide application. This process in law worked and brought a safe and effective application of herbicide to our lake. Even though the Maine Drinking Water signed off on the application before the Public Water systems did. They agreed with BWQ of the dilution model that the chances of the herbicide reaching our water supply was unlikely. The flaw with the model was there was very little knowledge the effect of wind, current, springs that feed the lake and direct flow from one end of the lake to the other. Maine Drinking Water doesn't require testing for any type of herbicides or any of the compound chemicals and if did the cost would bear on the public water supply not the BWQ. As a public water supply the unknown and flaws with the dilution model, the unknown the effects of the compounds reaching our water supply inlet, no requirement for testing and the fact that the manufacturer/BWQ/DEP and Maine Drinking water all didn't know if our filtration system would remove the compounds from our water supply, we brought to question the safety of this herbicide.

Our biggest question directed to our filtration system ability to filter the compounds and testing to make sure our water supply was safe to administer to the public. BWQ agreed to require the MFG to confirm carbon filters would remove any dangerous compound that may reach our system. After three weeks the MFG through independent tester did confirm that their compounds should be removed by our filtration system. It wasn't 100% but with the agreement to test our water supply over a period of time did help settle the unrest with our campers and make us feel we did everything possible to protect our public water supply.

The second occasion was just last year when an application of the same herbicide was being used up stream of Cobbosee that dumped within a few hundred feet into a stream that feeds Cobbosee and was within 600' of our inlet to our public water supply. The department, with the knowledge of the prior year information agreed to test our water supply. In both cases or water tested clean.

The law as written should not be changed at all. As a public water supply with very limited resources, we have a seat at the table and by the process made the herbicide application better and safer. We truly believe in the protection of public water ways and to eradicate any species of milfoil from our water ways. As a milfoil diver for over 14 years, I for one know first hand the effects of milfoil on our waterways and have seen first hand the devastation milfoil can cause. I have also seen the effects of a good sound eradication program that works. Chemicals should be used as last resort but I do understand the need to have the ability when needed. But we should NEVER use any type of Chemical or Herbicide in our public water that may have any impact to our drinking water, we must keep intact the ability of our small public water supplies to challenge and make better the process. No one, I'm sure would never want anyone to be harmed or get sick from a compound that enters our drinking water supply. After conversation with the Director of Bureau of Water Quality there has never been an application stopped by a public water supply, so if it's not broken why are we trying to fix it? Bring the very people that are in direct supply to the general public makes the process better, we are direct proof of just that.

We have curtailed our testimony on LD 743 with the understanding after several conversations with the department of Bureau of water Quality, phone call from the director and confirmed by an email from Director Brian Kavanah his request for the Committee on Environment and Natural Resources to vote ought not to pass in its entirety. He wishes to bring the stakeholders together to craft a bill that all parties hopefully support in the future at a future session. He has assured us that we would have a seat at the table to craft such a bill. We support this action and ask to committee that if it decides to go forward with the bill, two allow us to bring back more information and testimony at a later date.

If the committee feels compelled and move forward with Sec 1. 38 MRSA 410 sub 1 to identify invasive aquatic plants as recommended by the department. We have no issues as invasive aquatic plants as identified by the department is very important. All we ask you amend LD 743 and strike the departments request in Sec 2 38 MRSA 1865 Public water supplies until all the stakeholders and come up with a bill that we all can work with and agree on to support.

I would be happy to answer any questions you may have and ask if there is a work session that we be included to bring a real life prospective to the meaning of this bill.

Thank you for your time  
Philip Roy  
Birches Lakeside Campground  
201 Norris Point Rd  
Litchfield ME 04350  
207-268-4330 camp store  
207-615-7333 Cell phone

Philip Roy  
Litchfield Birches Lakeside Campground

BIRCHES LAKESIDE CAMPGROUND LLC  
201 Norris Point Rd  
Litchfield ME 04350  
207-268-4330

Senator Stacy Brenner - Chair  
Representative Ralph Tucker – Chair  
Distinguish members of the Joint Standing Committee on Environment and National Resources

RE: Testimony opposing LD 743 An Act To Amend The Laws Governing Invasive Aquatic Species

Thank you for taking the time to hear from me today. My name is Philip Roy, my wife and I operate the Birches Lakeside Campground in Litchfield Maine. Our Campground is defined as public water supply as one of the 16 effected by this bill. The Birches Lakeside Campground draws directly from Cobboseecontee Lake (Other known as Cobbosee Lake). We are governed by and tested monthly by The Maine Drinking Water Program at DHHS. Our campground operates 130 RV sites and 7 tent sites. Our time of Operations is from May 1st to October 15th of each year. The Campground can only operate for six months as our water system is all above ground and will start to freeze in October. We service 95 to 100 seasonal sites each year, seasonal site is an RV or Tent site that is used for the full season by a single family as their summer camp. Out of our seasonals at our campground 72 seasonals live at their campers during the season full time.

As one of the few of the 16 public water supplies that have been directly affected by the Bureau of Water Quality of the Maine Department of Environmental Protection introducing a herbicide directly into our Public Drinking water, we would like to review briefly the two occasions herbicide applied.

Approximately two years ago an infection of milfoil was discovered on Cobbosee Lake. An article in the local news paper sparked what could only be called hysteria through-out the campground. Notification was not given to the three public water supplies on the lake so our first notification of an herbicide application was by news media. Soon after we received first a phone call then email from the Bureau of Water Quality (BWQ) notifying us as per govern by 38 MRSA 1865. The BWQ after realizing their error did reach out and bring us to the table and enter into conversations with us and at the end all three public water systems signed off on the herbicide application. This process in law worked and brought a safe and effective application of herbicide to our lake. Even though the Maine Drinking Water signed off on the application before the Public Water systems did. They agreed with BWQ of the dilution model that the chances of the herbicide reaching our water supply was unlikely. The flaw with the model was there was very little knowledge the effect of wind, current, springs that feed the lake and direct flow from one end of the lake to the other. Maine Drinking Water doesn't require testing for any type of herbicides or any of the compound chemicals and if did the cost would bear on the public water supply not the BWQ. As a public water supply the unknown and flaws with the dilution model, the unknown the effects of the compounds reaching our water supply inlet, no requirement for testing and the fact that the manufacturer/BWQ/DEP and Maine Drinking water all didn't know if our filtration system would remove the compounds from our water supply, we brought to question the safety of this herbicide.

Our biggest question directed to our filtration system ability to filter the compounds and testing to make sure our water supply was safe to administer to the public. BWQ agreed to require the MFG to confirm carbon filters would remove any dangerous compound that may reach our system. After three weeks the MFG through independent tester did confirm that their compounds should be removed by our filtration system. It wasn't 100% but with the agreement to test our water supply over

a period of time did help settle the unrest with our campers and make us feel we did everything possible to protect our public water supply.

The second occasion was just last year when an application of the same herbicide was being used up stream of Cobboosee that dumped within a few hundred feet into a stream that feeds Cobboosee and was within 600' of our inlet to our public water supply. The department, with the knowledge of the prior year information agreed to test our water supply. In both cases our water tested clean.

The law as written should not be changed at all. As a public water supply with very limited resources, we have a seat at the table and by the process made the herbicide application better and safer. We truly believe in the protection of public water ways and to eradicate any species of milfoil from our water ways. As a milfoil diver for over 14 years, I for one know first hand the effects of milfoil on our waterways and have seen first hand the devastation milfoil can cause. I have also seen the effects of a good sound eradication program that works. Chemicals should be used as last resort but I do understand the need to have the ability when needed. But we should NEVER use any type of Chemical or Herbicide in our public water that may have any impact to our drinking water, we must keep intact the ability of our small public water supplies to challenge and make better the process. No one, I'm sure would never want anyone to be harmed or get sick from a compound that enters our drinking water supply. After conversation with the Director of Bureau of Water Quality there has never been an application stopped by a public water supply, so if it's not broken why are we trying to fix it? Bring the very people that are in direct supply to the general public makes the process better, we are direct proof of just that.

We have curtailed our testimony on LD 743 with the understanding after several conversations with the department of Bureau of water Quality, phone call from the director and confirmed by an email from Director Brian Kavanah his request for the Committee on Environment and Natural Resources to vote ought not to pass in its entirety. He wishes to bring the stakeholders together to craft a bill that all parties hopefully support in the future at a future session. He has assured us that we would have a seat at the table to craft such a bill. We support this action and ask to committee that if it decides to go forward with the bill, two allow us to bring back more information and testimony at a later date.

If the committee feels compelled and move forward with Sec 1. 38 MRSA 410 sub 1 to identify invasive aquatic plants as recommended by the department. We have no issues as invasive aquatic plants as identified by the department is very important. All we ask you amend LD 743 and strike the departments request in Sec 2 38 MRSA 1865 Public water supplies until all the stakeholders and come up with a bill that we all can work with and agree on to support.

I would be happy to answer any questions you may have and ask if there is a work session that we be included to bring a real life prospective to the meaning of this bill.

Thank you for your time  
Philip Roy  
Birches Lakeside Campground  
201 Norris Point Rd  
Litchfield ME 04350  
207-268-4330 camp store  
207-615-7333 Cell phone