

DECLARATION OF STEVEN WINNETT

My name is Steven Winnett, and I am of legal age and am competent to give this declaration.

1. I currently live with my family in Concord, New Hampshire, where I have lived for 22 years.

2. I am an active member of Conservation Law Foundation (CLF) and have been a member for many years. I joined and support CLF because I share the organization's environmental ethic and believe in having well-enforced laws and regulations to protect our environment. I contribute to and count on CLF to sue those who break the laws and damage the environment.

3. My concern for the environment stems from both my educational background – I have a Ph.D. in Forestry from Yale and a Bachelor of Science in Natural Resources from Michigan – and my personal use and enjoyment of the outdoors, which is life-long.

4. CLF represents my interest in ensuring that the Merrimack Power Station is doing everything possible to limit its thermal discharge into the Merrimack River and end the damage it is causing to the environment and ecology of the of the River.

5. I live less than 10 miles from the Merrimack Power Station and regularly use the stretch of the Merrimack River between the Garvins Falls and Hooksett Dams, known as the Hooksett Pool. I am an avid rower (i.e, sculling and sweep rowing) and am a member of the Amoskeag Rowing Club, which makes its home on this stretch of the River. I have been rowing in the Hooksett Pool for as long as I have lived in Concord, and row at least three times a week from May into early November.

6. Rowing for me is an extremely important part of my life, and I have been doing it for 45 years. It is a sport, a way to stay healthy, and an opportunity to enjoy the outdoors and the beauty of the Merrimack River. I especially enjoy seeing bald eagles, blue herons, and other wildlife when I am rowing on the River.

7. Whenever I row in the Hooksett Pool, I pass the Merrimack Power Station and am reminded of its impact on the River. When I row past the Station's discharge canal, I can often see the line of scum that extends across the river, which I believe is caused by the thermal discharge. And when I dip my hand in the River to cool off during the summer months, the water is warm and anything but

refreshing. When I return to the rowing club, I have to wash the scum off the bottom of my boat.

8. I understand that the Merrimack Power Station operates a once-through cooling system that heats large volumes of water and discharges it into the Merrimack River, and that decades of heat pollution from the Station has had a serious negative effect on the ecology and biodiversity in the Hooksett pool. With a background in biology, I know that thermal pollution can damage a waterbody in a range of different ways. It is no surprise to me that the Hooksett Pool is now less hospitable for native species that cannot tolerate the elevated temperatures, and is more hospitable for the now-resident invasive Asian clams.

9. Knowing that the Merrimack Power Station has damaged the environmental health of the River is upsetting and makes my time on the River less enjoyable.

10. I know that CLF, along with the Sierra Club, is going to file a lawsuit against the current and past owners of the Merrimack Power Station for violations of its NPDES permit, and specifically, the provisions that address heat pollution and damages to the ecological health of the Merrimack River.

11. If the environmental organizations are successful in their lawsuit and the Merrimack Power Station is forced to reduce its thermal effects on the River, I will benefit. Rowing in the Hooksett Pool will be more enjoyable knowing that the River's ecosystem is healthier and the Station's harmful effects have been reduced. But I am concerned that without steps taken to reduce the thermal effects, the environmental health of the River will continue to be damaged and will get worse.

I declare, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed in Concord, New Hampshire on February 8 2019.



Steven Winnett