

LAKES MANAGEMENT ADVISORY COMMITTEE

NH Lakes Management and Protection Program
New Hampshire Department of Environmental Services
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LMAC MEETING MINUTES

March 30, 2012

DES Conference Rooms (110, 111 & 112)

9:00am - 10:30am

Members Present:

Wendell Berry, Chair
John Cooley
Jim Haney, Ph.D.
John Irwin
Don Kent, Ph D.
Jim Morash
Dennis Pavlicek, Vice Chair
Bo Quackenbos
Dick Smith
Bill Carpenter
Tim Dunleavy
Mark Hemmerlein
Jeff King
Bob Wolff

Representing:

NH Business and Industry Assn
Conservation Community
Scientific Community, UNH
NH Marine Dealers Association
State Conservation Committee
Tourism Industry
Municipal Officials
NH Association of Realtors
Fishing Interests
Commissioner Rep. DRED
Commissioner Rep, DOS
Commissioner Rep., DOT
Exec. Dir. Rep, F & G
Comm. Rep, Dept. of Agr., Markets & Food

Term:

July 8, 2013
Sept. 19, 2013
August 22, 2013
August 22, 2014
August 1, 2012
August 1, 2013
August 1, 2012
June 27, 2011
November 17, 2013
Indefinite
Indefinite
Indefinite
Indefinite
Indefinite

Members Absent:

Fred Murphy	Planning Boards	August 1, 2011
Eric Orff	Fish & Game Commission	August 22, 2012
David Packard	NH Lakes Association	August 1, 2012
Susan Slack	Director Rep., Off.ice of Energy & Planning	Indefinite

Staff Present

Jacque Colburn	Rivers and Lakes Coordinator, Watershed Management Bureau (WMB)
Wayne Ives	NHDES Instream Flow Specialist, WMB

Guests

Tom O'Brien	Director, NH Lakes Association
Larry Sunderland	Former LMAC member

Chairman Berry called the meeting to order at 9:05 a.m.

I. Introductions/Minutes/Committee Business

1) Acceptance of the January 6, 2012 LMAC Minutes

- *Motion to accept – Jim Morash made a motion to accept with corrections as noted, second by Don Kent. Motion passed unanimously.*

2) LMAC Membership

Welcome to John Cooley – Conservation Community representative. Thank you to Larry Sunderland for his work. Larry shared his thoughts about the Governor's Water Sustainability Commission; they are looking at a watershed emphasis along with stormwater with their report due in October. Larry is concerned that the report won't go past Gov. Lynch's term.

Jacque said that a replacement is still being sought to represent the NH Association of Conservation Commissions.

Bo Quackenbos will be leaving so the NH Association of Realtors is also looking for a replacement.

3) Water Quality Standards Advisory Committee – LMAC Representative.

This committee is headed by Phil Trowbridge and meets quarterly, April 12, July 12, and Oct 11 in 2012. John Cooley volunteered pending approval from his employer.

➤ *Jim Haney nominated John Cooley, second by Don Kent. Motion passed unanimously.*

4) Surplus Land Review – Review and Approve checklist

The Lakes checklist is separate from Rivers checklist. It is not significantly different from what was reviewed at the January meeting. The checklist is filled in by LMPP staff and then provided to the LMAC so the committee can determine an appropriate disposal recommendation. The committee also has criteria that are used by the LMPP staff to determine if the SLR falls within the purview of the LMAC.

➤ *John Irwin made a motion to approve the checklist, second by Jim Haney. Motion passed unanimously.*

5) Legislation Review

Bud thanked Dick Smith, Dennis Pavlicek & Larry Sunderland for their help this legislative season. Dick reviewed the handout of the bills that the subcommittee tracked. Thirty one pieces of legislation were reviewed. Dick will keep everyone updated as much as possible.

6) Other Committee Business

As requested at the January meeting, Bob Wolff sent letter to the LMAC explaining what the Department of Agriculture, Markets and Food does before rendering decisions regarding pesticide control permits when near or in water. Bob summarized the letter. Eradication can work but not always, sometimes just control is possible. The goal is to keep the area as small as possible. DES, DRED, and Fish & Game also review the application. The application must be in 90 days before planned application of pesticide. The Dept. of Agriculture then reviews for legal aspects and will make final decision with conditions listed. Post treatment follow-up reports must be submitted to Agriculture.

II. Review & discussions of the LMPP/Lakes Management Criteria

As a result of the staff/funding reductions, Lakes Program staff did not have an opportunity to prepare this item for discussion. It will be taken up at a future meeting.

III. RMPP Instream Flow Program – A Primer

Introduction and Overview of the Program:

Wayne Ives, Instream Flow Specialist, provided the LMAC with the following explanation of the need to provide for instream flows and the Instream Flow Program.

We affect stream flows in two main ways – by withdrawals directly from streams or from groundwater and by changing the landscape with development, impervious surfaces, bridges and dams. We have expectations that our water resources will continue to be used and at the same time that rivers and lakes will continue to function for recreation, ecosystem habitat and other uses. We will need to manage our water resources to meet these

competing goals. Water is a reusable and renewable resource, but it is a finite resource. There is potential conflict between lake levels and river instream flows.

The purpose of the NH Instream Flow Program, which was established by the NH General Court in 1990, is to balance human and wildlife needs in both lakes and rivers and ensure that our rivers continue to flow in spite of the uses and stresses that we put on them. The pilot program, which was initiated in 2002, applies only to the Lamprey and Souhegan Rivers.

The Instream Flow Program consists of two parts. First, DES calculates the seasonal flows required for each stream to protect aquatic life and implement Surface Water Quality requirements. Second, management plans are drafted that describe how water users and dam owners will manage their facilities to maintain flow and human water needs. The management plans outline the low flow circumstances under which water withdrawals are modified and the long-term critical low flow conditions following which a relief pulse of water may be released to save the lives of fish and other aquatic life. The program is trying to balance various water needs and uses, both to maintain aquatic life in rivers and lakes while also allowing for human water use.

Other business/Action Items

To be discussed at the next meeting.

The next meeting was proposed for May 11th at 9 a.m.

- ***Motion to adjourn – Dennis Pavlicek made a motion to adjourn, second by Don Kent. Motion passed unanimously at 10:35.***