

LAKES MANAGEMENT ADVISORY COMMITTEE
NH Lakes Management and Protection Program



New Hampshire Department of Environmental Services
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MEETING MINUTES
September 24, 2010
DES Conference Room
9:00 a.m. – 12:00 p.m.

Members present:

Phil O'Brien, Ph.D., Chair
Wendell Berry
Jennifer Czysz
Mark Gallagher
Jim Haney, Ph.D.
Diane Hanley
Mark Hemmerlein
Jeff King
Jim Morash
Fred Murphy
Eric Orff
Dennis Pavlicek
Larry Sunderland, Vice Chair

Representing:

NH Lakes Association
NH Business and Industry Assn
Director Rep, Office of Energy & Planning
Commissioner Rep, DOS
Scientific Community, UNH
NH Assn. of Conservation Commissions
Commissioner Rep., DOT
Exec. Dir. Rep, F & G
Tourism Industry
Planning Boards
Fish & Game Commission
Municipal Officials
Conservation Community

Term:

August 1, 2012
July 8, 2013
Indefinite
Indefinite
August 22, 2010
August 22, 2013
Indefinite
Indefinite
August 1, 2013
August 1, 2011
August 22, 2012
August 1, 2011
September 19, 2010

Members not present:

Don Kent	State Conservation Committee	August 1, 2012
Bo Quackenbos	NH Association of Realtors	June 27, 2011
Robert Spoerl	Commissioner Rep. DRED	Indefinite
Ken P. Wilson	NH Marine Dealers Association	August 22, 2011
Vacant	Commissioner, Dept. of Agr., Markets & Food	Indefinite

Staff Present

Jacquie Colburn	Lakes Coordinator, Watershed Management Bureau (WMB)
Jenn Rowden	P.T. Asst. Planner, WMB

Guests:

Dick Smith	Fishing Interests
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Opening

Chairman O'Brien called the meeting to order and welcomed all those present. Jim Morash, representing the Tourism Industry, was welcomed back to the committee. Jacquie explained that Steve Couture has returned from Iraq and will be back to work on October 1st as Rivers Coordinator. Laura Weit-Marcum will be back helping the Lakes Program half time as before. She will then be taking a leave of absence in late January for the birth of her baby.

Minutes

The committee reviewed and discussed the July meeting minutes; Mark Hemmerlein and Larry Sunderland requested some minor corrections.

- ***Dennis Pavlicek made a motion to approve the July 23, 2010 minutes as amended, second by Diane Hanley. Motion passed unanimously.***

Status of Committee Membership and Other Committee

Jacquie explained that according to her most recent email with Ken Wilson, the Marine Trades Association representative that Ken indicated that he thought that he might need to step down from the LMAC. Jacquie will follow up with Marine Trades to determine if they are in the process of finding another individual to represent them. Regarding the State Conservation Committee, Jacquie said that Don Kent's appointment has been approved by Governor and Council. Dick Smith has been nominated by the NH Wildlife Federation and NH Bass Federation to

be their representative and have sent the request to the Governor and Council. Jacquie said that she had spoken with Dick Uncles at the Dept. of Agriculture and that someone, most likely David Rousseau from the Division of Pesticide Control will be at the next meeting in November representing Agriculture. Diane Hanley and Bud Berry have been reappointed. Jim Haney is working on his reappointment. For the Conservation Community, Larry Sunderland's term has expired. He will not be seeking reappointment. Jacquie will be working with the organizations to find a replacement. Larry shared it's been a great pleasure to serve for 6 years and for him it is time to move on. He will stay until a replacement is found.

Chairman O'Brien feels it is good to have a change of management and he will be stepping down as chair in November. He noted that he has been chair and Larry has been vice chair for about 3 years. In November there will be a vote for a new chair and vice chair. Diane Hanley has graciously agreed to serve as chair and Bud Berry will serve as vice chair. Any comments, thoughts, or other volunteers for those positions can be sent to Jacquie. Chairman O'Brien noted Jacquie, Jenn, and Laura do the preparation work for the meetings which makes the chair and vice chair positions easy to manage.

For the 2010 – 2011 Meeting Schedule, Jacquie noted the March 2011 meeting date needs to be changed to March 18th. The Water and Watershed Conference will be held on March 25th and March 26th at Plymouth State University and Jacquie will be very involved with the conference.

Jenn briefly reviewed the new "LMAC Blog". This is going to be an easier way for the program to post items such as minutes, announcements, etc. to the LMAC eliminating emails with attachments. There will be an email with the link to the blog site for the documents that will be used at each meeting. The current webpage will be linked to this blog setting. Comments can be posted, discussions can occur, but no votes can be taken on this site. It will also be used for posting guidance documents, announcement of conferences, etc. Any suggestions for using this please let Jenn know. It will be available from the DES website for others to access.

Key Discussion Issues:

Review and Discuss Amendments to LMPP (SB 441) and LMPP/LMAC Projects and Reports

Summary of Changes to the LMPP Statute:

Last year Senator Merrill sponsored SB 441 which proposed modifications to the Lakes Program statute RSA 483-A and has been signed into law. The new version of the statute is not yet published, but changes include:

- 1) Statement of Policy – a few revisions to the language.
- 2) Definition of "valued characteristics" added.
- 3) Management Criteria changes: Lakes Management Criteria changed to Lakes Management Recommendations. The document now needs to be updated every 10 years now; it was last produced in 1996 so it is time to be reworked. Modified 483-A: 5 I(f) Recreational uses section modified to use "valued characteristics" instead of the term "character".
- 4) Membership changes – the Conservation Community representative is nominated by 4 organizations with the addition of the Loon Preservation Committee; an additional voting member representing fishing interests was added; some housekeeping was included.
- 5) LMAC & LMPP must now develop a Biennial Report.
- 6) Lakes Management & Protection Plans – At the request of NH OEP their involvement has been reduced - OEP will be consulted when necessary. Also when revisions are made to the *NH Guidelines for Lake Management* document, public hearings must be held in each councilor district.
- 7) Acceptance and Expenditures of Funds – the RMPP account is now available for the LMPP to use.

LMPP/LMAC Biennial Report

Jenn gave an overview of what she has drafted to this point for the biennial report for the program, which will actually cover only one year, from July 1, 2009 to June 30, 2010. The document will be covering Lakes Program activities, including legislation, outreach, technical assistance, and LMAC activities. It will explain the LMPP budget and staff workload allocation. The future goals will lay out the planned outreach and education, the legislation & policy, technical assistance to those outside the department, and research. Finally, it will share the future program needs in regards to staffing and funding, both short and long-term. She encouraged anyone with other goals that they would like to see included to contact she or Jacquie. Jim Haney made the suggestion to seek endowments that are available. He also gave Jacquie and Jenn kudos for doing this ahead of time.

State Level Lakes Management Criteria

With the recent amendments to the Lakes Program statute, changes/revisions to the document need to be done every 10 years; it was last done in 1996 and took 2 years to complete. The 1996 document outlined the Program goals, the purpose, and other tools and techniques to improve lake management in New Hampshire. It included the criteria, the statute, and the LMAC members at the time. In 1996, 104 recommendations regarding lake management and protection were put forward; the findings and recommendations pertained to activities conducted at a state-wide level as well as actions conducted by the individual state agencies. After some of the recommendations, letters were included which meant that the recommendation would need funding (F), others should go forward as legislation (L), and others could be accomplished by an intern (I). The accomplishments of the committee were also outlined in the document. The Management Criteria was brought up and discussed at the Lakes Forum in 2006 with Governor Lynch. It was suggested then to see what had been accomplished and what outstanding recommendations were left to be finished. In 2007 a review was done and it was determined that about 30 recommendations had not been completed or needed action. Jacquie recommended that over the next several months – probably through the May meeting, that a new set of findings and recommendations should be developed; but this may include some from the original report. Between now and November a spreadsheet of the 1996 findings and recommendations will be sent out to the LMAC.

Once the committee and the program have developed, reviewed and approved the new document it will be presented to the agencies for their consideration in their decision-making regarding lakes management and protection. The report will also be sent to the Legislature. It will be made part of the appendices of future Lakes Program biennial reports.

Proposed Administrative Rules

Jenn Rowden explained that administrative rules for awarding grants related to lake management are required according to RSA 483-A: 7, II. The statute indicates that grants are to be awarded to the Regional Planning Commissions (RPC) to support lake management and protection plans, within the limits of legislative appropriations. The rules have been drafted and Jenn and Jacquie have been working the DES Legal Unit to ensure that the language meets and fulfills the general rulemaking requirements. As proposed, the rules are intentionally general as the source and requirements of the money received are unknown. Jacquie shared they are trying not to be overly generic but still address the elements of the statute without being too cumbersome. Jenn Czysz suggested looking at language and formulas that OEP has used for grants as that information could also be applied to these rules. Jenn R. noted that she had reviewed the coastal program and exotic species program grant rule language to develop the proposed rules for the lakes program. Projects that would be approved for these grants are lake inventories, management plans, as well as education and outreach related to either inventories or plans. Jim Haney noted that the inventories are structured around citizens to do some of the work and there is not a centralized idea of what is to be done with data, how it is to be processed; it needs to be handled and collected in a way so it can be transferred and displayed and analyzed. He suggested that we should have a system in place so that when data is collected it can be utilized and that scientific merits are considered too. Mark Hemmerlein noted that it is important to get a federal partner on board so the state and federal rules are aligned. To move the process forward, the next steps are to get the LMAC's approval, to finalize the proposed rules with other DES staff, and then take to the proposed rules to the Joint Legislative Committee Administrative on Rules (JLCAR); this could possibly be done in the next 6 - 9 months.

- ***Eric Orff made a motion to move forward with the rules process, second by Dennis Pavlicek. Motion passed unanimously.***

Sustainability Initiative

Jenn R. reported that in June the data subcommittee met and agreed to move forward with the web-based indicator process to better inform the public. There is no funding for this so we will see what resources are available within DES.

Two years ago the committee was introduced to the Water Resources Opportunity Spectrum (WROS) by Josh Carroll, a professor at UNH. The WROS is a tool to evaluate existing and proposed recreational activities and amenities on waterbodies; it is a scorecard for evaluating the different aspects of what makes a recreational experience both on and off the water. Jacquie and Jenn are working with Dr. Carroll to determine if the WROS, which was developed for the large reservoir systems in the west, needs to be modified to better fit New Hampshire's lakes and their recreational characteristics. Next week Jacquie and Jenn will be going out on Canobie Lake to test the WROS for its applicability to a small urban lake in NH. They visited Squam Lake a couple of weeks ago to conduct the same exercise, to determine its applicability to different lake types and settings. The

committee was provided with the most current version of the WROS score card; the highlighted areas on the handout indicate the changes that have been made to the WROS prior to the LMPP participation in this process.

Public Trust

Jenn reviewed the proposed Public Trust paper which is an outline and overview of how public trust came to be and how it has been applied in New Hampshire. Public Trust is actually not definable in state statute, but it can be referenced as the courts continue to define it. This document was shared with the attorney general's office and they thought that it was well written. In addition to the paper itself, Jenn and Jacquie will add an appendix to the document which will identify the existing statutes, administrative rules and court cases that pertain to lake use and management and the public trust. It is hoped that this paper will be used to better inform the public as to what the public trust is. Understanding what the public trust is isn't always consistent amongst state agencies. Mark Gallagher noted this shows why it is so difficult to get to where everybody has a common understanding of the concept. It is going to show that some laws and some regulations have language built in that protects the public waters and some may not.

Jacquie suggested/questioned if a public education and outreach document could/should be developed pertaining to the public trust. It needs to be something the public can pick up, review and understand. Phil suggested targeting some potential user groups who would be interested and affected by it. Other members of the committee offered their thoughts regarding the future application of the paper. This is more of an opinion paper of this committee and can go on the website as such. It could be posted on the LMAC blog as a white paper. Is it addressing a problem? It has to be clear as to what this is and what it isn't. Maybe we should share it with some lakes associations and see what their feedback. Jacquie and Jenn are going to submit a proposal to do a presentation at the Water and Watershed Conference next March on public trust as one outreach opportunity.

Bud Berry noted that this shows public trust isn't fixed and is renegotiable. The state's responsibility is the social and environmental well being of the state's lake. Most, if not all of the activities that affect the lakes emanate from the land surrounding the lakes of which the state owns very little – that's the real conundrum. Should lakes be classified based on development? This would allow us to focus on public trust and carrying capacity relative to real conditions. This could allow us to focus on education within the context that people can grasp. Use public trust as a management philosophy.

Dick Smith shared that from a boater, angler, shorefront property owners' perspective that there does need to be clarification. There is conflict out there and it would be helpful to have a general agreement on the philosophy and common courtesy, and the principle of reasonableness. When people purchase licenses or registrations, or pay property taxes maybe information regarding the public trust could be included.

Mark Gallagher noted that what is negotiable is what has not been interpreted by the courts. Jim Morash noted public trust more as a management philosophy to encourage the legislature from the LMAC's point of view. When making rules consider public trust as philosophy for managing the area around the lakes as well as the rules and regulations of the lake. Bud said the LMAC should be advising on how the state does its management. Fred asked if this philosophy of public trust as drafted is to be used to develop the standards, process, and programs. And it was agreed that yes, it is guidance. It gives a basis to move forward consistently. A general idea of what public trust is - supported by the LMAC could help educate the people as to what public trust might be. Jim Haney made the analogy of reasonableness and raising kids and rules; eventually we have to define those rules. This will not be on the blog until this is voted on by the committee. It will need a preamble to the document to set out what it is and what it isn't.

Follow up to 7/23 meeting (Cobbetts and Canobie) and LMAC letter

Jacquie explained that as a result of the discussion regarding stormwater runoff at the July meeting that Fred had asked if a letter could be sent to the DES and DOT Commissioners regarding the issues and concerns that were expressed by the lake representatives as well as DES and DOT staff regarding the existing process to address stormwater management, the timing of BMPs, what can and can't be used, and the application of other management techniques to address runoff. The ability to retain and treat stormwater prior to its discharge into a stream, the use of flocculants, whether flocculants should be part of the stormwater pollution/prevention plan and are then available for use on an as-needed basis?

Jacquie added that since the July meeting that she and Jenn, met with Jocelyn Degler and Andy Chapman (DES) to better understand the issue and she had started drafting the letter. The committee then discussed the issue at length. Jocelyn noted that one contractor that will be on site for approximately another year has submitted a

flocculent plan, consisting of a series of tanks. It is being reviewed by DES and there are questions that need to be answered but the process is moving forward. The Alteration of Terrain (AoT) rules lay out how this process needs to work. For the contract for the upcoming Exit 1 project, these rules need to be used and be folded into the bid process. The AoT rules need to be part of the Storm Water Pollution Prevention Plan (SWPPP); DES reviews the SWPPP prior to the commencement of work.

Mark noted the process is extremely onerous. DOT wants the contractors to have all the tools. The two mile portion of I-93 that DOT is working on now will be done within 18 months. Having to meet the 10 NTU (referring to turbidity) requirements, as outlined in the water quality standards, is very difficult to achieve. Construction is fluid through multiple watersheds and having the ability to progress within a few weeks from one watershed to the next is important for construction sequencing. To submit materials to DES that are looked at for 4 weeks, DOT is done with the work in that watershed and has moved onto another. Having specific requirements for every point on the construction site is not working with the DOT process because they move so quickly. So can we move the requirements into the design process? It means that we have to design the entire process before the contract is put out to bid. Mark said that we are not well-equipped to do that, the erosion control was the responsibility of the contractor.

Phil stated that his recollection of the conversation with Jay Levine was that it took too long to get Concord to respond when the large storm events were occurring. So are you saying that we (DOT) couldn't move fast enough? Mark said that there are mechanisms to develop plans, to sequence it, and make sure the size of the open area is limited but that doesn't do it all. It comes down to retaining water and once it is retained something has to be done with it. We are looking for mechanisms to collect water, treat it down to an acceptable level and then discharge it.

Jocelyn added that in addition to the use of flocculants, that DES is considering allowing DOT to use mixing zones to allow them to exceed the 10 NTU standard at their discharge point. However there is an area that it is going to mix with the stream water and then there is a compliance point, based on the stream characteristics downstream. At that point, they need to meet the 10 NTU standards, thus using natural flows to come into compliance. Fred asked who makes the decision on this, is it permitted? Jocelyn said that these are according to water quality rules and the DES has a guidance document/permit for this. DOT has applied for specific zones and they are being reviewed by DES. Fred wanted to make sure all these things are in place. The regulatory process was such that the problem ended up in the lake; it should have been captured immediately without going through a regulatory review process. The intent of the letter/suggestion was to work to get everything in place, the DOT can say they are going to employ flocculant because we see no other option. He feels it needs to be done on the site. DOT has construction manuals and they should contain guidance regarding this process. Jocelyn noted the DOT doesn't have any specifications on flocculants. The intent of the letter was to develop the specifications. Jocelyn said DES is working with the manufacturers to come up with an "approved product lists". That will be reviewed because they have toxicity limits that is why they are regulated. They want to be sure that the levels used are adequate but safe prior to discharge into our surface waters. With an approved products list then DOT can say this is the flocculant we want to use and how we want to use, but this is still being put into place. Fred said that this is what he wants to have happen, to get that solved. This is a balancing act which is more important the potential hazards of flocculants versus the degradation of water quality. Jocelyn added that we need to be sure that the flocculant that is being used is the correct one to remove the soil particles out of the water and is it dosed at such a rate that it makes it all the way to the lake. Mark noted the decision-making process is not being granted to the construction manager because of the review process that is currently built into it. The responsibility for keeping the silt out of the water is the responsibility of the contractor. Phil said in addition to the possible toxicity effects, there must be a match between the flocculant and the type of soil. Mark added that there are field kits that allow for testing to determine which flocculant will be most effective. Jim Haney asked Mark what the flocculants consist of. Mark listed some of the types of flocculants with their pros and cons and he said that anionic polyacrylamides (PAM) are the flocculant that DOT would prefer to use. Jim continued to express his concern regarding the tradeoffs. Mark indicated that the toxicity of PAM versus the toxicity of turbidity is pretty disparate. Jim said that it is highly dependent upon the type of soils. Mark said that the soils that are being affected are clays, that they are more prevalent and that the retention ponds therefore have very high turbidity levels. Bud asked was there any possibility of designing this construction so this point could have been avoided and what did the environmental impact statements say regarding the potential for these large storms to cause these issues. Mark said that between 2004 and 2006 the environmental impact statements didn't go into great detail about the potential construction impacts. Fred again reiterated it is the ability to make the decisions in the field. Diane noted the design process is inadequate. When you open large areas this is going to happen, it needs to be in the design process initially. Why are we not talking about infiltration? Jocelyn said there is a basin on this site. The more turbid water put in the faster it fills in the interstitial spaces and therefore it becomes less effective over time. The other basins on this construction site are

impermeable basins; they are not designed to hold water. The contractors' hands are tied by the project design. Once we move from design to construction it is very hard to make changes as needed. Now energies are being focused on future contracts as to where the construction ponds are, etc. Mark added that the contracts are fixed by the programs, so we are not there yet in terms of addressing and correcting this problem. Phil asked Fred if he had different views of the letter based on this conversation. Fred said he wants to get things in place so we can react correctly.

Jacque will continue on the draft of the letter and will get out to others for review and comment. Phil asked that it include the linked steps that Mark described. Things are moving forward so we need get to this done, these changes have to happen.

2010 Lake Related Legislation

Jacque noted the Legislation handout and it will be addressed at the November meeting.

Phil had been asked a question by the Spofford Lake Association – why is it illegal to transport any aquatic plants on boats and trailers in Vermont but is only illegal to transport exotic aquatic plants on boats and trailers in New Hampshire. He thought it was a good question to be thought about and discussed later. This puts the onus on the boaters as the Lake Host is never going to be an enforcement program.

Water Quality Standards

Phil Trowbridge and Diane Hanley

Phil distributed a two page memo describing the proposed legislation for HB 1305; it had been sent to interim study during the last legislative study. Phil described that what is proposed are housekeeping measures to put statutes and rules on the same footing. One session law change would authorize the department to undergo an overhaul of the water quality standards. The definition of surface waters will have the words “and waters of the United States under the Clean Water Act” added to the existing definition. This makes it clear that the water quality standards also apply to wetlands not just lakes, streams, and ponds, and tidal waters. EPA would like NH to have this in statute, in addition to having it in our administrative rules. Water quality standards have 3 components – criteria, designated uses, and the anti-degradation provisions. This will also give us the authority to make rules for anti-degradation. Session law gives authorization for DES to undergo an overhaul of the standards, including a wider variety of designated uses. They will come up with a recommendation to the Legislature by November 30, 2012. Diane is the LMAC representative to the Water Quality Standards Advisory Committee and she will bring updates to the LMAC so that feedback can be given. This text has gone back to RR&D and it has been voted to go to the full committee on October 26, 2010 for the vote to the legislature. Diane asked if the LMAC should be there or submit a letter of support for October 26th. Phil said it would be good to have either.

Project Report - A Watershed Management Plan for Lake Winnepesaukee

Jacque introduced Pat Tarpy who is the Project Manager for the Lake Winnepesaukee Watershed Management Plan Development and is working with the Lakes Region Planning Commission. Several stakeholder groups have gotten together to develop this plan. A proposal has been submitted to DES to receive funding under Section 319 of the Clean Water Act. In 2008 they received \$76,000. Over \$51,000 has been donated in match so the grant is \$127,760. The project involves several elements but the first part of the process is the evaluation of threats to water quality and in particular establishing a threshold for phosphorus.

Pat then gave a PowerPoint presentation of the project. It is a partnership approach with Meredith, Laconia, and Gilford, focusing on Meredith Bay, Paugus Bay, and Saunders Bay. She explained why they are doing this project, drinking water source protection, tourism, recreation, etc. The main components of the management plan are looking at the physical and chemical features of the lake, lake biology, and water management. The primary concern is watershed phosphorus loading and its impact on lake water quality as it is the limiting nutrient in waterbodies. Exotic species is also a major issue for Lake Winnepesaukee. The town of Moultonborough is spending a few hundred thousand dollars to address the milfoil problem. The focus is on the human activities that are adding to the impact. These 3 communities have decided to focus on septic systems, sediment and erosion, and stormwater management. Nitrates are also a pollutant concern with failing septic systems. The affected towns are being asked to set local water quality goals, not standards – the state has set the standards. Most of the monitoring that has been done has been under the UNH Lakes Lay Monitoring Program. The towns need to know how much phosphorus do they contribute now, which has been determined using the models to estimate the pollutant loading, and how can they limit their phosphorus loading in the future. Jim Haney asked if attention is being given to the amount of chlorophyll because that is one of the criteria for determining trophic status. Lakes have different sensitivities to chlorophyll. For the aquatic life designated use, Winnepesaukee (lake-wide) is

currently classified as one assessment unit and is classed as oligotrophic. Pat said that they need to prove this for this grant so they must conduct an assimilative capacity analysis. What happens if they don't meet standards? If impaired then no additional phosphorus loading is allowed. So there are money implications to the communities considering development. Data from pre-1998 and post-1998 have indicated that the median phosphorus values for all sites have increased for all three bays as well as for Lake Waukegan.

The model that is being used to estimate the loading is STEP-L, which is supposedly a simple model. The phosphorus loads are coming from developed areas which account for only 17% of the watershed but are contributing 5,600 pounds of phosphorus as opposed to the forested areas which account for 55% of the watershed and are contributing 268 pounds of phosphorus. The phosphorus loads that STEP-L predicts are put into the In-Lake Trophic Model; this will predict the in-lake response to the load coming off the land. They are trying to convey how important buffers are and keeping areas forested to protect water quality.

Starting in 2012 Lake Winnepesaukee will not be one assessment unit, it will be ten assessment units; based on the sub-watershed areas that have been delineated by DES. Each sub-watershed area will then be able to address its specific issues. They are encouraging the communities to set their phosphorus goal at 7.2 or below, because once they get to this level then the water is considered impaired for aquatic life use support. There is resistance from the communities. There are programs to help the communities to limit or reduce phosphorus. They are continuing the water quality monitoring but continued data is needed to determine long-term trends and then for comparison to before and after management plans are in place. A web-based plan will be submitted with the goal of making it interactive. They have two applications into the DES Watershed Assistance program for more 319 funds to continue moving around the lake. One for the Center Harbor sub-watershed which would qualify as a high-quality water, and the other is for the Moultonborough Bay inlet sub-watershed, which because of its high phosphorus levels (>10) would qualify as an impaired water and would therefore need a restoration plan.

Diane asked if you get to the impaired status and the towns are unwilling to take action, will DES impose any consequences. Pat responded that it is unknown at this time; DES has not made a determination. Phil asked in an interpretation of the data included will be included on the website. A phosphorus Q & A has been developed and will be available on the website. Mark H. also noted the hydro-modification issue that has developed, (i.e. Gunstock Brook) because of the erosion all that reserved phosphorus is being discharged into the lake. Who is overseeing these impacts? Pat said that this is being worked on in the next grant proposal. Dick Smith raised the issue of herbicide applications in Moultonborough Bay and what impact the decaying vegetation may have upon the water quality of the Bay. Bud suggested using the data, the analytical data, along with pictures and vignettes from those who have been around a while. Jacquie said that she hopes to provide the LMAC with updates as this project moves forward.

Surplus Land Review

Mark H., DOT, reviewed the piece of land on Webster Lake, located on Route 11 in Franklin. It is an existing town-owned boat ramp. Fish and Game would like to take over the ramp facility, but it is split into 2 parcels. One is a state right-of-way and the other is town-owned. It is a long-term (30 year) no cost lease to Fish and Game. It is the paved portion of the boat ramp. It is just an administrative transfer between the DOT and Fish and Game. They are requesting approval to surplus it out of DOT so it can be transferred to Fish and Game; it is staying within state ownership. It has to go to the Long Range Planning and Utilization Committee.

- ***Jim Morash made a motion to approve this surplus land review request, second by Larry Sunderland. Motion passed unanimously.***

Other Business:

- 1) The DES Wetlands Council and Water Council have hearings on October 12th and 13th regarding the proposed access site at Wild Goose on Lake Sunapee.
- 2) DES Dam Bureau has released schedule of lake draw downs. Jim Morash noted the Mt. Washington is running aground in Wolfeboro already.
- 3) Upper Valley Lake Sunapee Regional Planning Commission has developed a comprehensive inventory and management plan for Highland Lake in Stoddard. They are looking for more creative ways to fund/ support the volunteer Lake Host Program.

Future Agenda Items

Jacquie said that Ossipee Lake Natural Area Working Group has made progress and Don Kent has been asked to give the committee an update at the November 12th meeting, which he has agreed to do.

Jacquie shared that former State Senator Carl Johnson had passed away last Saturday at his home. He was truly an advocate for lakes, a friend of lakes and loons and will be missed.

- ***Eric Orff made a motion to adjourn the meeting, second by Diane Hanley. Motion passed unanimously.***

The meeting concluded at 12:35 p.m.