

LAKES MANAGEMENT ADVISORY COMMITTEE
NH Lakes Management and Protection Program



New Hampshire Department of Environmental Services
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MEETING MINUTES
July 22, 2011
MS Mount Washington, Lake Winnepesaukee
9:00 a.m. – 12:00 p.m.

Members present:

Diane Hanley, Chair
Wendell Berry, Vice Chair
Bill Carpenter
Tim Dunleavy
Don Kent, Ph D.
Jim Morash
Fred Murphy
Eric Orff
Dennis Pavlicek
Dick Smith
Larry Sunderland

Representing:

NH Assn. of Conservation Commissions
NH Business and Industry Assn
Commissioner, DRED
Commissioner, DOS
State Conservation Committee
Tourism Industry
Planning Boards
Fish & Game Commission
Municipal Officials
Fishing Interests
Conservation Community

Term:

August 22, 2013
July 8, 2013
Indefinite
Indefinite
August 1, 2012
August 1, 2013
August 1, 2011
August 22, 2012
August 1, 2012
November 17, 2013
September 19, 2010

Members not present:

Jim Haney, Ph.D.
Bo Quackenbos
Mark Hemmerlein
Jeff King
David Rousseau
Vacant
Vacant
Vacant

Scientific Community, UNH
NH Association of Realtors
Commissioner, DOT
Exec. Dir., F & G
Comm., Dept. of Agr., Markets & Food
NH Marine Dealers Association
NH Lakes Association
Director, Office of Energy & Planning

August 22, 2013
June 27, 2011
Indefinite
Indefinite
Indefinite
August 22, 2011
August 1, 2012
Indefinite

Staff Present

Jacquie Colburn
Ted Diers
Jay Aube
Carolyn Guerdet

River and Lakes Coordinator, Watershed Management Bureau (WMB)
Administrator, WMB
Outreach Coordinator (CSPA)
Adm. Assistant, Water Division

Opening

Chairman Hanley called the meeting to order at 9:15 a.m. with a quorum present. She welcomed all those present. She thanked Jim Morash and the M.S. Mt. Washington for hosting the committee and the refreshments.

I. Introductions and Committee Business

1) Committee Membership Update

- John Irwin may be representing Marine Trades Association
- David Packard may be representing NH Lakes Association
- Fred Murphy is up for reappointment
- Bo Quackenbos has stated he will be seeking reappointment
- Jenn Czysz was part of the staff cut at OEP.

2) Watershed Management Bureau (WMB) Update

Ted Diers has been in his new position as Watershed Bureau Administrator for 1 ½ months. The Bureau is currently in a triage engagement to get through the season. Cuts to the Bureau were about 10% of staff in the budget. The cuts included:

- The Rivers/Lakes Management staff was cut from 3.5 positions to 1.5. Jacquie is now in the Rivers Coordinator position. She will prioritize the workload as we move forward. A part time position is in the budget and we will try and fill the position soon.
- VRAP and VLAP are down to one position also. Approximately 40 to 50% of data collected is by volunteers. It is critical to the department for reporting purposes. Is it possible to have the NH Lakes Association take over VLAP?
- The one administrative staff for the Watershed Bureau was cut; the Rivers Program relies heavily on this position to provide assistance regarding the Local River Advisory Committees.
- Travel budget was cut so there will be no reimbursement.
- Some general funds were cut for interns.
- Currently have 41 staff persons in WMB to run 27 programs.
- Also the passing of Jody Connor, our Limnology Center Director has had a profound affect on the Watershed Bureau.

The WMB is about to go through a reorganization in the next few months. Out of crisis comes opportunity. We will talk more about this with LMAC input in October. Further cuts may be in the future; federal cuts are yet to be seen. Fred Murphy suggested picking the top 5 things to do and let others go and have a plan for them in the future. He is willing to come in and talk these over with Jacquie and Ted.

3) RMPP and LMPP budget and staffing – Jacquie Colburn

There is now more work in RMPP with the 4 newly designated rivers. At some point we will need to go back to legislature and to the public and document that DES will not be able to do what was done in the past. There are things in the statute that we are not going to be able to do.

4) VLAP and VRAP budget and staffing – Jacquie Colburn

Larry Sunderland reported their lake already has a back-up plan if VLAP disappears. Collection and lab work can still be done, but less attention will be given to algae make-up of water samples. This is a concern because of the toxins. Ted noted it could turn into several different ways to do the testing. So how do we make sure the mission remains the main focus? It is complex as they join one another, but we have to look at the solutions.

5) Future of LMAC

Jacquie talked about the loss of Jody Connor and all he had done with the LMAC. The Commissioner is seeking ways to honor him.

Jacquie pointed out that the lakes statute still exists and that DES we will try to provide assistance as much as possible, but it will be a diminished role. Chairman Hanley shared her thoughts to move forward with a press release. Jim Morash suggested the press release state that the LMAC would continue in light of losing the Lakes Coordinator position. We need to get out that we do exist and that there is a need.

Fred suggested an outline of what is planned for the next months. Have the members listed for contact persons. Diane said that the purpose is to make aware of what we're doing and get support for this and the programs we're working with. People should know what affect the budget cuts will have. Issues, such as cyanobacteria aren't going to go away.

II. State Level Lakes Management Criteria/Recommendations – Diane Hanley and Jacquie Colburn

In May, this was reviewed closely. After the meeting Laura Weit-Marcum made the revisions and got most of the revisions done before moving into a new position. Laura was asked to put together an introduction to frame the document to explain why the criteria were produced, who the program staffing is and the priority issues for lake management. It will be sent out to the LMAC members before the October meeting and before going out to public distribution. Diane has reviewed it and feels the introduction is quite good and fairly complete.

III. Lake Winnepesaukee Water Quality – Jacquie Colburn

Before discussing the general water quality of the lake, Jacquie asked Jim Morash to tell the committee about the newer, cleaner engines that are now operating on the Mount. Jim shared that a government grant helped pay for the new engines in this vessel. A catalyst was installed, the engine is more powerful and there are now 90% less emissions. In September, they will buy 2 engines that will be cleaner.

Jacquie provided a brief overview of the lake's water quality. It is ranked as oligotrophic and the water quality is generally good. Winnepesaukee is not listed as impaired yet. Right now when DES reports to Congress, the

entire lake is considered one assessment unit. There are actually 12 sub-basins within in the lake and for reporting purposes, it will be divided into 10 assessment units in 2012. Jim Haney has stated (in previous LMAC meetings) that NH is noted for its water quality and its water quality management. Other states put more money into their lakes. Ted Diers said that approximately 80% of water quality impairments have to do with stormwater issues. Research shows that when a watershed has 10% impervious development water quality is impaired. Jacquie explained that trophic surveys were last done in 2008 or 2009 and that these are no longer being conducted by DES. Now, we are relying on data collected through EPA, and not getting the water quality data we used to. There are 19 communities in the Winnepesaukee Watershed and work is underway to develop a watershed management plan using a sub-watershed approach. As a result of the monitoring, you can see the phosphorus levels in the lake are trending upward, which is causing increased concern about the type of cyanobacteria in the lake; this is occurring all across the lake.

IV. 2011 Lakes-Related Legislation - Jay Aube – Shoreland Program, Wetlands Bureau

Jay gave a presentation titled: “The Shoreland Water Quality Protection Act (SWQPA) - An Investment in the Future”. The CSPA underwent significant amendments during this past legislative session. The permit fees were going to sunset as of 7/1/11 and compromises were made to retain the statute. There has been a shoreland act since 1994. Here is the link to a comparable presentation that Jay gave to the LMAC:

[The Shoreland Water Quality Protection Act – A Slide Presentation](#)

Jacquie said that 2 LRS have already been submitted for the 2012 legislative season to modify or repeal the Shoreland Protection Act.

V. The Instream Flow – Lamprey River Management Plan – Jacquie and Ted

Ted and Jacquie shared an overview of the instream flow process and the Lamprey River Management Plan as this process is coming to a conclusion on the pilot studies. The LMAC should be part of the discussion of the lake and river issues that are becoming more public. The Rivers statute was passed in 1988 and included among others, the following 2 goals:

- 1) To allow for local involvement in river resource and protection and management, this now includes 18 designated rivers in the state.
- 2) To establish the protected instream flow for designated rivers and the Instream Flow Program (ISF).

Information is being compiled to present to the legislature regarding the Lamprey and Souhegan River Instream Flow Pilot Studies, to demonstrate how we suggest moving forward with the Instream Flow Program. As lake-related issues also become part of this study, it is appropriate for the RMAC and LMAC to become educated on this process and discuss this jointly in the future. We need to look at the whole picture: what are the human uses that are going on primarily for recreation, public water supplies and hydropower, address aquatic life needs, as well as other riparian wildlife and vegetation. The instream flow process really sets into motion a way of understanding “how do you manage human uses and try to protect natural uses within the range of normal flows?” The ISF Water Management Plan contains 3 parts:

- 1) Water User Plan
- 2) Dam Management Plan
- 3) Conservation Plan

Ted then reviewed the issues raised and the comments received to date for the two draft water management plans. The final plans will be submitted to the Commissioner for his review and approval. They will be implemented over the next couple of years and then the department will report back to the Legislature. All Instream Flow Program documentation is on the DES website or you can contact Wayne Ives, Instream Flow Specialist. Fred asked for a better understanding of the 4 lakes in the Lamprey River watershed before the October meeting.

VI. Updates and Other Business

Jacquie informed the committee that the Governor’s Water Sustainability Commission was established to look at the state of water and sewer infrastructure. It was strongly recommended to the Commission that they look at our *Sustainability Initiative* document developed in 2008 as a resource for some of their discussions.

The October meeting will cover the lakes management criteria, prioritizing issues and needs of the LMAC, the draft appendix of the public trust paper, and an update on the Instream Flow Pilot projects for the Lamprey and

Souhegan Rivers.

Jacque explained that due to reduced staff we will now meet 4 times per year. The next meeting will take place on October 14th with the LMAC meeting from 9-11am, then a joint LMAC and RMAC meeting with lunch, followed by the RMAC meeting. The first meeting in 2012 will probably take place during the 2nd week of January to review legislation and then decide if we want to submit comments or letters of testimony.

Bud asked if we have support from the Commissioners of the other agencies to have their people continue serving on the LMAC with this now limited program. The agency representatives will have that discussion with their commissioners.

- ***Dennis Pavlicek made a motion to adjourn, second by Jim Morash. Motion passed unanimously.***

Meeting was adjourned at 11:45am.