

**LAKES MANAGEMENT ADVISORY COMMITTEE**  
 NH Lakes Management and Protection Program  
 New Hampshire Department of Environmental Services  
 29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
 phone: 603-271-2959 fax: 603-271-7894

**LMAC MEETING MINUTES**  
**January 6, 2012**  
**DES Conference Rooms (112, 113 114)**  
**1:00pm - 2:30pm**

**Members present:**

Wendell Berry, Chair  
 Dennis Pavlicek, Vice Chair  
 Eric Orff  
 Don Kent, Ph.D.  
 Jim Haney, Ph.D.  
 Larry Sunderland  
 Dick Smith  
 Fred Murphy  
 David Packard  
 VACANT  
 Jeff King  
 Bob Spoerl  
 Mark Hemmerlein  
 Robert Wolff  
 Susan Slack  
 David Ouellette

**Representing:**

NH Business and Industry Association  
 Elected Municipal Official  
 NH Fish & Game Commission  
 State Conservation Committee  
 Scientific Community, UNH  
 Conservation Community  
 Fishing Interests  
 Planning Board  
 NH Lakes Association  
 NH Assoc. Conservation Commissions  
 NH Fish & Game Department  
 Commissioner, DRED  
 Commissioner, DOT  
 Dept. Agriculture, Markets & Food  
 Director Rep, OEP  
 Commissioner Rep. DOS

**Term:**

July 8, 2013 V  
 Aug. 1, 2012 V  
 Aug. 22, 2012 V  
 Aug. 1, 2012 V  
 Aug. 22, 2013 V  
 Sept. 19, 2010V  
 Nov. 17, 2013 V  
 Aug. 1, 2014 V  
 Aug. 1, 2012 V  
 TBD V  
 Indefinite NV  
 Indefinite NV  
 Indefinite NV  
 Indefinite NV  
 Indefinite NV  
 Indefinite NV

**Members not present:**

John Irwin	NH Marine Dealers Association	August 22, 2014
Jim Morash	Tourism Industry	August 1, 2013
VACANT	NH Assoc. of Realtors	TBD
VACANT	NH Assoc. of Conservation Commissions	TBD

**Staff Present:**

Jacquie Colburn	Coordinator, Rivers and Lakes Programs WMB
Tara Johnson	Asst. Planner, WMB
Carolyn Guerdet	Admin. Asst., Water Division
Ted Diers	Administrator, WMB
Amy Smagula	Exotic Species Program Coordinator
Sara Steiner	VLAP/VRAP Coordinator

**Guests:**

June Fichter	Shoreland Advisory Committee
Tom O'Brien	NH Lakes Association
John Cooley	Loon Preservation Committee

Chairman Berry called the LMAC Meeting to order at 1:03.

**A. Introductions/Minutes/Committee Business :** Committee members introduced themselves and the interest they represent

**1) Acceptance of July and October Meeting Minutes:**

- ✓ Fred Murphy made a motion to accept the July and October minutes. Seconded by Larry Sunderland. Motion passed unanimously.

**2) LMAC Membership:** Welcomed David Packard. Bud said Bo Quackenbos will not be representing the real estate community in the future.**3) LMAC Vice Chair:** Chairman Berry suggested Dennis Pavlicek be nominated by the committee to be the Vice Chair. Dennis represents municipal community.

- ✓ Fred made a motion to nominate Dennis Pavlicek as Vice Chair of the LMAC. Seconded by Don Kent. Motion passed unanimously.

Chairman Berry's Handout View of the LMAC- Looking ahead to the future of the lakes. Maintain a vision for the state and DES. Members reviewed the handout.

**B. View of the LMAC - Bud Berry:**

At both the RMAC and LMAC meetings, Jacquie shared a spreadsheet which highlighted impacts of budget reductions. Highlights: There is no longer a lakes coordinator, watershed planner or watershed bureau administrative assistant. She discussed all activities and deliverables before and after July 1. Pointed out where time requirement has increased, diminished or stayed the same. Jacquie said she will make edits to the list and let the committee review. The priorities are to maintain statutory requirements. 10 - 15% of time is spent on lakes. She mentioned Michele Tremblay's suggestion of adding a column reflecting the need that still exists for the activities.

**C. Update regarding the Exotic Species Program MOU:** Handout. Amy Smagula explained that one year ago, there was an invasive species issue in Moultonborough. A rare fish species emerged that was using the milfoil for spawning. The herbicide treatment was pushed off until after the spawning season was over. Made DES take a look at the bigger picture-how species are involved in the permit review process. Interagency cooperation for invasive species management is important. There is a plan for 90% of waterbodies affected by invasive species. There are 76 infested waterbodies - a total of 8% of all waterbodies in NH. Variable milfoil is biggest problem. DES, F&G, Agriculture and DRED are all involved in the management process. Agencies acknowledged philosophical differences with respect to invasive species management. Agency heads met to discuss issues.

- Should we be managing invasive species?
- How are we managing species?
- Threat invasives pose to other species as well as the threat management practices pose.
- Establishing a long term plan with an agreed upon format and template.
- Better sharing of information, before, during and after management effort.
- Implementation for a streamlining process for permitting.
- Development of interagency MOU summarizing what happened with the meetings that took place.
- Agreed that invasive species were a problem, they should be managed so they do not get out of control.
- Management plans are a great vehicle to use when reviewing each waterbody.

In April/May agency staff met without agency heads and: discussed elements that should be in a long-term management plan; developed a new plan template; and reviewed permitting process.

The first draft of the MOU was sent in September. Comments have come back from agencies. Commissioner Burack will be sending back to agencies after comments have been incorporated into the MOU.

DES initially uses an herbicide application to reduce bigger acreages of infestation. DES is trying to go toward a non-chemical approach when possible. Bob Wolff discussed the permitting process. Pesticide General Permit - requires certain entities to file a notice of intent. Instructional memo will be sent out about how to regulate entities who are seeking permits to apply pesticides near waterbodies. Each waterbody is individually assessed and reviewed based on size, distribution and density of the infestation.

Maintenance after herbicide treatments - Amy explained that hand maintenance is then implemented which requires divers. This method leaves natives to populate an area. Long term integrated management focused on the system. Plans will be available online as soon as there is a size agreement to post. Jacquie asked if part of discussion was to move away from herbicides. Amy said yes, that is the long-term plan. Part of the plan is a 2 or 3 year herbicide plan, and then work on a non-chemical method. Many of our lake's invasives can be picked instead of using herbicides, because of outreach and education. In order to make headway, we need a limited, permitted, controlled herbicide treatment when necessary.

Chairman Berry asked Bob Wolff to put together a one page summary regarding pesticide permitting. He agreed to put something together that is a boiled down version of the rules.

Legislative Subcommittee discussion:

Chairman Berry asked the committee to help him form a legislative subcommittee. A subcommittee was formed including Chairman Berry, Dennis Pavlicek, Dick Smith and Larry Sunderland, who will participate for the short term.

Chairman Berry suggested putting together a subcommittee to look at what DES should accomplish. What contributions could the LMAC offer to the water management bureau? Don Kent suggested working on this as a group rather than a subcommittee. Jacquie will set aside work time during the scheduled meetings.

Jacquie said if the group wants to vote on a piece of legislation, it must be posted, and then a number must be provided to call in for a meeting. Subcommittee meets, has a recommendation, sends it out via email asking if members concur, or are there any objections to LMAC submitting a letter of testimony regarding a piece of legislation. At next meeting there will be a review of the full statute.

- ✓ A Motion was made by David Packard to go forward with the legislative subcommittee process Jacquie mentioned (above). Seconded by Larry Sunderland. Don Kent suggested a record of concurrence. Can be in the form of an email. Motion passed unanimously.

Jacquie said she didn't think the LMAC would want to submit testimony on many bills. There is only SWQPA and others that may be necessary to track.

VLAP and VRAP reporting: Sara Steiner

Sara told the committee that her group has other responsibilities due to staff reduction. Individual VLAP Reports/Fact Sheets will be 2-4 pages, vs. 30-40 pages. Informational sheet will eventually be available on the web. VLAP will also do regional reports, which will give a different perspective on water quality. Sara has also done a spreadsheet indicating what is being reduced or eliminated, and what has stayed the same for the programs. Chairman Berry asked if there is an end user for the new reports. No one has requested them, besides the individual lakes and the local government, RPCs, etc. The reports will be valuable when completed. Ted will have reports routed to each of the regions for comments. Don Kent - he can see a wide use for this information. He said DRED can certainly use this information as well as State Parks. Bob Spoerl asked if there would be a layer available through GRANIT. Sara wasn't sure it would be available. Bob Spoerl thought it would have more widespread use.

Will use Impaired Waterbodies List (303d list) information, but presented in a different way (as a graphic). Jim Haney asked if there was a way to include the quality of the data. Are you looking at ways

to improve the data? Sara - That is a continual process. The program looks at this annually - How volunteers collect data, training, etc. They can no longer visit each lake every year, but will be working toward a training video that helps instruct in fieldwork and sample collecting. The programs developed an audit form for volunteers this year.

**D. Update and Review Lakes Management Criteria:**

Committee reviewed and approved the document in May before staffing changes and budget reduction. Tara and Jacquie then went through the document considering budget situation and reviewed the findings and recommendations. Bud suggested leaving the recommendations as written, but put in a note about funding in introductory remarks. Don Kent mentioned that recommendations should always be blind to the amount of money available. We should not be concerned with funding - that's a separate issue. Don suggested putting a separate document together for legislature or anyone else who needs to know the funding situation. A caveat at the beginning of the document stating funding capacity may limit the ability of the agency to complete these items. Tom O'Brien suggested the document could also be more of a work plan based on funding and what we can do with what we have.

Jacquie suggested adding verbiage pertaining to the limitation of funding to the Sustainability Initiative, since it is not statutorily required.

**E. Other Business/Action Item Review:**

- 1) Update: Water Sustainability Commission: Jacquie provided a quick update regarding the commissions work to date and indicated that the topic of their next meeting on January 17<sup>th</sup> will be water rights and water laws.
  
- 2) Update: Ossipee Lake Natural Area: Don sent out the Ossipee Lake Natural Area 2011 Management Summary to the OLNA working group members. He will review it at the next meeting.
  
- 3) Update: Water Quality Standards Advisory Committee: The next quarterly meeting will be Thursday, January 12th at DES. Jacquie requested someone to be the LMAC representative since Diane Hanley was the representative. The committee will discuss this at the next meeting. Jacquie will be asking for a vote on this for the next meeting.
  
- 4) Update: FY 12-13 604(b) grants: Skipped this time, will discuss at next meeting.
  
- 5) Update: NH Lakes and LMAC Septic System Commission: This issue will also be discussed at the next meeting.
  
- 6) Update: Recreation Management Decision System Project - Brian Eisenhauer, Director of the Center for Environment at PSU is working with graduate students (Andrew Veilleux). They have received grant funding for the project. Recently in the process of working with GIS platform system developed in Australia. This is powerful technology for collecting social data that has not yet been used in the U.S. The meeting will be at Squam Lakes Association. Thursday at 1:00 p.m. Dick Smith, Don Kent and Jeff King expressed interesting attending the meeting.

Meeting Adjourned at: 2:35 p.m.