



LAKES MANAGEMENT ADVISORY COMMITTEE
NH Lakes Management and Protection Program

New Hampshire Department of Environmental Services
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LMAC MEETING MINUTES
July 17, 2014
Pawtuckaway State Park
9:30 am – 11:00 am

Members present

David Packard, Chair
Susan Slack, Vice Chair
Shane Bradt
Linda Brownson
Fred Clews
Eric Feldbaum
Kim Hallquist
David Rousseau
Dick Smith
Michael Summerlin
Mary Truell

Representing

NH Lakes Association
Director, Office of Energy & Planning
Scientific Community, UNH
State Conservation Committee
Fish & Game Commission
Commissioner, DRED
Municipal Officials
Commissioner, Dept. of Agr., Markets & Food
Fishing Interests
NH Business and Industry Assn.
NH Association of Realtors

Term

August 1, 2015 V
Indefinite NV
August 22, 2016 V
August 1, 2015 V
August 22, 2015 V
Indefinite NV
August 1, 2015 V
Indefinite NV
November 17, 2016 V
July 8, 2016 V
June 27, 2014 V

Members not present

Bob Compton
John Cooley
Capt. Tim Dunleavy
Mark Hemmerlein
John Irwin
Jim Morash
Martha Twombly
Vacant

Planning Boards
Conservation Community
Commissioner, DOS
Commissioner, DOT
Marine Trades Assoc.
Tourism Industry
NH Assn. of Conservation Commissions
Exec. Dir., F&G

August 1, 2014 V
September 19, 2016 V
Indefinite NV
Indefinite NV
August 22, 2014 V
August 1, 2016 V
August 22, 2016 V
Indefinite NV

Staff Present

Jacquie Colburn Rivers and Lakes Programs
Ted Diers Watershed Management Bureau
Carolyn Guerdet DES Administration
Wayne Ives (Boat tour only) Instream Flow Program
Tracie Sales Rivers and Lakes Programs

Others/Guests

John Decker (Boat tour only) Pawtuckaway Lake Improvement Association
Tom Duffy (Boat tour only) Pawtuckaway Lake Improvement Association
Tom O'Brien NH Lakes Association
Steve Soroff (Boat tour only) Pawtuckaway Lake Improvement Association
Kellie Walsh Office of Energy and Planning

The Meeting Was Called to Order

Chair Packard called the meeting to order at 9:33 a.m. and welcomed all present.

I. Introductions/Minutes/Committee Business

Members and guests present introduced themselves.

1) Acceptance of the March 2014 LMAC Meeting Minutes

Michael Summerlin described four typographical errors in the draft minutes.

- *Linda Brownson made a motion to accept the March 31, 2014 minutes with the typographical corrections noted, second by Fred Clews. Motion passed unanimously.*

2) LMAC Membership Update

Association of Realtors - Mary Truell is working on her reappointment and the letter has been sent to Governor and Council.

Planning Boards – Jacquie reported that Bob Compton is working on his reappointment

Marine Trade Associations – John Irwin, Jacquie has been unable to reach him, but will try again.

Michael Summerlin was introduced as the new member representing the NH Business & Industry Association, replacing Bud Berry.

II. Update Regarding LMPP Activities – Jacquie Colburn1) Surplus Land Disposals: CORD SLR 14-023 Laconia

This is a DOT property granting an abutting landowner a 2100 sq. ft. lease of an existing encroachment in the railroad corridor. No direct impact on the lake or public access is expected, so the proposed disposal was approved via the LMAC's rules for a categorical exclusion.

2) 2014 Dartmouth Report – “Towards a Watershed Approach”

At the December Joint RMAC/LMAC meeting, staff had described a proposed project to be completed by Dartmouth students to regulate and manage water on a watershed basis. The project report has not yet been received, but DES has been in touch with the Dartmouth faculty supervisor for the project.

3) LMPP Program Updates

Jacquie is receiving numerous requests from the public for lake-related technical assistance.

a. Statutory or Program Changes

Chair Packard is working with Ken Kimball, RMAC Chair, on statutory changes needed for the Lakes and Rivers Management and Protection Programs. The RMAC has drafted proposed changes to the Rivers Program and plans to submit them for the 2015 legislative session. By working together, the Chairs hope to keep the 2 statutes in parallel with one another and also support the changes proposed by the other committee. Chair Packard will share the proposed Rivers Program changes with the LMAC at a future meeting.

Tom O'Brien asked where the public can go online to see all of what DES is doing related to lakes, including the Lakes Program, invasive species removal, etc. Jacquie noted that DES submits a report to the Public Water Access Advisory Board (PWAAB) that pulls together a lot of what DES does pertaining to access, exotic species management, trophic surveys, dams, etc. This is a good resource for now, and staff will put a link to the 2012 PWAAB report on the LMAC blog as soon as the report is available, and will also share the draft DES portion of the 2013 PWAAB report when it is ready. Jacquie also replied that she used to do a “State of the Lakes” report, but she is unable to do it any longer. O'Brien noted that it is hard to identify the loss of service due to the reallocation of resources at DES.

b. Technical Assistance – Update to the 1991 Squam Lakes Watershed Plan.

The Squam Lakes Watershed Plan was one of the first watershed plans developed in the state. The Squam Lakes Association is looking for funding for an update but did not receive a recently applied for Section 319 grant through DES. Jacquie has not been able to follow up with Andrew Veilleux regarding his Public Participatory Geographic Information System (PPGIS) project, which came out of discussions with the Lakes Program and would be relevant to an updated watershed plan.

In response to Chair Packard's question, there are about 30 watershed plans in the state at this time, some more comprehensive than others, and funded in various ways. The most thorough lakes management plan that has been done in NH was done by Colby-Sawyer on Sunapee, Keaser, and Blaisdell Lakes at least 5-8 years ago. Chair Packard asked how a lake association would tie into UNH for development of a plan, to which Shane Bradt replied probably through the UNH Lay Lakes Program and Jacquie added that they could contact Jim Haney.

III. Review of 2014 Lake-Related legislation – Tracie Sales

1) Legislative Review

SB266 – The LMAC supported this bill with a Letter of Testimony. The bill proposed new members for exotic aquatic weeds committee. It was signed into law on June 16, 2014 and is now effective.

HB292 – The LMAC supported this bill with a Letter of Testimony. The bill increases in-state boat registration fee by \$2, but started as an out-of-state registration fee. It will provide \$180,000 – \$200,000 more per year for invasive species control. The bill has not yet been signed by the Governor. Funds from these fees are used each year and not banked, and thus are unlikely to be diverted for other uses.

CACR-19 – This item was tracked by the LMAC and would require dedicated funds to be used solely for the fund designated. It has been passed by Senate but referred to an interim study committee by the House. O'Brien has heard it is not going to be passed by the House.

2) Review and Discuss Draft Standard Operating Procedure (SOP) for a Policy and Legislation Subcommittee of the LMAC

The P&L Subcommittee SOP is modeled on a similar SOP approved by the RMAC, which already had an active subcommittee. This document sets out how the subcommittee works and its authority. There is also a procedure outlined for cases when bill text changes substantially but the LMAC is unable to meet prior to the due date for a letter of testimony. In these instances, the Lakes Coordinator drafts a letter which is approved by the LMAC Chair, LMAC Vice Chair, and P&L Subcommittee Chair. The letter is then posted for review by the full committee, and submitted only if there are no dissenting opinions by voting LMAC members.

Questions: 1) Is this SOP something that LMAC would like to adopt? 2) Who would like to be on the committee? It is important to have an LMAC meeting in January each year to approve the P&L Subcommittee's legislative position recommendations.

Chair Packard asked which committee members were already involved with legislation for their organizations. Linda Brownson, Mary Truell, and Michael Summerlin described how their organizations track legislation.

Chair Packard suggested 5 voting members on the subcommittee for diversity of opinion and knowledge. There are currently 13 voting members of the LMAC. There will generally be just one meeting of this subcommittee each year.

- *Linda Brownson made a motion to accept the SOP with a 5 person membership as discussed and presented here, second by Shane Bradt. Discussion was held. It was suggested to change LMAC to LMPP in the introduction. Motion passed unanimously.*

IV. LMAC Priorities – David Packard

Postponed until the next meeting due to time constraints.

V. Member Comments and Updates

- 1) Ossipee Lake Natural Area Committee – Susan Slack and Jacquie Colburn
This will be presented at the next meeting.

- 2) SAC/LMAC/RMAC Ad Hoc Committee – David Packard

Chair Packard noted that the Shoreland Advisory Committee (SAC) will sunset in December 2015. The concern is that three different water body types, rivers, lakes, and ocean/estuarine are all treated the same

by the SWQPA, but each is a separate habitat/environment. SAC has asked: Is there any rulemaking or legislation that needs to be enacted recognizing these differences/dynamics? The Ad Hoc Committee is looking to come forth with some recommendations to recognize these 3 different environments. Recommendations made by the Ad Hoc Committee will be presented to the LMAC to accept or modify, and then forwarded to DES.

3) Water Quality Standards Advisory Committee

An LMAC representative is needed. Discussion postponed until the next meeting due to time constraints.

4) Wetlands Rulemaking Effort Update – Jacquie Colburn

Jacquie reported that Mary Ann Tilton, Wetlands Bureau, told the SAC Ad Hoc Committee that Wetlands is trying a new way to approach the rulemaking effort. The Wetlands Bureau is extending the 18 month time frame to allow more groups to participate and add to the process. In addition, the extra time will allow the Bureau to incorporate regulatory changes currently underway by other entities, including the Army Corp of Engineers and EPA. The Wetlands Bureau has conducted 11 listening sessions so far. A discussion/listening session on docks & shoreline structures will be held in Laconia on July 28th at the Laconia Middle School. RSVPs are requested. Contact Jacquie for more information.

5) Other Member Comments - None at this time.

VI. Other Business and Action Item Review

1) Action Item Review

Lakes program staff will send out a Doodle Poll for the next LMAC meeting.

Lakes program staff will post the Policy and Legislation Subcommittee SOP on the LMAC blog.

Lakes program staff will post a link to the 2012 PWAAB report on the LMAC blog.

Lakes program staff will send the draft of the DES portion of the 2013 PWAAB report to the committee members when it is available.

Lakes program staff will contact Andrew Veilleux regarding the status of the PPGIS.

2) Next LMAC Meeting - Potentially September or October. Then in again in January.

Dick Smith noted August 1st is the 20th year of taking kids fishing on Merrymeeting Lake. If anyone has a boat to help take the kids out, please contact Dick.

Tom O'Brien announced that August 3rd will be the Raftapalooza at the Weirs, an effort to earn the record for the largest raft of boats. All are invited to be a part of this.

11:01 a.m. – Meeting Adjourned