



LAKES MANAGEMENT ADVISORY COMMITTEE
NH Lakes Management and Protection Program

New Hampshire Department of Environmental Services
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**FINAL
LMAC MEETING NOTES**

January 13, 2017

Dept. of Environmental Services, Concord, NH

9:30 – 11:00 am

Members Present

David Packard, Chair
Susan Slack, Vice Chair
Bruce Allen
Mark Borrin
Shane Bradt
Linda Brownson
Fred Clews
Bob Compton
Eric Feldbaum
Garrett Graaskamp
Mark Hemmerlein
Dick Smith
Mary Truell

Representing

NH Lakes Association
Director, Office of Energy & Planning
NH Assn. of Conservation Commissions
NH Travel Council
Scientific Community, UNH
State Conservation Committee
Fish & Game Commission
Planning Boards
Commissioner, DRED
Executive Director, F&G
Commissioner, DOT
Fishing Interests
NH Association of Realtors

Term

August 1, 2018 V
Indefinite NV
August 22, 2019 V
August 1, 2019 V
August 22, 2019 V
August 1, 2018 V
August 22, 2018 V
August 1, 2017 V
Indefinite NV
Indefinite NV
Indefinite NV
November 17, 2016 V
June 27, 2017 V

Members Absent

John Cooley
Ed Crawford
Capt. Tim Dunleavy
Kim Hallquist
Frank Lemay
Bob Wolff/David Rousseau

Conservation Community
Marine Dealers Association
Commissioner, DOS
Municipal Officials
NH Business and Industry Association
Commiss., Dept. of Agr., Markets & Food

September 19, 2016 V
August 22, 2017 V
Indefinite NV
August 1, 2018 V
July 8, 2019 V
Indefinite NV

Staff Present

Kathy Black Rivers and Lakes Programs
Melissa Doperalski Watershed Management Bureau
Wayne Ives Instream Flow Program
Brandon Kernen Drinking Water and Groundwater
Tracie Sales Rivers and Lakes Programs

Guests

Larry Sunderland Former LMAC Member

The Meeting Was Called to Order

Chair Packard called the meeting to order at 9:30 am and welcomed all present.

I. Introductions/Minutes/Committee Business

1) Welcome, Introductions and Brief Announcements

New member Mark Borrin, representing the Tourism Industry, was welcomed along with Kathy Black, the new Rivers and Lakes Programs Assistant.

2) Acceptance of October 4, 2016 LMAC Meeting Minutes

- ***Garrett Graaskamp made a motion to accept the LMAC meeting minutes of October 4, 2016, second by Bruce Allen. Garrett noted his last name is misspelled in the meeting minutes. Motion passed unanimously with the spelling correction.***

3) Acceptance of October 4, 2016 Joint LMAC/RMAC Meeting Minutes

- ***Bruce Allen made a motion to accept the Joint LMAC/RMAC meeting minutes of October 4, 2016, second by Mary Truell. Motion passed unanimously.***

II. LMPP Program Updates1) LMAC Membership Update – Tracie Sales

- Tracie reminded the group to submit the financial disclosure document by January 20.
- Two memberships (John Cooley and Dick Smith) expired in 2016. Dick Smith is renewing his membership. John Cooley is stepping down as representative of the Conservation Community. The seat is a joint nomination of the Loon Preservation Committee (LPC), the Society for the Protection of New Hampshire Forests, NH Audubon, and the NH Wildlife Federation. Larry Sunderland will follow up with NH Audubon.
- Membership renewals are on hold per the Governor's office because staff is not in place to process nominations under the new administration. Tracie will follow up with the Governor's office for an update.
- Tracie noted the following 2017 membership expirations: Mary Truell (June), Bob Compton (August), and Ed Crawford (August).

2) Squam Lake Contaminants Update

Tracie reviewed LPC's ongoing investigation into the loon population decline on Squam Lake. Contaminants found include DDT, PCBs, flame retardants, and mercury. Discussion ensued regarding possible sources, including oil used to control road dust and sources that could affect the loon's prey fish (including crayfish). Dick Smith mentioned that biosolids from wastewater are being applied to agricultural land throughout the state, but it was noted this area is primarily wooded with limited agriculture, so biosolid application is an unlikely source of contamination.

LPC's ability to further investigate the extent/source of contamination affecting the loon population is limited by the high cost of sampling and the expansion of the investigation beyond avian biology. Mark Hemmerlein noted that UNH's Technology Transfer Center helps with education for municipal road agents so the Transfer Center might be a good resource for LPC. He also mentioned contacting contamination specialists like Golder Associates and Sanborn, Head, and Associates to see if they might be willing to volunteer their time or work *gratis* as a goodwill effort on this project.

Tracie noted that LPC met with NHF&G, Department of Health and Human Services, and NHDES on November 18, 2016. LPC is close to finishing the final report and will send it to the Commissioners at NHDES and NHF&G. Tracie will post the final report on the LMAC Blog and notify LMAC members.

III. Surplus Land Reviews1) SLR 17-001 Laconia

Kathy summarized this proposed SLR, a lease to Bay Reach Association of approximately 600 sq. ft. of land adjacent to Paugus Bay in Laconia to resolve an encroachment issue. Bay Reach Association members have historically crossed the railroad to access the lakeshore and to maintain recreational facilities on their property between the railroad and the lake. The lease proposes to use the surplus

land for recreational and water access, reestablishment and improvement to the permitted beach area, and to minimize erosion potential. The Public Water Access Advisory Board requested that CORD add as a condition for renewal of this lease that Bay Reach Association agrees not to oppose or interfere with the WOW Railtrail organization’s Phase 3 Plan to extend their railtrail within the existing railroad right of way alongside the leasee’s property.

- **Mary Truell made a motion to not oppose the SLR, second by Linda Brownson. Motion was passed unanimously.**

The LMAC discussed adding a comment to the SLR response that the committee supports public access to state waters and the WOW RailTrail concept, but no motion was forwarded.

2) Surplus Land Review Procedures

During the October joint meeting discussion on the Right-to-Know law, Allen Brooks recommended a change to the LMAC’s procedure for addressing proposed surplus land disposals with *de minimus* impact on the lake or access to it. Tracie presented a draft revised procedure for LMAC SLRs which allows the Chair and Vice Chair to decide when a project is *de minimus* and a comprehensive review by the full committee is not required, but removes the opportunity for other LMAC members to then review and comment on the *de minimus* categorization. A few additional clerical changes were included in the revised document. Tracie sent the revised procedures to Mr. Brooks for review with respect to the Right-to-Know law, but did not receive a response.

- **Mark Borrin made a motion to accept the revisions to the Procedures for LMAC Review of State Property Disposal, second by Linda Brownson. Motion passed unanimously.**

IV. 2017 Lake-related Legislation

Tracie presented this year’s bills and Legislative Service Requests (LSR). Tracie commented that a number of the LSRs do not yet have bill language. The LMAC considered bills and LSRs where information was readily available and agreed to wait for more information on the other LSRs. The table below summarizes the LMAC’s position on current legislation.

Bills Recommended to Track	Bills Recommended to Delete
HB 119 – appropriations to NHDES for the purpose of funding eligible drinking water and wastewater projects under the state aid grant program	HB 77 - dams and nonprofit organizations
HB 170 – posting notice and minutes of public meetings on the public body’s website	HB 258 - submission and approval of subsurface sewage disposal system plans
HB 173 – regulations restricting the use of water for outdoor usage	HB 299 - notice by mail for zoning and planning purposes
HB 195 – establish a committee to study temporary seasonal docks – amendment to include all docks	HB 376 - requiring construction projects that disturb sediments in estuarine waters to analyze the sediments and report to NHDES
HB 332 – dedicated funds with no activity in the financial system for at least the most recent fiscal year	HB 393 - the Winnepesaukee river basin control program reserve account
HB 342 – establish a commission to study the transition of certain regulatory authority to NHDES from EPA	HB 394 - public employees testifying before legislative committees

HB 359 - returning a percentage of LCHIP fee to the municipality where the real estate transfer from which the fee originates is located	HB 470 - storm water or sewage penalties
HB 485 – standards for emerging contaminants in drinking water	HB 507 - committee to study the responsibility of a person who through their pollution makes drinking water non-potable
HB 486 – protection of wetlands	HB 547 - recycling and disposal of electronic waste
HB 540 - funding for climate change adaptation	
HB 569 – reimbursement of dedicated funds transferred for other purposes	
LSR 368 – suction dredging in surface waters of NH	
SB 30 – defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act	

➤ *David Packard asked for a vote to accept the proposed Legislation Tracking positions as the group noted on the spreadsheet. LMAC unanimously voted to accept the proposed positions.*

V. Local Advisory Committees and Lakes – Postponed due to lack of time

VI. Member Comments and Updates – Postponed due to lack of time

VII. New Business and Action Item Review

1) New Business – None

2) Action Item Review

- Kathy will correct the spelling of Garrett Graaskamp’s last name in the LMAC minutes.
- Tracie will follow up on the nominations process for Conservation Community Representative and send information regarding the appropriate LPC contact to handle the nomination.
- Tracie will contact the Governor’s office regarding the new appointment process.
- Tracie will post the LPC Squam Lake Contaminants Final Report on the Blog when it becomes available.

3) Next LMAC Meeting – Doodle poll will be sent for mid-March

4) Agenda Items for Future Meetings – None proposed

Meeting Adjourned at 11:05 a.m.