



**LAKES MANAGEMENT ADVISORY COMMITTEE**  
NH Lakes Management and Protection Program

New Hampshire Department of Environmental Services  
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**LMAC MEETING MINUTES**

**October 3, 2018**

**NHDES Offices, Room 208-C**

**29 Hazen Drive, Concord NH**

**1:00pm – 3:15pm**

**Members Present**

David Packard, Chair  
Bruce Allen  
Mark Borrin  
Shane Bradt  
Jennifer Gilbert  
Garret Graaskamp  
Tiffany Grade  
Mark Hemmerlein  
Michael Hodder  
Frank Lemay  
Ernest Millette  
Rex Norman

**Representing**

NH Lakes Association  
NH Assn. of Conservation Commissions  
NH Travel Council  
Scientific Community, UNH  
Director, Office of Strategic Initiatives  
Executive Director, F&G  
Conservation Commission  
Commissioner, DOT  
Planning Boards  
NH Business and Industry Association  
Fish & Game Commission  
Municipal Official

**Term**

August 1, 2021 V  
August 22, 2019 V  
August 1, 2019 V  
August 22, 2019 V  
Indefinite NV  
Indefinite NV  
September 19, 2019 V  
Indefinite NV  
August 1, 2020 V  
July 8, 2019 V  
August 22, 2021 V  
August 1, 2021 V

**Members Absent**

Linda Brownson  
Ed Crawford  
Capt. Tim Dunleavy  
Eric Feldbaum  
David Rousseau  
Dick Smith  
Mary Truell

State Conservation Committee  
Marine Dealers Association  
Commissioner, DOS  
Commissioner, DNCR  
Commis., Dept. of Agr., Markets & Food  
Fishing Interests  
NH Association of Realtors

August 1, 2018 V  
August 22, 2017 V  
Indefinite NV  
Indefinite NV  
Indefinite NV  
November 17, 2019 V  
June 27, 2020 V

**Staff Present**

Kathy Black Rivers and Lakes Programs  
Eli Herman Instream Flow Program  
Wayne Ives Instream Flow Program  
Mariah Mitchell Rivers and Lakes Programs  
Tracie Sales Rivers and Lakes Programs

**The meeting was called to Order**

Chair Dave Packard called the meeting to order at 1:03 pm and welcomed all present.

**I. Introductions/Minutes/Committee Business**

1) Welcome, Introductions and Brief Announcements

New LMAC municipal official representative Rex Norman and new staff member Mariah Mitchell were welcomed. Members introduced themselves.

2) Acceptance of July 31, 2018 LMAC Meeting Minutes

Garret Graaskamp requested to modify the statement in the minutes about boat washing stations.

- ***Michael Hodder made a motion to accept the LMAC meeting minutes from July 31, 2018 with the discussed revision for boat washing stations. Second by Mark Hemmerlein. The motion passed with one abstention.***

## II. LMAC Business and LMPP Program Updates

1) LMAC and Subcommittee Membership Update

Kim Hallquist stepped down as the municipal official representative and Rex Norman is the new representative. Linda Brownson stepped down as the State Conservation Commission representative and she is currently identifying a replacement. Linda was one of the four members of the Policy and Legislation Subcommittee, so this subcommittee needs one or two additional members. Ed Crawford, Marine Dealers Association Representative, is working on renewing his membership.

2) FY 2020/2021 State Budget

The 2020/2021 budget process is underway. NHDES budget proposals were allowed an increase of 0.5 percent, while the Rivers and Lakes Programs proposed budget was increased by 6 percent. This increase does not include the new Instream Flow Program position which is a top priority within NHDES. In late January or early February the Governor will publish his budget and the legislature will consider it during the 2019 legislative session.

3) Surplus Land Reviews

One new proposed Surplus Land Disposal was received since last meeting, and it was not subject to LMAC, RMAC, or LAC review.

4) NHDES Social Media

NHDES uses Facebook, Twitter, and YouTube for its social media outreach efforts, reaching thousands of people daily. NHDES offered to promote lake association events and meetings using these social media outlets. Shane Bradt noted that social media targets a different demographic with different viewpoints. Dave requested that staff send an email to the LMAC including the links to all of NHDES social media sites.

## III. Instream Flow Program Update

1) Instream Flow Video

Tracie Sales provided an overview of the New Hampshire Instream Flow Program by playing the Program's video.

2) Instream Flow Rules, Env-Wq 1900

The proposed Instream Flow rules apply to all designated rivers and implement changes based on lessons learned during the pilot program. Dave explained how the instream flow is important to the LMAC because rivers often flow into or out of lakes, and lakes with dams might provide relief pulses for instream flow management during times of low flow. Wayne provided the example of Pawtuckaway Lake and Mendums Pond which provide relief pulses to

the Lamprey River. The Initial Proposal will be released by the end of October and a public hearing will be scheduled to receive comments on the rules. There will be a 30 day comment period and then staff will review the comments to prepare the final version of the rules to be sent to the Joint Legislative Committee on Administrative Rules.

In August, the Joint Instream Flow (ISF) subcommittee drafted a joint RMAC and LMAC letter to comment on the proposed rules. The LMAC supported the proposed joint letter and requested the letter be revised to request that the RMAC and LMAC are included on the notification list for public hearings. The group also discussed other points in the letter including water management plans and non-affected dam owner responsibilities. NHDES staff will present the joint letter with the revisions to the RMAC at their meeting on October 4<sup>th</sup>. If the RMAC does not agree to the changes proposed by the LMAC, the LMAC will submit the letter separately.

- ***Mike Hodder made a motion to accept the letter with the suggested revisions. Second by Bruce Allen. Motion passed unanimously.***

### 3) Designated River Prioritization

Wayne presented the ISF Program river prioritization scheme which ranks designated rivers based on position in the watershed, stream flow data availability, development pressure, and river segment length. Dave asked if rivers which have significant lakes or impoundments which can be managed by dam control were part of the ranking process. Wayne responded that the prioritization did not rank rivers based on presence or absence of significant lakes or impoundments to be used for instream flow management. He added that the Ammonoosuc and Ashuelot rivers have a few dams which could be used for relief pulses. The group discussed the priority list of rivers and agreed that any of the eight rivers presented would be acceptable from a lakes perspective. Staff will post a copy of the presentation on the LMAC blog.

- ***Mike Hodder made a motion to endorse the ranking process presented by NHDES staff and to support the priority list of designated rivers resulting from this process for instream flow implementation. Second by Bruce Allen. Motion passed unanimously.***

## IV. Wetland Rule Revisions, Env-Wt 100-900

Tracie announced that the wetland rule Initial Proposal is expected to be published October 26<sup>th</sup> or later. The comment period will be longer than the minimum 30 days as there will be multiple public hearings scheduled throughout New Hampshire. Tracie attended the Wetlands Rule Revision stakeholder meetings from May to September and noted the rules have changed a lot since January, but the dock sections will not be changed in this version. Mike requested clarification of the terms “abutter” and “abutting property.” Dave added that NH LAKES is taking the wait and see approach for now. Staff will send an email to LMAC members when the Initial Proposal for the Wetland rules is announced.

## V. 2019 Lake-related Legislation

### 1) Developing a List of LMAC Standing Positions

Tracie discussed the idea from last spring to create a list of topics on which the LMAC could approve formal standing positions (support, oppose, or track) for quick legislative response. For example, the LMAC may support any legislation directly related to a subject the LMAC has already voted on such as funding the prevention or management of freshwater aquatic invasive

species. The group discussed how the LMAC would approve the standing position document to allow the Policy and Legislation subcommittee to act on the behalf of the LMAC in pre-defined legislative circumstances. It was requested that when the subcommittee acts based on a standing position, that staff notify the LMAC and post the letter on the LMAC blog. Dave emphasized that the standing list is intended to be a very restricted list of topics which the LMAC subcommittee can act upon. The subcommittee and staff will present the standing position document at the next LMAC meeting.

## 2) Discussion of Possible 2018 Legislation and Legislative Service Requests

Kathy Black briefly reviewed the 2019 Legislative Service Requests (LSRs) that pertain to the rivers and lakes: LSR 0016, LSR 0017, LSR 0063, LSR 0065, and LSR 0161. Two LSRs from last year, LSR 0016 (pollution remediation fee) and LSR 0017 (funding for invasives control), and are being presented again due to upcoming budget cycle. Capt. Tim Dunleavy informed staff that LSR 0065 was requested by NH LAKES to establish a commission to examine the effects of wake boats in New Hampshire. He also explained that LSR 0161 concerning the definition of headway speed came from Lake Winnepesaukee where boaters are using the maximum speed of 6 mph to maintain steerage when they don't need that much speed to do so. Tracie noted the LSR filing period closes December 3<sup>rd</sup> and bill text will become available in December and early January. House Bills 1 and 2, the state budget bills, will be available in February.

## VI. Tips & Tricks: Lake Information Mapper

Kathy reviewed the functionality of NHDES' [Lake Information Mapper](#) web tool. This tool provides information about waterbodies throughout the state. A variety of information is available including current data and reports, historical data, TMDLs, ice cover history, cyanobacteria bloom history, invasive species history, lake diagnostic feasibility studies, and watershed based plans. Kiersten Nelson is the current manager of the Lakes Mapper, and a link to it can be found on the Lakes Program webpage.

## VII. Subcommittee Updates and Member Comments

### 1) Squam Lake Loon Initiative

Tiffany Grade reported that Dave Neils and other NHDES staff and volunteers sampled fish in Squam Lake as part of an EPA project to test fish tissue for concentrations of PCB congeners, PFAS, and possibly dioxin. The analysis will be performed this winter. A Plymouth State University graduate student will be investigating DDT found in two tributaries to Squam Lake.

Six loon chicks hatched this year with three surviving to adulthood. Four non-viable loon eggs were collected and will be sent for analysis. This is an improvement from last year where only one loon chick hatched and 13 non-viable eggs were collected. Historically seven to eight chicks survived to adulthood every year. Tiffany noted there was less fighting among loons and is optimistic that conditions will continue to improve, leading to an increase in loon populations on Squam Lake.

### 2) WQSAC

The next Water Quality Standards Advisory Committee meeting is Thursday October 11<sup>th</sup>. The discussion will be focused on the flow calculations used for nutrient effluent permitting. Previously the EPA standard of 7Q10 was used to set permit limits, but 7Q10 was determined to be too rare of a flow for this application and a recent change in the law requires a new method

for flow assessment be used. The push is to use flow numbers that are more common making it easier for permit holders to meet the requirements for their discharge permits. NHDES will still be able to modify the nutrient criteria so water quality will remain protected.

3) Member Comments – None

**VIII. New Business and Action Item Review**

1) New Business – None

2) Action Item Review

- Staff will send emails to the LMAC members listing the links to NHDES social media
- Staff will send an email to the LMAC members when the Wetland Rule Initial Proposal is posted.

3) Next LMAC Meeting

- LMAC infomercials – getting to know LMAC members. The idea is for members to give a short presentation highlighting the interests of the organization they represent and how these interests relate to lake issues and management. Dave Packard, Mike Hodder, Rex Norman volunteered to present at upcoming meetings.
- The group discussed meeting in mid-January, including a joint meeting with the RMAC to discuss legislation and the Wetlands rules.
  - **Mike Hodder made a motion to adjourn. Second by Frank Lemay. Motion passed unanimously.**

**Meeting Adjourned at 11:37 am**