

RIVERS MANAGEMENT ADVISORY COMMITTEE
Meeting Minutes (Approved October 3, 2012)
March 30, 2012
NH Dept. of Environmental Services
1:00 pm – 3:00 pm

<u>Members Present</u>	<u>Representing</u>	<u>Term</u>	
Ken Kimball, Chair	Recreational Interests	Dec. 28, 2014	V
Michele L. Tremblay, Vice Chair	Conservation Interests	Dec. 28, 2014	V
Gary Kerr	Granite State Hydropower	Jan. 5, 2015	V
Anne Krantz	Historical & Archaeological Interests	June 15, 2013	V
Frederick McNeill	Municipal Government	Nov. 16, 2014	V
Kathryn Nelson	Local River Mgmt. Advisory Comm.	Sept. 5, 2013	V
Roger Noonan	Agricultural Community	Mar. 22, 2015	V
Larry Spencer	NH Association of Conservation Comm.	Oct. 12, 2013	V
Donald Ware	Public Water Suppliers	Sept. 28, 2013	V
Jim Ryan	NH Fish & Game Commission	Sept. 28, 2012	V
John Magee	NH Fish & Game Department	Indefinite	NV
Lance Harbour	NH Dept. of Safety	Indefinite	NV

<u>Members Absent</u>	<u>Representing</u>	<u>Term</u>	
Allan Palmer	Business and Industry Association	Sept. 28, 2013	V
Gail McWilliam Jellie	NH Department of Agriculture	Indefinite	NV
Johanna Lyons	Dept. Resources & Econ. Development	Indefinite	NV
Kevin Nyhan	NH Dept. of Transportation	Indefinite	NV
Susan Slack	NH Office of Energy & Planning	Indefinite	NV

<u>DES Staff Present</u>	
Tom Burack	Commissioner
Jacquie Colburn	Rivers and Lakes Coordinator, WMB
Shane Csiki	Fluvial Geomorphology Specialist, Geological Survey
Ted Diers	Administrator, WMB
Carolyn Guerdet	Administrative Assistant, WD
Tara Johnson	Asst. Watershed Planner
Mark Stevens	Land Agent, Dam Bureau

<u>Guests Present</u>	
Jennifer Gilbert	NH Office of Energy & Planning
Laura Buono	Town of Warner
Rich Stanley	Warner Fire Dept.
George Fredette	SFC Engineering Partnership

The Meeting Was Called to Order

Chairman Ken Kimball called the meeting to order at 1:05 p.m. with introductions.

I. Introductions/Minutes/Committee Business

A. Acceptance of January Meeting Minutes

- *Michele Tremblay moved to accept the January 6, 2012 minutes as corrected, with Larry Spencer not in attendance; second by Jim Ryan. Motion passed unanimously.*

- B. RMAC Membership Update – none
- C. Surplus Land Review – review and approve RMAC checklist
Review and approve the surplus land review checklist and process to make it common between Lakes and Rivers. Other comments: spell out Rivers Advisory Committee, clarify the title, and use the Rivers stationary or Lakes stationary as appropriate.
 - *Larry Spencer made a motion to accept the checklist with the modifications noted, second by Fred McNeill. Motion passed unanimously.*

II. Update Regarding RMPP Activities

- A. DES/LAC Permit Review Process
The SOP 801 committee, consisting of Rivers Program and Wetlands Bureau staff with Ken, John, Kath and Michele, has met a few times and has discussed and developed draft guidance to secure LAC input and comments on Wetlands, Shoreland and Alteration of Terrain permit applications that fall within designated river corridors. DES requests that the LACs comment within the 14 days if possible. The Shoreland staff has 30 days to review the applications. The web pages of the RMPP and the affected permitting programs have been updated to provide better guidance to applicants regarding the LACs role in the permit application review process.

Discussion ensued regarding LAC comments and their importance between the Committee and Commissioner Burack, who had joined the meeting. The Commissioner feels the LACs may be able to provide the most important input by getting involved with other regulatory boards at the local level, helping them to understand the issues the LACs are looking at. When town boards meet with the applicants, they can then bring these items to the attention of applicants early on in the permit process. RMAC membership noted: 1) asking LACs to respond within 14 days is difficult as most meet once per month and therefore cannot provide comments within that period of time; 2) this is asking the LACs to do some additional work; 3) LACs have no paid staff to assist them; and 4) is it possible to give the LACs 25 days instead of 14 days?

- B. March 10th LAC Workshop
Jacquie provided a quick review of the workshop agenda and explained what was discussed throughout the day. She pointed out that the workshop was well received. A draft guidance document was presented at the workshop which outlined those LAC comments which would be most helpful to the Shoreland staff when reviewing permit applications. Additional work needs to be conducted between DES and the LACs to determine what LAC comments should and could include. A post workshop evaluation was conducted and the RMAC will be provided with the evaluation results.

III. Surplus Land Reviews

- A. DOT Warner – Warner River
Jacquie explained that the RMAC received this SLR from DOT because the Town of Warner would like to acquire a 0.4 acre parcel of state land along Route 103 which would allow the Town access to a parcel which it owns along the Warner River. The town would like to develop the parcel and construct a new fire station facility. The committee discussed: 1) what is the best long-term management practice because of the proximity to the river, and 2) is there potential for washout and future flooding given the amount of impervious surface proposed and the proximity of the proposed structure to the 100 year floodplain?

Discussion ensued between the Committee and the town's representatives. Given the committee's concerns, the town agreed that it will look at further erosion controls.

- *Fred McNeill made a motion to approve the transfer of this parcel of land, second by Roger Noonan. Motion passed unanimously.*

B. CORD Epping 12-001 – Small DES parcel within Mary Blair Park

Jacque explained that these two SLRs (Epping 12-001 and 12-002) were requested by DES, she provided an overview and maps to explain why DES requested to dispose of the parcels. The parcels are located along the Lamprey River in the area of the former Bunker Pond dam site. Mark Stevens also answered questions from the committee regarding the department's desire to dispose of the parcels; basically, since the dam no longer exists DES has no further need for the parcels.

Chairman Kimball asked for a motion to approve the transfer of DES parcel to the Town due to a dam removal.

- *Larry Spencer made a motion to approve the transfer, second by Michele Tremblay. Motion passed unanimously.*

C. CORD Epping 12-002 – Access easement over private property

Chairman Kimball asked for a motion to extinguish the easement over private property.

- *Donald Ware made motion to approve with amendment, second by Michele Tremblay. Motion passed unanimously.*

Amendment offered by Vice Chairman Michele Tremblay: She requested that in our response to the Lamprey LAC that we let them know that the RMAC voted to extinguish the easement over private property to reduce state liability. There was some discussion regarding the remaining dam and bridge abutments- Mark Stevens responded that they were left because of historic reasons and they don't obstruct navigation.

IV. Legislation and Regulatory Review

Michele Tremblay, chair of the RMAC Policy and Legislation Subcommittee, updated the full committee regarding the 2/3/12 RMAC Conference Call and Webinar. The subcommittee will move forward with the recommendations as drafted. No new bills have been introduced at this point in time. Michele will keep the committee informed if there are significant changes to the legislation that the RMAC has been tracking.

- *Gary Kerr made the motion for recommendations to remain the same, second by Fred McNeill. Motion passed unanimously.*

V. Other Business/Action Item Review

The next meeting will be held on June 19th, the proposed Suncook River Nomination will be presented to the committee.

- *Anne Krantz made a motion to adjourn, second by Larry Spencer at 3:53 p.m. Motion passed unanimously.*