

RIVERS MANAGEMENT ADVISORY COMMITTEE
NH Rivers Management and Protection Program
New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
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RMAC MEETING MINUTES
January 6, 2012
DES Conference Rooms (112, 113, 114)
9:00 a.m. - 10:30 a.m.

RMAC

Members Present:

Ken Kimball, Chair
Michele L. Tremblay, Vice Chair
Gary Kerr
Donald Ware
Frederick McNeill
Jim Ryan
Roger Noonan
Larry Spencer
John Magee
Kevin Nyhan
Susan Slack

Representing:

Recreational Interests
Conservation Interests
Granite State Hydropower
Public Water Suppliers
Municipal Government
NH Fish & Game Commission
Agricultural Community
NH Assn. of Conservation Commissions
NH Fish & Game Department
NH Department of Transportation
NH Office of Energy and Planning

Term:

Dec. 28, 2014 V
Dec. 28, 2014 V
Jan. 5, 2012 V
Sept. 28, 2013 V
Nov. 16, 2014 V
Sept. 29, 2012 V
March 22, 2015 V
Oct. 12, 2013 V
Indefinite NV
Indefinite NV
Indefinite NV

Members Absent

Anne Krantz	Historical & Archaeological Interests	June 15, 2013 V
Kathy Nelson	Local River Management Advisory Comm.	Sept. 5, 2013 V
Allan Palmer	NH Business and Industry Association	Sept. 28, 2013 V
Johanna Lyons	NH DRED	Indefinite NV
Lance Harbour	NH Department of Safety	Indefinite NV
Gail McWilliam Jellie	NH Dept. of Agriculture, Markets & Food	Indefinite NV

The RMAC Meeting Was Called to Order:

Ken Kimball, RMAC Chair, called the RMAC meeting to order at 9:05 am.

I. Introductions/Minutes/Committee Business:

- 1) Introductions: Members of the RMAC and staff introduced themselves and organizations they represented.
- 2) Member Update: Ken Kimball welcomed Roger Noonan as the new Agricultural Community Representative
Jacquie spoke about members who were recently re-nominated (Michele Tremblay), and those who were possibly on the January 11th G&C agenda (Ken Kimball, Fred McNeil and Gary Kerr)
- 3) October Meeting Minutes:
 - ✓ Michele Tremblay made a motion to accept the meeting minutes from October. Jim Ryan Seconded. RMAC minutes were approved with one change suggested by John Magee.
- 4) Surplus Land Review: Jacquie discussed the three surplus land reviews Nashua, Enfield and Warner.
 - Nashua SLR – Jacquie indicated that Nashua was outside of the RMAC jurisdiction of 250' of a river and was a non issue. She has replied to CORD.
 - Mascoma SLR – Jacquie requested that this SLR be a categorical exclusion; the property is already occupied by a building and it will be a reissue of an existing lease. Ken Kimball mentioned that he can submit a categorical exclusion without the RMACs approval. Michele asked if they should just not comment on the SLR, but Ken said that the Committee would be approving the SLR if the offered no

comment. Ken asked where we were with the timeline with respect to the DOT MOU. Jacquie said they have 30 days to respond.

- ✓ Michele Tremblay made a motion to approve the SLR for the Mascoma/Enfield re-lease, with the provision there is a continuation of the ROW and that the Rail Trail is maintained, Jim Seconded. Motion passed unanimously.
- Warner SLR – Since the request does not pertain to a designated river, there is no LAC involved in the review. The request is from the town of Warner to acquire a 0.4 acre parcel from DOT to build a new fire station within 250' of the river, prompted RMAC comment. Warner owns the property behind the parcel abutting the river.
 - ❖ Questions or issues raised by the RMAC included the following: Does the proposed fire station fall within the floodplain adjacent to the river? Building a public safety building in a floodplain is a mistake, and should be addressed if this is the case. Would local permitting process pick up on this? The floodplain ordinance is a municipal ordinance; therefore they do not have to abide by it.
 - ✓ Chairman Kimball made a motion to withhold RMAC comment until further information is available. If the town is planning on following the floodplain ordinance, then the project is not going to be an issue. If they are in fact planning on building in the floodplain, the committee will require the additional information. Tara Johnson will contact the Town and request further information. Motion passed unanimously pending additional information.

Tara Johnson will pass additional information to Chairman Kimball and Michele Tremblay, who will then pass the information on to the committee.

II. Update Regarding RMPP Activities:

- 1) SOP 801 Permit Notifications: Jacquie noted that we are trying to improve the process due to the LACs having difficulty with the different processes for commenting on each of the permits within the three applicable permitting groups: Alteration of Terrain, Wetlands and Shoreland. DES would like to have LACs respond within a 30 day timeframe, but still working kinks out. Jacquie informed the committee about the SOP meeting held December 13th. At the meeting, it was requested that each of the permitting entities submit a template indicating what comments would be of most value to them. Another SOP meeting is planned for January 18th. Hope to have a revised SOP process for review at the March RMAC meeting. Michele Tremblay added that there are two things that need to come out of the SOP rework. 1) The LACs are having difficulty with respect to the myriad of different timelines, both for the applicants and the LACs. 2) The LAC cannot convene another meeting in time for review when permits come in immediately following a scheduled meeting. The LAC needs to try to meet each time a permit comes in or let the permit go by.
- 2) Upcoming LAC Workshop: Jacquie discussed the workshop coming up for the LAC members to become more informed and to let them know that there is less staff at DES to assist them, and more LACs and therefore LAC members. She explained the content of the meeting, pointing out the workshop will allow members to meet and discuss concerns, successes, etc. as well as be briefed on the SOP 801 permit notifications. She mentioned it would be great to have more workshops on an annual basis to make the LACs more self sufficient.
- 3) Newly Designated Rivers: Jacquie mentioned she has been working with the newly designated rivers to populate their LACs. The *Mascoma River* LAC (with UVLSRPC assistance) will begin working on the Corridor Management Plan in the next few months. *Oyster River* LAC (with Strafford RPC assistance) is currently working on bylaws and will begin working on their Corridor Management Plan once that is finished. The *Lamprey River* LAC is voting on bylaws and updating their Corridor Management Plan. The *Exeter Squamscott* LAC with the newly designated portion (with Rockingham RPC assistance) will have to work on revising their Corridor Management Plan.
- 4) Instream Flow Pilot Program Update: Wayne Ives was unable to make the meeting; Chairman Kimball requested that this topic wait until the next joint meeting.

Chairman Kimball asked Jacquie to touch on the Suncook River nomination. She has attended meetings and said that Central NH Planning Commission (CNPC) is working on the nomination. The nominating committee has met three times and they had a public informational meeting, where Jacquie gave a presentation about what the Rivers Program and nomination process consists of. The nominating committee is looking at a 34 mile stretch of the Suncook River, and they are currently working on the current land use classifications, i.e. natural, rural, rural community or community. Michele asked what/who is the impetus for nominating the Suncook. Jacquie said as a response to the avulsion, the communities along the river came together and developed a list of 26 Tasks of Mitigation, and the Suncook nomination was #26. Jacquie confirmed that the CNHPC will be at the RMAC June meeting. The draft plan must be submitted for the June meeting so the river can be designated during the 2013 Legislative session.

- 5) RMPP – Program Assessment: Jacquie mentioned that in prior meetings changes in staff and increased workload had been discussed, and was there some way to document what rivers and lakes program has been able to do in the past vs. what they will be able to do in the future (as of July 1st moving forward). Jacquie went through the spreadsheet created using DES's Measures Tracking and Reporting System (MTRS). Jacquie included in the spreadsheet, an introduction as a reminder what staff was actually lost, versus what remains. The columns are what the program has achieved in the past, what the program is currently able to do, prior to July 1 and after July 1. She pointed out whether the deliverables for activities outlined increased, have been diminished, remain the same or are on hold. Jacquie went through the combined list with the committee pointing out what has occurred as a result of budget cuts. Michele suggested that one of Jacquie's columns should be broken into two, one which indicates "need" for the many deliverables that are listed as diminished or on hold. Ken asked if there were any other comments or suggestions with respect to Jacquie's spreadsheet. Michele said she would leave out the PIRRT, since it is not part of either of the programs.

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

- 1) Water Sustainability Commission: Jenn Rowden is providing staff assistance to the commission. The highlights include: they have heard from all recent water-related legislative commissions, stormwater, land use, groundwater floods, etc. They will be holding a series of public hearings between February and April to build a constituency for water "statewide" to solve water issues that cross political boundaries and jurisdictional levels.
- 2) Water Quality Standards Advisory Committee: Have not met as a full committee recently. Subcommittee actively looking at proposed designated uses for surface waters. Coming up with new definitions for designated uses.
- 3) FY 12-13 604(b) Update: This year's contract amount was for \$59,000.00. The RPCs that received funding include: Central New Hampshire Planning Commission - working with the nominating committee on the Suncook River nomination; Lakes Region Planning Commission – working on the implementation of the recommendations from the Lake Winnepesaukee Subwatershed Plan; Nashua Regional Planning Commission – Lower Merrimack River Continuity Assessment; Southern New Hampshire Regional Planning Commission – Continuation of work on the Piscataquog River stream crossing assessment. In addition to the 604(b) grant, the Rivers Program is now responsible for administering a grant to the CT River Valley Resource Commission, which was transferred to DES from OEP.

The meeting adjourned at 10:37 am.