



RIVERS MANAGEMENT ADVISORY COMMITTEE
NH Rivers Management and Protection Program

New Hampshire Department of Environmental Services
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RMAC MEETING MINUTES
January 23, 2013
DES Conference Rooms 213-214
1:30 pm – 2:45 pm

Members Present

Ken Kimball, Chair
Michele L. Tremblay, Vice Chair
Gary Kerr
Anne Krantz
Frederick McNeill
Kathryn Nelson
Roger Noonan
Allan Palmer
Jim Ryan
Larry Spencer
Donald Ware
John Magee (by phone)

Representing

Recreational Interests
Conservation Community
Granite State Hydropower
Historical & Archaeological Interests
Municipal Government
Local River Management Advisory Comm.
Agricultural Community
NH Business and Industry Association
NH Fish & Game Commission
NH Association of Conservation Comm.
Public Water Suppliers
Executive Director, F&G

Term

Dec. 28, 2014 V
Dec. 28, 2014 V
Jan. 5, 2015 V
June 15, 2013 V
Nov. 16, 2014 V
Sept. 5, 2013 V
Mar. 22, 2015 V
Sept. 28, 2013 V
Sept. 28, 2015 V
Oct. 12, 2013 V
Sept. 28, 2013 V
Indefinite NV

Members Absent

Lance Harbour
Johanna Lyons
Gail McWilliam Jellie
Kevin Nyhan
Susan Slack

Commissioner, DOS
Commissioner, DRED
Commissioner, Dept of Ag., Markets & Food
Commissioner, DOT
Director, Office of Energy and Planning

Indefinite NV
Indefinite NV
Indefinite NV
Indefinite NV
Indefinite NV

DES Staff Present

Jacquie Colburn Rivers and Lakes Program
Shane Csiki NH Fluvial Geomorphologist
Tracie Sales Rivers and Lakes Program

The Meeting Was Called to Order

Chairman Ken Kimball called the meeting to order at 1:35 p.m.

I. Introductions/Minutes/Committee Business

1) Acceptance of October RMAC Meeting Minutes

- ***Michele L. Tremblay motioned to approve the October 2012 meeting minutes with no changes. Larry Spencer seconded the motion. Motion passed unanimously with no discussion.***

2) Acceptance of December RMAC Meeting Minutes

One correction on page 3 was requested, noting that the Androscoggin was considering a Blue Way designation, but had not received it as the draft minutes implied.

- ***Jim Ryan motioned to approve the December 2012 meeting minutes as amended regarding the Androscoggin Blue Way. Larry Spencer seconded the motion. Motion passed unanimously with no further discussion.***

3) RMAC Membership Update – Jacquie Colburn

Anne Krantz's membership is the next due for renewal on June 15, 2013. Lance Harbour is leaving Safety as of 1/24/2013. Jacquie will ask the DES Commissioner to send a letter to their Commissioner to request a replacement.

II. Update Regarding RMPP Activities

1) RMPP Program Updates – Jacquie Colburn

Jacquie reported that Rivers Program staff continues to dedicate a significant amount of time to the Lamprey Instream Flow Pilot Project. In addition, staff is working on the RMPP Biennial Report, which will be shortened to a 2-3 page program summary, RMPP factsheet updates, Designated River maps for the Rivers Program webpage, and the 2013 LAC Workshop, which will be co-hosted by the New Hampshire Rivers Council. In addition, staff continue to manage past years' 604(b) grants, including G&C extensions granted to two recipients. Jacquie continues to work with NH Fish & Game on the Public Water Access Advisory Board (PWAAB), and will be putting together a draft report of DES' 2012 activities. Jacquie is also assisting Teresa Ptak with the 2013 Non-Point Source Report.

John Magee asked if the biennial reports would include the LAC annual reports. Jacquie responded that they would, and that staff needed to send a reminder to the LACs to write and distribute their annual reports.

RMPP staff are reviewing a permit from DOT to move the overlook at the Mt. Washington Hotel on Rte. 302 from the north side to the south side of the road. This would move the overlook further away from the Ammonoosuc River. Jacquie is working with Craig Day and the Ammonoosuc LAC on this.

For those unfamiliar with the issue Tracie Sales summarized the ongoing problem of creosote dripping from a RR bridge in North Stratford into the Connecticut River and reported that staff had not heard back from the RR company regarding a couple of questions sent in December. Tracie will follow up with the RR company again. Gary Kerr asked how old the rail ties were, commenting that newer types of creosote were usually not a problem like older types. They were installed in 2008.

2) Surplus Land Reviews/Disposals – Jacquie Colburn

None since the last meeting.

3) RMPP 25th Anniversary in 2013 – Jacquie Colburn

Jacquie started with a presentation of ideas that had been discussed during a January 15, 2013 in-house team meeting including Jacquie, Tracie, Steve Couture, Steve Landry, Deb Loiselle and Shane Csiki. The idea behind this meeting was to bring together some staff that have worked with the RMPP to get their ideas and suggestions. At the meeting the in-house team discussed whether we should present awards and acknowledgements, and if so, to whom (e.g. individuals, groups, legislators, RMAC and LAC members)? Types of awards mentioned included the EPA Environmental Merit Award, the River Network River Hero, the Gulf of Maine Visionary Award, and possible RMPP/RMAC Awards. Program staff will poll past Rivers Coordinators for suggestions. Jacquie also pointed out that June is National Rivers Month.

Ideas that were discussed included:

Winter/Spring:

Function with Governor, Legislators and other dignitaries:

- ◆ Governor Proclamation
- ◆ At a G&C meeting – present awards

River Photo Contest - Then and Now

River Photo Contest – Can you Guess the River?

Display in DES lobby (and/or someplace else?)

Poster of RMPP History/Timeline

LAC Workshop (April 27, 2013) – Recognition of outstanding contributions

New Hampshire Rivers Council – Wild and Scenic Film Festival – March 29, 2013

Summer:

River Celebration Day – River Paddle and other activities – Souhegan?

Conduct an event for kids focusing on the wildlife/aquatic life that rivers support

Fall: ?

Possible locations:

Souhegan River - Milford, Watson Park and nearby locations

Merrimack River - Anheuser Busch, Merrimack;

Merrimack River - PSNH Headquarters, Manchester

Potential partners/co-sponsors (these groups have yet to be asked)

- ◆ New Hampshire Rivers Council
- ◆ EPA
- ◆ NPS – Rivers and Trails Program
- ◆ American Rivers
- ◆ Stonyfield
- ◆ PSNH
- ◆ Pennichuck Water Works
- ◆ USGS
- ◆ If we do a Coastal event, per Steve C, many potential partners
- ◆ Trout Unlimited
- ◆ NOAA
- ◆ AMC
- ◆ EMS
- ◆ Patagonia or REI
- ◆ NH Fish and Game
- ◆ Others?

The RMPP has about \$400 available in its budget through 6/30/13 and hopefully slightly more money with the new FY.

Jacque mentioned that there used to be a River Stewardship award from the RMPP. Michele pointed out that the LACs received a Presidential Award in 2008, during the RMPP's 20th anniversary. Jacque asked the group if the program or the RMAC should present an award for each LAC?

Fred McNeill asked if the program would be doing any outreach for the 25th anniversary. Jacque replied that outreach was being included in the planning. Ken Kimball reminded the committee that this had been discussed at the last meeting, and that outreach was a major component of the celebration. Roger Noonan brought up the idea of a Governor's Proclamation. Michele concurred that the public and communities should be involved. Kath Nelson also agreed and felt that the outreach would help the LACs link to the RMPP as a whole.

Larry Spencer suggested presentations at events with captive audiences, including the NH Association of Conservation Commissions, the NH Water and Watershed Conference, and the SPNHF fall meeting. Michele thought that a larger public event would be better, one where we are not "preaching to the choir" such as at the Merrimack River clean-up, which utilizes volunteers from Anheuser-Busch.

Anne Krantz suggested creating an electronic scrapbook of historical RMPP events that could be posted on the DES website.

Michele suggested creating a display that could be moved around and put in vacant store fronts in Concord. Larry added that a display could be placed in major malls. Roger Noonan suggested the NH Association of Conservation Districts (NHACD) as a venue, and Fred liked Ken's suggestion of fall fairs. Roger commented that the display must be dynamic.

Regarding the proposed partner list, Michele suggested talking with paddling groups and the Army Corps of Engineers. Anne suggested the Forest Society. Roger thought that NHACD might be able to contribute financially. Ken mentioned NHCF.

The next planning meeting of the 25th Anniversary subcommittee will be in early February. The subcommittee consists of Michele, Larry and Roger, plus RMPP staff. Larry asked that the slides be posted to the blog.

III. Legislative Priorities – Michele L. Tremblay

Michele began by thanking the subcommittee members for their work.

Bills/LSRs proposed for dropping from the RMAC's list of those tracked: SB 163, SB22, and SB103.

- ***Roger Noonan motioned to drop SB163, SB22, and SB103. Jim Ryan seconded the motion. Motion passed unanimously with no discussion.***

Bills/LSRs proposed for tracking by the RMAC: HB393, HB144, LSR 418 (HB513), LSR 536 (HB523), LSR 551 (HB527), LSR 583 (HB428), LSR 609 (HB545), LSR 618 (HB634), LSR 710 (HB550), LSR 330 (SB164), LSR 850 (SB131), LSR 864 (SB89), LSR 908 (SB175), LSR 919 (SB64).

- ***Jim Ryan motioned to approve that the RMAC would track the 14 bills/LSRs listed above. Roger Noonan seconded the motion. Motion passed unanimously with no discussion.***

Bills/LSRs proposed by the subcommittee for the RMAC to actively support or oppose:

- LSR 617 (HB588) – support with 3 year extension
- HB397 – support
- LSR 473 (HB623) – support
- HB292 – support but exclude for non-motorized vessels
- HB189 – oppose
- HB338 – support
- LSR 800 – support (since dropped)
- LSR 1001 (SB168) – support
- LSR 509 (SB124) – conditional support

Michele pointed out that this bill cuts out the public notification and public comment opportunity of the current permits. This lack is inconsistent with RSA 483, and the timeline of 14 days in the bill do not work for groups like the LACs that only meet once per month. The streamlined concept of this bill is good, however, and Odell has emphasized that the permitting process is too onerous. Roger N. added that he has heard that others also feel the process is onerous.

Ken K. said the RMAC should watch this bill for continuity with the Shoreland position. Allan Palmer thought the RMAC should look at this bill more closely and also pointed out that applicants can still use the individual permits (wetlands, AoT and shoreland). Fred M. pointed out that the EPA has also gone toward a combined approach to permits. Ken K. thought that the timeline of the proposed permit was the critical issue as it pertains to the LACs, not the combined nature of the integrated permit.

Michele will write a Letter of Testimony that outlines the RMAC's concerns.

- ***Anne Krantz motioned to approve that the RMAC would take a position on the 9 bills/LSRs as listed above. Larry Spencer seconded the motion. Ken Kimball asked if there was any discussion. Motion passed unanimously.***

Regarding LSR 617 Fred M. asked how long the Instream Flow Pilot Program has existed. Jacquie replied that the program was initiated about 20 years ago.

Ken added that, prior to crossover, he will send letters of testimony to the relevant committees on behalf of the RMAC for those bills the RMAC is supporting or opposing. The others will be tracked until crossover.

The RMAC asked program staff to remove the withdrawn LSRs from the Legislation Tracking Spreadsheet to avoid confusion. Staff agreed to do so.

Michele mentioned that there is proposed federal legislation such that organizations involved in dam removal or advocacy would be banned from receiving any kind of federal funding if these bills were to be passed. Ken added that DES and other programs (involved with dam removals) depend on federal funds. DES should watch this federal bill.

Jacquie asked about getting the letters of testimony ready prior to the hearings. Ken responded that the RMAC will recruit someone to attend the hearings. Michele added that it should be a subcommittee member if possible, but a full committee member would be fine as well.

IV. Member Comments and Updates

Postponed due to lack of time.

V. Other Business/Action Item Review

1) Next Meeting

The next RMAC meeting will be April 23, 2013 at 1:00 PM. This is the day after Earth Day.

A proposal was made to have the next Joint meeting in late November or early December. Michele suggested that the RMAC and LMAC hold only one joint meeting per year.

2) Proposed Agenda Items for Next Meeting(s)

- Ken would like to review any recommended changes to the RMPP at a meeting in late September or early October.

- Michele would like to have a presentation on the avulsion of the Suncook River, probably at a September meeting. Michele would like to see an expert or other guest presenter. The Suncook avulsion or an RMAC representative could present on their organization's river efforts.
- Jacquie asked the group about a presentation on TMDLs. Kath N. was interested in TMDLs and the new MS4 permit. Fred M. commented that the NH TMDLs use the EPA gold standard. Roger N. asked if the NH standards meet or exceed the EPA standards. Fred responded that some NH standards meet the EPA standards, and some exceed them.
- Anne K. asked about a planning meeting for the 25th Anniversary celebration. Planning details will be done in a separate subcommittee meeting, and the subcommittee would report to the full committee via email.
- Allan P. suggested asking someone from SNHRPC to come talk about the USACE/CDM study on the Merrimack River, specifically on their low flow analysis. He suggested this for the September meeting.

3) Action Item Review

- Letters of Testimony
- Letter for the Joint RMAC/LMAC subcommittee recommendation for comprehensive management policy
- DES report back to the RMAC/LMAC regarding the status of recommendation for comprehensive management policy

➤ ***Jim Ryan motioned to adjourn the meeting. Larry Spencer seconded the motion. Motion passed unanimously.***

The meeting adjourned at 3:05 pm.