

**RIVERS MANAGEMENT ADVISORY COMMITTEE**

**DRAFT Meeting Minutes**

**March 30, 2012**

**NH Dept. of Environmental Services**

**1:00 pm – 3:00 pm**

**Members Present**

Ken Kimball, Chair  
Michele L. Tremblay, Vice Chair  
Gary Kerr  
Anne Krantz  
Frederick McNeill  
Kathryn Nelson  
Roger Noonan  
Larry Spencer  
Donald Ware  
Jim Ryan  
John Magee  
Lance Harbour

**Representing**

Recreational Interests  
Conservation Interests  
Granite State Hydropower  
Historical & Archaeological Interests  
Municipal Government  
Local River Mgmt. Advisory Comm.  
Agricultural Community  
NH Association of Conservation Comm.  
Public Water Suppliers  
NH Fish & Game Commission  
NH Fish & Game Department  
NH Dept. of Safety

**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  
Oct. 12, 2013 V  
Sept. 28, 2013 V  
Sept. 28, 2012 V  
Indefinite NV  
Indefinite NV

**Members Absent**

Allan Palmer  
Gail McWilliam Jellie  
Johanna Lyons  
Kevin Nyhan  
Susan Slack

**Representing**

Business and Industry Association  
NH Department of Agriculture  
Dept. Resources & Econ. Development  
NH Dept. of Transportation  
NH Office of Energy & Planning

**Term**

Sept. 28, 2013 V  
Indefinite NV  
Indefinite NV  
Indefinite NV  
Indefinite NV

**DES Staff Present**

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

**Guests Present**

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 10<sup>th</sup> LAC Workshop

Jacque 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

Jacque 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 19<sup>th</sup>, 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.***