



RIVERS MANAGEMENT ADVISORY COMMITTEE
NH Rivers Management and Protection Program

New Hampshire Department of Environmental Services
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RMAC MEETING MINUTES

January 16, 2019

NH Department of Transportation, Granite State Conference Room 114
9:00am to 11:00am

Members Present

Michele L. Tremblay, Chair
Larry Spencer, Vice Chair
Mark Hemmerlein
Kayla J. Henderson
Christopher Hodgdon
Mark Lombardi
John Magee
Frederick McNeill
Allan Palmer
Norman Sims
Ruth Ward
Donald Ware

Representing

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

Term

Dec. 28, 2020 V
Oct. 12, 2019 V
Indefinite NV
Indefinite NV
Sept. 28, 2021 V
Jan. 5, 2021 V
Indefinite NV
Nov. 16, 2020 V
Sept. 28, 2019 V
Dec. 28, 2020 V
Sept. 5, 2019 V
Sept. 28, 2019 V

Members Absent

Edna Feighner
Jennifer Gilbert
Gail McWilliam Jellie
Vacant
Vacant

Historical & Archaeological Interests
Director, Office of Strategic Initiatives
Comm., Dept. of Agr., Markets & Food
Agricultural Community
Dept. of Natural and Cultural Resources

June 15, 2019 V
Indefinite NV
Indefinite NV
Mar. 22, 2018 V
Indefinite NV

NHDES Staff Present

Tracie Sales Rivers and Lakes Programs
Jen Drociak Rivers and Lakes Programs
Mariah Mitchell Rivers and Lakes Programs

Guests

Chris Connors Warner River LAC, Acting Chair
Gene Porter Lower Merrimack River LAC, Chair
Kathy Urffer Connecticut River Conservancy

I. Welcome and Introductions

Chair Michele L. Tremblay called the meeting to order at 9:05am. Members introduced themselves. The RMAC welcomed new interim member Kayla J. Henderson, Department of Safety, and new staff member Jen Drociak, NHDES Rivers and Lakes Programs.

II. Acceptance of the Consent Agenda

- *Ruth Ward made a motion to accept the Consent Agenda, consisting of the RMAC Meeting Minutes of October 4, 2018, RMAC Representatives, and RMAC and Joint RMAC/LMAC Subcommittee Representatives. Second by Norman Sims. Motion passed unanimously.*

III. RMAC Represented Interests Presentation Series: Public Water Suppliers

Donald Ware presented on how the public water suppliers utilize the rivers of New Hampshire. Half of New Hampshire sources their water through public water suppliers from surface waters, such as rivers. The other half of New Hampshire sources water from groundwater wells, many of which consequently receive water from adjacent water sources such as rivers. The public water suppliers of New Hampshire are very interested in preserving the quality and quantity of water within the rivers. They are also interested in protecting and conserving wetlands, controlling non-point source storm water pollution, instream flows, and overall water conservation. The New Hampshire Water Works Association, along with the Granite State Rural Water Association and the NHDES Water Division, collaborates with many smaller utilities around the state in an effort to assist them with the preservation and conservation of water and natural resources. Through implementing conservation programs with utilities statewide, the public water suppliers want to create efficient water users who will help to preserve and conserve water sources throughout New Hampshire.

Mark Lombardi volunteered to be the representative interest presenter at the next RMAC meeting. Allen Palmer and Kayla Henderson will be alternates.

IV. 2019 RMPP-Related Legislation

1) 2019 Bills

Larry Spencer thanked the Policy and Legislation Subcommittee for their work. He reported that the subcommittee recommended that the RMAC:

- Support: HB 107, HB 137, HB 228, HB 326, HB 352, HB 443
- Support with amendment: HB 188 and HB 475
- Conditionally support: LSR 784 [HB 679] and LSR 274 [SB 254]
- Oppose: HB 219 and HB 244
- Track: HB 150 and HB 276
- Research: HB 325
- Delete: HB 299, LSR 270[HB 272] and LSR 844 [SB 201]

➤ ***Larry Spencer motioned that the RMAC adopt the recommended positions of the RMAC Policy and Legislation Subcommittee. Second by Allen Palmer. Motion passed unanimously.***

Tracie Sales informed the RMAC that more bill text was posted after the subcommittee meeting on January 14, 2019. Bills with P and L Subcommittee recommendations were briefly reviewed and discussed. After, new bill text was reviewed in further detail and the RMAC determined their positions on each bill through the discussions. Positions and legislative updates can be found on the Legislative Tracking Spreadsheet on the RMAC blog.

➤ ***Chris Hodgdon motioned to track House Bill 516. Second by Larry Spencer. Motion passed unanimously.***

➤ ***Ruth Ward motioned to track House Bill 542. Second by Allen Palmer. Motion passed unanimously.***

➤ ***Larry Spencer motioned to support House Bill 543. Second by Don Ware. Vote was a tie and Chair Tremblay withdrew her vote of support to break the tie; motion failed.***

Michele noted that she did support the bill despite her withdrawn vote.

➤ ***Norman Sims motioned to track House Bill 543. Second by Larry Spencer. Motion passed with one abstention.***

➤ ***Norman Sims motioned to oppose LSR 751 [HB 640]. Second by Ruth Ward. Motion passed with one abstention.***

2) Standing Positions

Larry walked through the RMAC standing positions. The Policy and Legislation Subcommittee recommended maintaining the same positions as last year with no changes.

- *Larry Spencer motioned to approve the RMAC standing positions for 2019. Second by Norman Sims. Vote passed unanimously.*

V. **Wetland Rule Revisions, Env-Wt 100-900**

Tracie discussed the Wetland Rule revisions and shared a letter that Jen Drociak drafted for the RMAC that summarized concerns as they relate to the LACs and local conservation commissions. A major issue with the new rules is how local voices like LACs and conservation commissions have limited opportunity to review and comment on permit applications due to a new streamlined permitting process. Not only are review times being shortened, but some project types are proposed to now qualify for permit by notifications rather than require expedited or standard permits, with the result that comments from LACs or conservation commissions will no longer be possible under the requirements of RSA 91-A.

In response, the RMAC decided to amend the letter to:

- Request the comment period become 10 days to allow local municipal voices more time to address permit applications and notifications.
- Require that when any permit activity falls within a designated river corridor, that the LAC be notified to allow them a fair chance at commenting on permit applications if they choose to.
- Include language which emphasizes the importance of LACs in that they are a local voice and that they are a NHDES program with the support of the RMAC.
- Request that the definition of priority resource areas include designated rivers classified as natural.
- Recommend that restoration projects continue to have a flat fee applied rather than fees based on the size of the project.

- *Don Ware motioned to approve the draft Wetland Rule comment letter with the edits discussed. Fred McNeill second. Motion passed unanimously.*

VI. **RMPP Program Updates**

1) LAC Membership Drive

Tracie discussed how staff is undertaking a membership drive to increase the memberships with LACs and to encourage municipalities to have at least one if not more representatives on each LAC. There are only two LACs that are inactive, but many LACs are lacking representation of their municipalities. Staff mailed letters to the Piscataquog municipalities for membership, they are in the process of generating letters to the Pemigewasset towns, and after that they will be working to send letters to municipalities around the Saco and Swift rivers.

2) LAC Workshop: March 23, 2019

Staff will be inviting all LAC members to the LAC workshop March 23, 2019 and all RMAC members are welcome to attend.

3) Surplus Land Review

One SLR in Concord was received since the last meeting, but it was not near a river or within a designated river corridor; therefore, it does not need to be addressed by the RMAC.

VII. RMAC Representation on Other Committees and Member Comments

1) WQSAC

Allan Palmer noted that the Water Quality Standards Advisory Committee (WQSAC) was determining how New Hampshire will be regulating nutrient discharges, predominantly total phosphorus. NHDES is required to define a flow other than 7Q10 for calculating nutrient discharge dilution ratios, and WQSAC is researching options. The group is also discussing dissolved oxygen and other nutrient standards for the state.

2) River Restoration Task Force

John Magee reported that the River Restoration Task Force has not met since spring 2018, but plans on meeting after the current government shutdown is over. Along Bellamy River one dam has been removed and one is in the process of removal. On Clark Brook there is one dam that has been removed and the other one remains impounded. Magee is also working with other individuals on the removal of two other dams, one on the south branch of Gale River and another at Mung Pond.

3) Connecticut River Paddlers Trail

Norman Sims presented on the recent occurrences of the Connecticut River Paddlers Trail. This collaborative group works with entities interested in paddling along the Connecticut River. They helped to create and maintain a river trail along the river. They have recently established a relationship with the Connecticut River Conservancy, with whom they hope to work on fundraising efforts and on the relicensing of the three dams along the river that is currently underway. Additionally, the group is actively working with the Appalachian Mountain Club to extend the river trail into Massachusetts.

VIII. New Business and Action Item Review

1) New Business

The RMAC says goodbye to Kathy Black and will be writing her a thank you letter. The RMAC welcomes Jen Drociak to the staff.

2) Action item review

Action item	Leader	Supporter(s)	Target Date	Meeting Date
Submit letters of testimony	Tracie	Michele, Larry, Jen, Mariah	Various hearing dates	
Wetland rule revision letter will be altered to include the RMAC edits.	Tracie	Jen	1/18/2019	
Notify LAC and RMAC members of the LAC Workshop	Tracie	Jen, Mariah, Michele	February 2019	
Doodle Poll for the week of 03/25/2019-03/28/2019	Mariah	Tracie, Jen	1/31/2019	
Thank you letter to Kathy Black	Michele	Staff	2/28/2019	

3) Next Meeting and Agenda Items

The next meeting was proposed for the week of March 25, 2019. The RMAC would like to learn more about the Granite State Hydro and/or Homeland Security programs in the upcoming meeting.

- *Michele L. Tremblay motioned to adjourn the meeting. All in favor.*

Meeting adjourned at 11:06 am