

DEERFIELD CONSERVATION COMMISSION

Meeting Minutes – November 9, 2015

Members Present: Erick Berglund, Deb Campelia, Kate Hartnett
Absent: Serita Frey, Wes Golomb, Dave Linden, Jim Deely
Visitors: Phil Bilodeau

The meeting was called to order at 7:10 PM by Interim Chair, Kate Hartnett.

Northern Pass: Visitor, **Phil Bilodeau informed the members that he had received a certified letter from Normandeau Associates, Inc. as agent for Northern Pass, LLC.** The purpose of the correspondence was to inform him that a Wetland Permit application for a *Major Dredge and Fill Project for the Northern Pass Transmission Project* was being filed with NH DES Wetlands Bureau. According to the letter, Mr. Bilodeau's property on Nottingham Rd. abuts a proposed major expansion of the substation, and is one of the nine proposed facilities to be constructed outside of the transmission right-of-way. It was suggested that Mr. Bilodeau share this information with the BOS.

A DES Wetlands Permit Application, filed on behalf of the Northern Pass Transmission Project (NPT) was received by the Deerfield Town Clerk on October 15th. In response, the **DCC filed a letter to the DES informing of its intent to investigate the work proposed in the application.** This is the single option afforded to conservation commissions by RSA which results in a 40-day administrative hold (expiring in Deerfield's case on November 24th) during which time a conservation commission can evaluate impacts and file a report, prior to DES making its final decision on a permit request. Erick Berglund noted that the **SEC had granted exceptions to NPT relative to the notification process**, in its *Order on Procedural Waiver Request* dated October 15, 2015 because of the enormity of the project documentation.

Kate Hartnett objected to the wetland permitting procedure for the Northern Pass project. The application arrived with no context or information on how to access the pertinent information contained on the pdf format "travel drive" that accompanied it, and included data for all of the towns crossed by the proposed 192 mile route. Of the five files contained on the drive, the application itself (Volume #5 – NPT NHDES Application-Final) could not even be opened. The fourteen-day window to respond to the DES is further hampered by the fact that most commissions meet only monthly. **Given the magnitude of the wetland application, and the scope of the potential impacts in many towns, including almost 7.5 miles of corridor and substation expansion in Deerfield, DCC's all-volunteer organization is severely taxed in its ability to respond substantively within the time frame allowed.**

A letter will be sent to the Chair of the NH Site Evaluation Committee citing the complexity of the impacts in Deerfield and the volunteer nature of the commission, and stating further that the **Deerfield Conservation Commission strongly objects to the process of notification used**, the onerous documentation provided, and the inadequate timeline for response afforded by the standard permitting process.

Nick Coates, Executive Director of the NH Association of Conservation Commissions (NHACC) sent an email in response to numerous calls he received from conservation commissions regarding the NPT wetland applications received by their towns. **Mr. Coates recommended the commissions respond as they would for any other application, requesting the 40 day hold to buy additional time to assess the wetland impacts.** The consensus of the members was that **NHACC needs to exercise leadership to provide the needed coordination and collaboration in this effort.** Kate Hartnett will contact Nik Coates to express the **need for the commissions to act collectively and for NHACC to step up and take the lead.**

Approval of Minutes: Approval of the minutes of the October 19th meeting was tabled till December due to lack of a quorum.

Finance: Erick Berglund reported that the Conservation fund has been credited **\$1327.00 in Land Use Change Tax Revenue for the 3rd Quarter of 2015.** The balance in the **conservation fund at the end of September was \$238,843.94.** The information for October was unavailable. The DCC's 2016 budget was presented for review by the BOS on October 26th. (See also *Trails* below)

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Boisvert Town Forest-Permanent Protection: The scheduled discussion regarding the inclusion of the Boisvert Town Forest to the existing easement deed was tabled until the December meeting. To date, there has been no response to Serita Frey's October 20th correspondence requesting the advice of Town Counsel, Jim Raymond. Additional information to be provided by Bear-Paw is also pending. In the interim, **Kate Hartnett urged members to review the existing deed's nine sections, Conservation Purposes, Property Stewardship (Grantor), Use Limitations, Reserved Rights, Stewardship Responsibilities (Grantee), Discretionary Consent, Additional Easement, Amendment and Administration** that apply to all other town forests with easements, and to note anything in the provisions that would not be appropriate for the Boisvert parcel.

Invasive Plants: Kate Hartnett reported on her **October 20th meeting with Prescott Towle (Invasive Weed and Plant Control, LLC)** to discuss options for eradication of a major stand of Phragmites in the wetland on Route 43. Mr. Towle informed Ms. Hartnett that **control measures would not begin until August or September of 2016**, pending DES approval and permitting. The **rough estimate of \$700** was based, in part, on the ability to secure an upland permit versus an aquatic permit.

Concerns were raised about the potential spread of the Phragmites to nearby Doles Marsh, the Great Brook Corridor, and the Wild Turkey area, along with issues of stewardship. A number of possible **strategies for fair and reasonable funding of the project** were discussed, including presentation of a well-defined warrant article to provide partial, match, funding for invasive control. Mr. Towle was not aware of any available grants. Both the size of the stand and lack of certification prevent intervention through the UNH Stewardship Network. Intervention by the UNH Stewardship Network would not be possible since they don't possess the chemical certification required to treat a stand of Phragmites of this size. Kate Hartnett will call Nick Coates from the NH Association of Conservation Commissions, and Erick Berglund will research what other towns have done in similar situations.

According to Deb Campelia, contacts at Deerfield Community School have informed her that **DCS will be taking care of the invasive Phragmites and Purple Loosestrife** detected on the school grounds.

Fall Monitoring: **Kate Hartnett will contact Dana Merrill as the owner of the Kay Williams Easement** to set up a time for volunteers to complete the post-logging monitoring of the property. The last site visit was on April 18th, 2015, prior to the completion of field preparations for the tree farm. **Copies of Frank Mitchell's Bear-Paw monitoring schedule for fall 2015** were emailed to the members in October.

Trails: On Monday, October 26th, Trails Committee Chairman, **Jim Deely, presented a 2016 budget request for \$200 to fund the Trails Committee, to the BOS.** The *Trails* line is part of the 2016 budget for the DCC and Mr. Deely explained that the funds would be used for standardizing and improving the signage on the Town's trail system.

Announcements: Deb Campelia reported on her **attendance at the New Hampshire Association of Conservation Commissions annual meeting.** Ms. Campelia also mentioned that **Ellen O'Donnell's 8th grade students enjoyed the responses they received on their owl survey.** It was suggested they be invited to share the results of their project at a future DCC meeting.

Interim Chair Kate Hartnett adjourned the meeting at 9:10 PM.

The Next Meeting is Scheduled for Monday, December 14th
(Please check the website for scheduling changes)
townofdeerfieldnh.com

The draft minutes were prepared and submitted by Judy Marshall. Final revisions to these minutes will be contained in the minutes of the following meeting, after approval by the Deerfield Conservation Commission