

CITY COUNCIL MEETING
AGENDA ITEM V



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting February 2016

From: Elizabeth Dragon – City Manager
Subject: **Wild and Scenic Application update**

Discussion: At the August 3, 2015, council meeting-the council approved an application for Wild and Scenic River Designation for a portion of the Merrimack River.

The next step in the process is a meeting currently scheduled with members of the Upper Merrimack River Local Advisory Committee and staff from representative Kuster's office on February 16th in Concord.

Attachments/Exhibits: 1. Minutes Aug 3, 2015 minutes

Motion passes, Ordinance #03-16 approved by an 7-1 vote.

Agenda Item IV.

City Council to consider support for Wild and Scenic River Designation.

The council has adopted this in the past, and there were a few presenters present.

Michelle Tremblay, Chair of the Upper Merrimack River Local Advisory Committee for the last 25 years, and one of Franklin's representatives, Nita Tomaszewski, were present to speak. She stated they were here this evening to thank the Council on their past support, they had a letter from the City from December 26, 2014. It is time for Franklin to go forward with this, it presents a significant economic benefit to the city as those communities who have adopted Wild and Scenic through an act of congress have received millions of dollars in funding for recreation, land conservation, development and other projects. The meeting packet is very thorough, except for the study that was done back when the committee was first formed including this portion of the Merrimack River, which is eligible. This is the three river city. The Pemigewasset was also studied concurrently, and the portion of the river in the Franklin boundaries was determined not eligible due to the high amount of hydro activity. The Winnepesaukee was not studied as a part of this. When they spoke with the national park representatives, they were told if the city wanted to go forward with a designation that included all three of the rivers within the city boundaries of Franklin that this would be considered and they would meet with the congressional delegation to speak with them about this desire. So there are multiple options moving forward on that. Your City Manager has provided you with a very informative briefing document. She stated if the council had any questions, they would answer them.

Mayor Merrifield stated there was quite a bit of information in the packet. He then asked if there were any questions from the Council or if the Council was willing to make a motion at this time.

Councilor Desrochers stated that this is under the guise at the Federal Government, National Park Service. We have another area, the flood control area that is under the Federal Government, and you can't get into there but 3 months a year. On one side there is no access at all. He asked what would prevent the federal government from saying you can't hunt, fish or do whatever on the river. Ms. Tremblay stated that if she thought this was going to happen then she wouldn't be standing before them this evening. She stated the primary difference is the flood control area did include structural changes to the River, so she can't speak for the Army Corp of Engineers, but it probably was due to safety concerns. She stated this designation does not include any structural changes, or any ownership, it concerns in-stream flow of the river and community support. Since last she was before the council, there are numerous other rivers in surrounding states that have been designated. She stated there was no taking of land or barring of access to the river.

Councilor Desrochers stated he is not against making the river Wild and Scenic. He stated as a sportsman he just doesn't want to see the access of the river taken away for hunting and fishing. This won't convert the land ownership to federal government and will remain in its current ownership.

Councilor Giunta asked about the Waste Water Treatment Plant and asked if there would be impact on the treatment plant as far as extra testing or restrictions. The Upper Merrimack River Local Advisory Committee (UMRLAC) comes to the council each year regarding the water quality testing program, Upper Merrimack Monitoring Program, and they work very closely with the Waste Water Treatment Plant. So when this first came to us, that was one of the first things we looked at as the Waste Water Treatment Plant is a valuable resource and cutting edge treatment facility, and there will be no additional testing or restrictions upon them, as it monitors flow and not water quality or land acquisition.

Councilor Giunta stated the letter goes back to 2010, and asked what the hold-up was. Ms. Tremblay stated they had hoped that upper Merrimack communities would want to come together for designation. It brings some communities together and sometimes it is only one community. At that time, in 2010, Northfield was interested and Canterbury, so that broke up the flow from Franklin to Bow, or southern edge of Concord, which is the other end of the study. So they were trying to get everyone together but Boscawen was the holdout, so they went back and asked everyone and finally in 2014 we decided to move forward on our own, rather than wait for a community downstream who doesn't want to move forward.

Councilor Giunta asked what Boscawen's hesitation was. Ms. Tremblay stated that they did not take the time to research this and they had set up landowners and others in the Lamprey Designation, but they refused to listen to this. So they lost the opportunity by not taking the time to investigate it.

Councilor Dzujna stated that she mentioned about the monetary benefit of grants and other options, but asked if the grants would be the UMRLAC or if the City would have to look for the grants. She stated the UMRLAC would be actually receiving money to manage, for land Conservation and recreation, and then there would also be non-monetary programs, like the Rails and Conservation Technical Assistance program, for instance if you wanted to develop a boat ramp or a riverside recreation like parks or trails, that would bring in funding for that and also technical support.

Motion made by Councilor Desrochers that the Franklin City Council sends their support for the Wild and Scenic River Designation. The motion was seconded by Councilor Starkweather. All in favor; motion passes.