

Lamprey Rivers Advisory Committee Meeting Minutes

March 25, 2016

Madbury Town Hall, 7:00 pm

APPROVED AS AMENDED APRIL 28, 2016

members present: Emily Schmalzer (Brentwood), Dick Snow (Candia), Cynthia Kelsey (Deerfield), Anne Lightbody, Dick Lord (Durham), Pat deBeer (Fremont), Sharon Meeker, Kitty Miller, Preston Samuel (Lee), Michelle Shattuck (Newmarket), Debbie McNelly (Raymond)

members absent: Al Hall, (excused), Joe Foley, Todd Piskovitz (excused), Carolyn Matthews (excused)

staff/affiliates: Suzanne Petersen

guests: Ken Edwardson, coordinator, NHDES Water Quality Assessment Program, ADDENDUM: Oyster River LAC members, UNH students

Meeting began at 7:00.

presentation: Draft 2014 Surface Water Quality Assessment, Ken Edwardson

The National Water Quality Inventory Report to Congress (305(b) report) and the [Assessment and Total Maximum Daily Load Tracking and Implementation System \(ATTAINS\)](#) database are the primary vehicles for informing the US Congress and the public about general water quality conditions in the United States. Together, this report and database characterize US water quality and identify widespread water quality problems of national significance.

Under Section 303(d) of the Clean Water Act, states, territories and authorized tribes are required to develop lists of impaired waters. These are waters that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. These impaired waters are required to have a Total Maximum Daily Load (TMDL) established to ensure that the waters are not degraded further by additional inputs of pollutants. Key features of the report include changes in impairment listings: delisting, impairments removed, new listings, and total new listings.

New Hampshire's water quality standards are based on three parts:

- designated uses (A: highest quality acceptable for drinking with minor treatment, B: fishable and swimmable)
- criteria: numeric and narrative
- antidegradation criteria

Consolidated Assessment and Listing Methodology (CALM): Detailed document for how water quality data will be used to make surface water quality attainment decisions by designated use consistent with state surface water quality standards (data interrogation).

- core parameters for each use (i.e., bacteria for swimming use)
- minimum number of samples
- maximum age of samples
- how older data are utilized
- when samples must be taken (season, time of day, flow conditions)
- where samples must be collected (depth, comparison with older data)
- how multiple samples will be handled
- etc.

Despite lots of data from many groups and individuals on many water bodies, much remains unknown. Estuary and marine data to support aquatic life and swimming are in the 95-100% complete range. Data for rivers are in the 18-35% range. Of the total number of identified impoundments, only 8-9% have any useful data.

Each water body has a report card listed on http://www2.des.state.nh.us/watershed_SWQA/watershed_SWQA.aspx.

The 2014 Surface Water Quality Assessment Viewer allows users to do the following:

- See the spatial extent of assessment units.
- See where sampling data were collected.
- Access watershed report cards. (Water quality is listed as severe, poor, likely bad, no data, likely good, marginal, or good.)
- Run reports to access water quality summaries for 2006, 2008, 2010, 2012, and 2014 assessment cycles.

Once a body of water is listed as impaired, it remains listed as impaired until 5-6 samples of strictest, "super-limiting" CALM protocol data are obtained that satisfactorily demonstrate that the impairment is no longer an issue.

HB1595: Revisions to the Rivers Management and Protection Program update, by Judith Spang

- Under current regulations in the NH RMPP, all designated streams in the RMPP are subject to the Shoreland Water Quality Protection Act, regardless of stream order. This means that a 250 foot vegetated buffer must be maintained on each side of streams. While protection of small first through third order streams is needed to protect the larger rivers, the 250 foot buffer on small streams is onerous for developers, landowners, and DES. Certain lower order streams on the Lamprey and Oyster rivers are

exempt from this. The proposed revision will reduce the shoreland buffer for 1st - 3rd order streams to 50 feet.

- The bill has passed the house of representatives without much pushback.
- Streams currently exempt from the SWQPA buffer can be included if the affected towns chose to remove the exemption.

approval of minutes from February 25, 2016:

Dick Lord made a motion to approve the minutes as presented. Michelle Shattuck seconded. Michelle then made a motion to amend the minutes by correcting some incomplete information concerning silica. Dick Lord seconded the amendment. The minutes were approved unanimously as amended.

work group updates: See attachments at end.

municipality updates: none

Mendum's Pond Dam repair:

Preston Samuel and Dick Snow will take turns attending the project's monthly meetings at the project site. For more information, see Project Review Notes from March 3, 2016, attached.

Northern Pass Public Hearing:

Sharon Meeker, Preston Samuel, and Cynthia Kelsey attended. Many labor unions testified that the project would benefit the state. Many citizens testified that the project would degrade New Hampshire's quality of life. Following the hearing, LRAC was invited to meet with "intervenors" and other project objectors with Peter Roth, senior assistant attorney general, counsel for the public, to discuss environmental issues and impacts associated with the project. Cynthia and Preston plan to attend. Michelle Shattuck indicated that she might attend.

miscellaneous:

- Representatives were reminded that conservation easements are opportunities to protect the river and its assets. Please stay alert to potential funding assistance.
- Representatives were asked to consider whether LRAC should continue to meet monthly or go to quarterly.

adjournment:

Dick Lord made a motion to adjourn. Michelle Shattuck seconded. Meeting adjourned at 9:10.

ATTACHMENTS

Wild and Scenic Lamprey River Advisory Committee Meeting Minutes March 8, 2016

Lee Safety Complex, 22 George Bennett Road, 7:30

members present: Joe Foley, Anne Lightbody, Dick Lord, Sharon Meeker, Kitty Miller, Preston Samuel

staff/affiliates present: Laurel Cox, Jim MacCartney, Suzanne Petersen

guests: Dawn Genes

Meeting began at 7:30.

DRAFT

summary of motions:

Sharon Meeker made a motion to approve adding three new lines for the two grants to the existing FY 2016 budget. Preston Samuel seconded. Motion was approved unanimously.

Kitty Miller made a motion to approve the current slate of officers for one or two year terms as defined in the Bylaws. Anne Lightbody seconded. Motion passed unanimously.

chair – Joe Foley (through January 2017)

vice chair – Dick Lord (through January 2018)

secretary- Sharon Meeker (through January 2017)

treasurer- Preston Samuel (through January 2018)

approval of minutes from February 9, 2016:

Dick Lord made a motion to approve the minutes as presented. Preston Samuel seconded. Minutes were approved unanimously.

financial report:

- Preston Samuel distributed the usual operating budget reconciliation sheet, YTD budget versus actuals, and the land protection reconciliation sheet. No issues were noted.
- The NPS has awarded two grants to LRAC for the Call to Action program. Adding these line items requires an amendment to the existing budget. **Sharon Meeker made a motion to approve adding three new lines for the two grants to the existing FY 2016 budget. Preston Samuel seconded. Motion was approved unanimously.**
- Jim MacCartney noted that NPS will probably be issuing proposals for grants for long term reporting and the Lamprey is on the short list. If and when the grant comes through, the report will need to be submitted within a very short timeframe. Documentation has already begun...
- ~~A project under "water quality" and a project under "history" are being pursued without a specific line item, but other named projects are not being pursued currently. It was agreed that since both active projects are being pursued under the correct main budget line, no amendments are needed.~~
- Several proposed projects that are not currently on the FY 2016 budget were discussed. Some of these would help spend down some unspent funds from previous budgets in the soon-to-close 5 year Cooperative Agreement with NPS, but others are probably more feasible for FY 2017. Preston Samuel and Jim MacCartney will work on the two budgets and present them at the April meeting.

Partnership W&S Rivers video conference, February 23, 2016:

Jim MacCartney attended in person in Boston and Suzanne Petersen listened in from home. The agenda and notes are attached at the end of the formal minutes.

NPS required reports:

In addition to quarterly financial reports, NPS is now also requiring quarterly performance reports. Jim MacCartney will gather monthly meeting minutes and financial reports and submit to NPS. If any data are missing, he will let us know beforehand.

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election of officers:

The committee is quite late in electing officers, in fact by several years. The current slate of officers volunteered to serve another term in accordance with the Bylaws. **Kitty Miller made a motion to approve the current slate of officers for one or two year terms as defined in the Bylaws. Anne Lightbody seconded. Motion passed unanimously.**

chair – Joe Foley (through January 2017)
vice chair – Dick Lord (through January 2018)
secretary- Sharon Meeker (through January 2017)
treasurer- Preston Samuel (through January 2018)

“Dear Colleague” letter:

It is budget time in Washington and time for Partnership W&S Rivers to request their allotments. Senator Menendez has agreed to circulate the Senate FY2017 PWSRs Dear Colleague Letter and Congresswoman Niki Tsongas has agreed to circulate her letter to the House. Each partnership river is also encouraged to solicit support from its own representatives. Chairman Foley will compose a letter and attach the PW&SR “20 Years of Success” publication as supplemental information.

adjournment: ~~Dick Lord~~Anne Lightbody made a motion to adjourn. Preston Samuel seconded. Meeting was adjourned at 8:50

National Park Service
Northeast Region
Partnership National Wild and Scenic Rivers
Video Conference

NER Philadelphia Office (6th Floor Conference Room)
NER Boston Office (8th Floor Conference Room)
February 23, 2016

Agenda & NOTES

Status NPS North East Region PWSRs 2016 & 2017 Budget (Barscz)

- ▶ Goals, Operating Principles, and Actions for Sustaining Funding of Partnership Wild and Scenic Rivers (PWSR)
- ▶ Surpassed goal of 50% as a whole of split between NPS costs and PWSR Cooperative Agreements – this year 2016 the split is 40% NPS and 60% PWSR CAs.
- ▶ Most PWSRs will see increases in Cooperative Agreement \$\$\$ over 2015 levels.
- ▶ Meet with NPS staff to plan Cooperative Agreement budget plan for 2016.
- ▶ President's FY 2017 Budget Request – bring all PWSRs to ~\$170k.

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PWSR Call to Action & Public Land Corps Grants

- ▶ Must complete all 2016 projects by September 30
- ▶ Need to complete a one page project report for 2015 & 2016 projects by October 30
- ▶ Continuation of these grants in 2017 & 2018 will in part be based on 2015 & 2016 project outcomes

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PWSR Email Communications (Barscz)

- ▶ Updates to PWSR Contact List please send to Fred Akers. INCLUDE NAME, TITLE, RIVER
 - ▶ Contacting NPS Regional Director, Associate Regional Director, etc.
- SEND ALL EMAIL TO EXEC STEERING COMMITTEE, DO NOT SEND TO ALL. NPS STAFF MUST STAY OUT OF CERTAIN EMAIL CHAINS.

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NPS Washington Office PWSR Budget Plan (Harn, Fosburgh, Barscz, Hewitt)

- ▶ Recommended budget:
 - \$20k – individual river (long term) success reports – \$5k grants for Lamprey, SUZANNE WAS NOT AWARE THAT WE APPLIED FOR THIS GRANT. SHE HAS BEGUN GATHERING THE NECESSARY METRICS (VOLUNTEER HOURS, # OF STUDENTS REACHED, # OF PEOPLE ATTENDING EVENTS, \$ LEVERAGED, O.R.V. ENHANCEMENT & PROTECTION RESULTS) SUASCO, Taunton, Wekiva
 - \$ 5k – 20 years success printing & web version (JIM WILL DISTRIBUTE 50 COPIES TO LRAC, ASK IF MORE ARE WANTED/NEEDED) THESE CAN BE DISTRIBUTED TO LEGISLATORS
 - \$ 5k – Support NPS staff participation to represent PWSR in National Activities
 - \$15k – WASO NPS staff support
 - \$ 9k – unallotted
 - Additional individual long term success reports?
 - Planning support for FY 2017 meeting/training – highlighting individual river?
 - Other? (PW&S SHORT VIDEO 3-5 MINUTES FOR ALL RIVERS TO USE)

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PWSR 20 Year Accomplishment Report (Lacy)

(CHUCK WILL SEND FINAL DIGITAL COPY)

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PWSR Metrics (Harn, Fosburgh, Barscz)

- ▶ Continuing need to compile annual consistent metrics of PWSRs accomplishments beyond non-standard and anecdotal metrics from annual reports and the white paper.
- ▶ NPS needs to supply measures that are important to NPS Leadership and Department Of Interior, such as:
 - volunteers - #
 - education - student #
 - events - # people reached
 - funding – leveraged
 - restoration, protection & enhancement resultsSEE WHITE CLAY CREEK AS GOOD EXAMPLE.

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Comment [HJ1]: Need Chuck and Jamie to describe problem of getting consistent metrics from the group. The question is, what can we reasonably accomplish?

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3:00 pm – 3:15 pm 50th Anniversary National Wild & Scenic Rivers 2018 (Harn, Waters)

- ▶ Potential leveraging NPS centennial media campaign and corporate partnerships
 - April – August 2016 events to showcase PWSRs on #FindYourPark & upcoming 50th Anniversary?
 - NPS staff enter events in Centennial Activity Tracker
ASK JIM'S HELP TO INCLUDE LRAC'S ACTIVITIES
 - Partners share stories on FindYourPark.com and use #FindYourPark
RECOGNIZE THE LEGACY
- ▶ Interagency/NGO WSR50 Activities:
 - Common message and logo (under development)
 - Rivers.gov interactive map (under development)
 - WSR/National Trail System millennial audience film (under development)
 - National WSR System Unigrid map – potential
 - Junior Ranger/Web Ranger for National WSR System – potential
 - Diverse youth internship program – potential
 - Support for events and stewardship projects – potential

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3:15 pm – 3:30 pm Other Business NEW WEBSITE NPS.GOVWSR

3:30 pm ADJOURN at 2:53

Outreach, History, & Recreation Work Group Meeting Notes March 2, 2016

location: office time: 10:00

present: Sharon Meeker, Dick Lord, Debbie McNelly, Suzanne Petersen

guests: Kyle Pimental, Dawn Genes

Septic System Outreach in Durham:

Kyle Pimental briefed the group about a grant that will help Durham and SCRP to address septic system contamination from three neighborhoods. He will be meeting with

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the Durham Cons. Comm. on March 10 to discuss a possible permeable reactive barrier (PRB) installment to help reduce nitrogen inputs. SRPC has a task within the current grant for outreach and engagement. The scope is limited to the project area – three neighborhoods in Durham. (The majority of the three developments drain into the Oyster River, but parts of the Sunnyside Drive and Woodridge Road developments drain to the Lamprey, with Woodridge draining through LaRoche Brook.) SCRCP had planned to mail materials (1 page, double sided fact sheet) to identified homeowners in those neighborhoods on the same type of general septic system information LRAC referenced for a public presentation: how a septic system works, good maintenance practices, water quality issues, design, pump-outs and inspections, etc. SCRCP would also include another 1 pager on the environmental and infrastructure analysis it completed and asking if any homeowners would be interested in having an on-the-ground implementation project completed on their property. There would be information on PRB installations as well. SCRCP did not plan on holding a more generalized workshop with speakers.

After a discussion, it was agreed that the two initiatives should combine forces for outreach.

- LRAC will tweak existing materials and send to Kyle for DES consultation.
- LRAC will secure a venue for the presentation.
- LRAC and LRWA will publicize the information session widely for Durham and Newmarket.
- Kyle will mail the same general materials plus the one page PRB sheet to the residents of the target neighborhoods.
- The presentation, to be held in May, will include general info as well as a Q&A session with a septic system professional. Resources permitting, a children's activity area will offer environmental activities

Stormwater Pilot Project Outreach Small Grant (2015) report, Dawn Genes

Dawn presented the nearly complete report. The report contains a background section on MS4, what towns are involved and exempted, and results of outreach with Epping and Newmarket. During the course of research, Dawn discovered that RCPC was pursuing a nearly parallel project. Epping might be willing to try a LID project on the Rte. 125 corridor. They are working on or have adopted the SWA model stormwater ordinances, so LID will become the norm for new development and perhaps redevelopment soon. Newmarket is already committed to spending \$57,000 for a plan to address stormwater issues in and around Moonlight Brook.

Dawn indicated a willingness to call the project complete with the submission of the report and leave the actual town engagement for a pilot project to RCPC. She was willing to forego the final payment for the grant as a condition. The members present were amenable to that suggestion. A few suggestions for next steps were offered to Dawn for the conclusion.

Recreation:

- Portage and Access- not discussed
- Footpath- not discussed. Kyle Pimental provided a copy of a three sided SCRCP display board paid for by LRAC that has maps of the potential route and explains the process.
- NPS Passive Rec Grant
 - o Raymond will probably pursue a grant to plan for re-opening of the town beach behind the elementary school.
 - o Newmarket will probably pursue a grant to construct a kayak shed at Schanda Park.
 - o Durham might apply for a grant to help with planning public access at the Thompson Forest.

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- Newmarket is planning to host a paddling race on the tidal portion in late August. The planning committee has been encouraged to apply for a Small Grant to help with this effort.
- Durham and Newmarket recreation directors were contacted about the Volksmarch. Both liked the idea and will be in contact with their respective town managers and police departments.

History:

Sharon has drafted a letter to Chris Dodge re: the proposed kiosk at Wadleigh Falls.

Outreach:

- Small Grants:
 - Raymond Cons. Comm. might apply for help with invasives and improving handicap accessibility at a town park. Suggestions were offered on how to fulfill the outreach component.
 - Newmarket will probably apply for help with the paddling race in late August.
- Promotion of LR Curriculum:

Debbie McNelly provided a sample bag of water quality measuring materials to Sharon for review. Debbie reported that Mast Way School in Lee will once again be using the LR Curriculum and will wrap up the unit with a field trip to the river this spring. Sharon is working on setting up visits with principals.
- Chick and DeeDee: Illustrator has addressed all 2nd draft comments except for Captain Reuben Hill mill: Dick Lord found some example images which will be forwarded. The illustrator, who also is a publisher, was asked to submit a quote for printing the book.
- Library Outreach: Posters were delivered to most libraries. No presentations planned yet.

History and Recreation Work Group Meeting Notes March 17, 2016

office, 10:00

present: Dick Lord, Kitty Miller, Preston Samuel, Sharon Meeker, Laurel Cox, Suzanne Petersen

Sullivan Falls, Durham:

Dick and two members of the Durham Historic Association did a site visit and made some interesting finds. Dick suggested that we consider contracting an industrial archaeologist to assess the site. Preston has a book that explains the process of doing such work that can serve as a guide for Dick in formulating a proposal for both LRAC and a potential contractor.

Wadleigh Falls, Lee:

- Sharon has sent one letter to the site owner about a potential kiosk, but she has not received a response. A second letter is being prepared.
- Dave Meeker will be making a presentation on April 6 at 7:00 at the Lee Safety Complex that will offer insights about the site in the context of 17th century New Hampshire history.

NPS Passive Recreation grants:

- Newmarket Recreation is exploring options for a kayak shed at Schanda Park. An initial presentation to the Newmarket Conservation Commission did not garner the support anticipated. We want to encourage the Rec. Department to continue exploring other nearby options.
- The Raymond Conservation Commission is working with the elementary school to propose a nature trail near the river.

Outreach Small Grants:

- Newmarket Recreation will probably be asking for help with its inaugural paddling race scheduled for late summer 2016.
- Raymond Conservation Commission is considering a proposal to help manage invasive weeds near the river.
- Durham is working on plans for the Thompson Woods. We are happy to help, but the stewardship group seems to need a focus for moving forward first.
- Laurel suggested that Ellen Snyder might be able to help the Lee Recreation Committee/Conservation Commission draft a plan for the Little River Park Trail. She will follow up.

Lee 250 Canoe event:

The town has listed a canoe race in its 250 celebration brochure. A race is not feasible, but a family paddle might be. Dawn Genes(LRWA) has approached the town about organizing the event. Mark West has indicated that he would be interested in helping. Sharon and Dawn will work together to plan the event to take place in late June (probably June 26). Please call Sharon to volunteer to help with this event.

canoe portage near Macallen Dam in Newmarket:

Preston has visited the site. In his judgment, one and only one reasonable path exists to get boats from the river to the road. "Simple" stone steps would probably cost around \$25,000: too expensive for the few users anticipated. He spoke with the Newmarket Conservation Commission about building a cribbed access composed of logs filled with left-over rubble and then covered by bark mulch or stone dust. Work would be performed by volunteers. A shoreland permit will be needed, but a 6 foot wide access should be permissible. Kitty noted that ducks and geese might be using the area. No immediate action is planned.

foot path:

Newmarket's urban section seems to be the best bets for now.

- Formalize a shortcut from Bay Road to Heron Point that bypasses the trailer park?
- Construct sidewalks along Bay Road and/or Packers Falls road?
- It was suggested that we contact Epping Recreation to discuss a trail from Mary Blair Park to the Dow parcel.

curriculum field trips:

Sharon announced that 2 or 3 field trips are planned for June.

miscellaneous:

- Lee is working on revising its master plan. The old plan had some placeholders for trails, but no specifics. Preston offered to review the plan and make recommendations to the informal trails interest group.

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Project Review Meeting Notes March 3, 2016

present: Joe Foley, Al Hall, Sharon Meeker, Suzanne Petersen, Todd Piskovitz, Preston Samuel, Dick Snow, Jim Gallagher (NH DES Dam Bureau)

Mendum's Pond Dam Repair:

Jim Gallagher spoke about the history of the dam and the project to address dam safety issues. Most of the facts have been discussed and noted earlier. Of concern at present is the fact that LRAC never received any permit applications to review and the scope of the project is considerable. DES issued a wetlands permit in August of 2015. This included

the whole project despite missing several key steps such as sealing off the deep section for needed repair and a site restoration plan. The dam bureau applied for an amendment for a coffer dam in December and it was also approved without LRAC's review.

Preston Samuel drove by the site and noted significant work involving access roads very close to the river. The project site is expansive (28,000 sq. ft.) and probably should include a shorelands permit and possibly an alteration of terrain permit.

Mr. Gallagher acknowledged several missteps on the part of DES:

- Unlike wetlands, shoreland, and AoT permits, dam permits do not have a check box reminding applicants that LACs need to receive all permit application materials and have the opportunity to comment. The dam bureau will address this as soon as possible.
- Both the dam bureau and the wetlands bureau recognize that work on the two access roads was significantly greater than was originally thought. The roads were "improved" with a permit-by-notification that clearly exceeded normal parameters.
- The Mendum's Dam is rated as "high hazard" due to potential effects of catastrophic failure. While no one questions the need for emergency repairs and after lowering of the pond by 20 feet, the dam bureau probably overstepped its authority and acted as though it was granted exemptions under the Shoreland Water Quality Protection Act when no such exemption is written into the law, RSA 483-B:5-b.

Mr. Gallagher will be forwarding all repair related permit materials to LRAC as soon as possible for the committee's review and comments.

Lastly, given that Mendum's Pond Dam is historically significant, members noted that keeping the historical character of the dam should be maintained as much as possible when the downstream reinforcements are added.

67 Mast Road, Epping: wetlands permit for constructing a driveway: See letter.

New England Dragway, Epping & Brentwood: After-the-Fact Wetlands Permit: See letter.

Granite Meadows Development multi-use project on Manchester Road, Raymond: The project is outside the quarter mile corridor and probably poses no adverse impacts to the Lamprey. The group chose not to comment.