

**Lamprey Rivers Advisory Committee Meeting Minutes July 25, 2013
Raymond Safety Complex 7:00 p.m.**

APPROVED SEPT. 26, 2013

members present: Al Hall, Dick Snow (Candia), Dick Lord, Ann Welsh (Durham), Joe Foley, Jenn Rowden (Epping), Todd Piskovitz (Exeter), Pat deBeer (Fremont), Sharon Meeker, Preston Samuel (Lee), Kathleen Hoelzel (Raymond)

others present: Dawn Genes, Jim MacCartney, Suzanne Petersen

absent: Harriet Cady (excused), Anne Lightbody (excused), Rachel Stevens, Fred Lindahl, Jere Beckman (excused), Kitty Miller (excused), Alison Watts, Michelle Daley, Peter Wellenberger, Mike Russo (excused), Ted Janusz

approval of Minutes from June 27, 2013

Dick Snow made a motion to accept the minutes as presented. Dick Lord seconded. Minutes were approved with 10 yes votes and 1 abstention.

project review update: Todd Piskovitz noted that no projects had been reviewed in June and he had not received any to review for July. The August project review subcommittee meeting is canceled.

Partnership Wild and Scenic Rivers Program presentation by Jim MacCartney, National Park Service

The Wild and Scenic Rivers program was created by Public Law 90-542, passed by the US Congress on October 2, 1968. The primary goals of the program are to protect and enhance rivers for free-flowing condition, water quality, and “outstandingly remarkable values.” Outstandingly remarkable values include scenic, recreational, geologic, fish and wildlife, ecology and biodiversity, historic, archaeological, and cultural components. Through the program, 203 rivers have been designated nationally. Most are located on public land in the West. Those rivers are managed by the agency that has jurisdiction: the National Park Service, the National Forest Service, Bureau of Land Management, etc.

In the East, 12 designated rivers that flow through privately owned land are managed as Partnership Rivers with the National Park Service serving as an advisor to a local advisory board. This program served as the model for several state river protection programs, including New Hampshire’s. Several principles guide the Partnership Rivers program:

- No land is owned or managed by a federal agency.
- Administration is through a local advisory committee.
- Land use is governed by local and state laws and regulations.
- Management is shared with the state, local, and nonprofit partners.

- Prior to designation, the local advisory committee must develop and approve a river management plan.
- Voluntary participation is essential and is the key to success.

Three methods exist for a river to be designated:

1) Section 5(a) Congressional Study

- The US Congress passes legislation to study the river and its potential to be designated: free flow, water quality, outstandingly remarkable values.
- Local support is garnered.
- The local advisory committee is organized.
- A Comprehensive River Management Plan is written.
- Towns vote whether to approve the management plan and support designation.

2) Section 5(d)(1) Agency Identification

- The agency that oversees federally owned land petitions the Bureau of Land Management for designation as a Wild and Scenic River.

3) Section 2(a)(ii) Secretarial Application

- A state's governor petitions the US Secretary of the Interior for designation.
- No Comprehensive River Management Plan is required.
- Land acquisition is not permitted.
- Federal input is limited to technical advice and some financial assistance.

The Lamprey River (Lee and Durham section, including to the confluence with the Piscassic River in Newmarket) was designated in 1996 (PL 104-333). An additional section (Lee-Epping town line to former Bunker Pond Dam in Epping) was designated in 2000 (PL 106-192). These designations were the result of Congressional study and supporting legislation. The Lamprey was determined to meet the free-flow standard ("recreational" rivers can have some dams), had excellent water quality, and was found to have "remarkably outstanding values" in ecology, archaeology, and anadromous fishery. The original impetus for seeking Wild and Scenic designation was the threat of a hydro-power plant proposed for Wiswall Falls in Durham.

The benefits of Wild and Scenic River designation include the following:

- national recognition and prestige
- additional clout for grants
- technical and financial assistance from the National Park Service for the management plan and associated river projects
- permanent protection against new hydropower plants
- protection against federal projects that would adversely affect the river or its values
- locally appointed advisory committee

The Comprehensive River Management Plan is intended to address the following:

- Wild and Scenic River values, goals, and desired conditions
- land/facility development
- user capacities
- cooperation with local and state governments
- regulatory authorities
- monitoring

Wild and Scenic designation has a minimal effect on regulation. The only activities that are limited or prohibited are federal projects that could impair the river such as Army Corps of Engineers modification to river banks or stream beds or new hydropower plants.

Section 11(b)(1) of the Wild and Scenic Rivers Act authorizes technical and limited financial assistance to state and local governments, NGOs, and individuals for river conservation. It applies within and proximate to Wild and Scenic rivers.

The following are key points offered during a discussion of how LRAC might pursue seeking designation for the upper mainstem Lamprey and the tributaries.

- LRAC needs to be clear why expanded designation is being sought. This will help the committee decide what the most practical means to designation will be: Congressional study and legislation or having the governor petition the Dept. of the Interior.
- If the Congressional route is chosen, the US Congress will have to vote to approve a study and then vote to designate. The committee will need a representative in the US Congress to champion the cause.
- No standard process exists for designation. Each designation is unique.
- Given the recent work to get the whole river and the 5 tributaries in to the NHRMPP, a full three-year study might not be needed; a one-year reconnaissance study might suffice.
- Congressional designation without a study is possible but not advisable. The study helps to verify to all that the river or segment is suitable and eligible and that the river can actually be managed.
- The political climate at NPS is fine right now: no obstacles or hesitations noted.
- Funding for the three year study is available even with the current budget. Designation might be more challenging.
- If more miles of river are designated, the committee might get an increase in its operating budget, but this should not be assumed. No specific formula exists when Partnership Rivers apply for operating funds.

- For more information, visit www.river.org.
- For specific questions, contact jim_maccartney@nps.gov, 603-226-3240.
- For the October meeting, Jamie Fosburgh will be invited to attend to continue the Wild and Scenic Rivers discussion.

Management Plan discussion

Three subgroups discussed additional goals and priorities for water, history, and land protection. Highlights are listed below.

- history: The #1 priority will be for LRAC representatives to establish a working relationship with the historic association in each town and to find out how rivers were part of the town's history. For Brentwood, where there is only a very small portion of the Piscassic in the town, it would be useful to establish connection with the Piscataqua watershed rivers in general, the goal being to establish awareness in each town of the importance of rivers to town histories.
- land protection: Land protection efforts need to be more pro-active and better defined. An active database will be created to manage key contacts and specific priority parcels in each town, partners, and funding opportunities.
- water: Many actions have a significant outreach component. We have collected data, but we don't know what the data say or what information is missing. We need to compare our data with NH benchmarks. Use information from UNH's hot spot study to determine priority areas.

adjournment:

Todd Piskovitz made a motion to adjourn. Preston Samuel seconded. Meeting was adjourned at 9:10.