

**Lamprey Rivers Advisory Committee
Meeting Minutes September 25, 2014
Smyth Public Library, Candia 7:00 p.m.**

APPROVED OCTOBER 23, 2014

members present: Al Hall, Dick Snow (Candia), Dick Lord, Ann Welsh (Durham), Joe Foley (Epping), Todd Piskovitz (Exeter), Pat deBeer, (Fremont), Sharon Meeker, Preston Samuel (Lee), Carolyn Matthews (Raymond), Dawn Genes (associate member), Suzanne Petersen (staff)

absent: Emily Schmalzer (excused), Harriet Cady (excused), Anne Lightbody (excused), Jenn Rowden (excused), Fred Lindahl, Kitty Miller (excused), Michelle Daley (excused), Peter Wellenberger, Kathleen Hoelzel

guest: Jacquie Colburn, NHRMPP director

Meeting began at 7:00.

presentation by Jacquie Colburn, NHRMPP director:

Background: The Rivers Management Advisory Council is proposing to amend RSA 483:15:1 (b). The change pertinent to the Lamprey is to remove language that excludes 1st, 2nd, and 3rd order streams from provisions of the Shoreland Water Quality Protection Act, RSA 483 B. The Lamprey and Oyster rivers are the only two NHRMPP rivers that currently have this exemption.

Under the Shoreland Protection Act, any project along a water way that requires a shoreland permit faces the same regulatory conditions, regardless of stream order. In other words, a project on a small stream must comply with the same reference line setbacks as a project on a big river.

The map that Jacquie shared showed the Lamprey River watershed with the different stream orders highlighted in different colors. On the whole, the map was covered by streams. Several key concerns arose:

- For project review, how many of these streams require review?
- In 2011, public and legislative pushback against protecting 1st-3rd order streams was strong. In the current legislature, push back is likely to be strong.
- How do other LACs handle small stream projects? Are they overwhelmed by work?
- What town regulations are in place to define set-backs? Are they comparable to the shoreland protection setbacks?
- How many landowners might be negatively affected by shoreland protection rules if RSA 483 were amended?

- When the full Lamprey and the tributaries were nominated to the NHRMPP, the exemptions for 1st-3rd order streams were included as critical compromises to the success of the nomination. How high is the risk that towns will feel betrayed if LRAC endorses the recommended changes? How likely is the risk that a town might want to be removed from the NHRMPP?
- If such changes are to be recommended to the legislature, will it be easier to be part of a larger RSA 483 overhaul or as a separate piece of legislation?
- For first order streams that might be intermittent, what is the rationale for requiring the same 250 foot buffer required of 4th order streams?

After much discussion of what the recommended changes to RSA 483 mean to LRAC, towns, and landowners, the following clarifications became apparent:

- The jurisdictional areas of the watershed are the nominated rivers and their quarter mile corridors, not the whole watershed.
- Parts of some of the nominated rivers are actually streams. For example, the main stem Lamprey River in Northwood and north Deerfield is classified as a stream. The outer North Branch and Little rivers are also classified as streams.
- The project review subcommittee has reviewed projects that abut nominated but smaller streams or fall within the quarter mile corridor and will continue to do so.
- Most towns that might be affected by the inclusion of 1st-3rd order streams into shoreland protection regulation have local ordinances that are as protective or more protective than the shoreland protection criteria (Lee, Candia, Deerfield, and Nottingham).
- The full impacts of the proposed changes on towns, landowners, LRAC, water quality, water flow, wildlife, etc. are unknown.

Consensus of response to RMAC: Dick Snow will draft a letter to RMAC and will seek committee input that addresses the following points:

- LRAC is not able to make a firm decision at this time; more information about potential impacts and expected benefits is needed.
- As part of the Lamprey Rivers vetting process, exclusions for 1st-3rd order streams was critical. These exclusions cannot be cast aside casually.

approval of minutes from August 28, 2014

Al Hall made a motion to approve the minutes as amended. Dick Lord seconded. Motion passed with 10 yes votes and 1 abstention.

workgroup updates:

recreation:

- Preston and Dick Lord are working with Kevin Martin to secure his assistance in getting lumber and putting up the canoe access sign at the landing on Highway 152 in Lee. Sharon Meeker offered to visit Kevin to expedite the planning.
- There was discussion about hiring a professional to help craft a recreation plan for the Lamprey and tributaries. The group will discuss elements of an ideal plan at the next meeting (Oct. 15). Input from the entire LRAC and other groups will be solicited, as well.

outreach/education:

- Recently completed outreach efforts included Raymond Old Home Day (Sept. 14). Sharon met many supporters and potential recruitment contacts.
- Preparations for the upcoming events including the Nottingham Family Day (Sept. 20), "Book Bash" at the Lamprey Elementary School in Raymond (Sept. 18) and Durham Day (Sept. 27) were briefly discussed. A Lamprey River Mystery Message game in which kids learn that "water connects us" will be offered. The display will be brought so that adults can learn about the river and LRAC while the kids play the game. Sharon Meeker and Dick Lord will staff the display at Durham Day.
- An informal discussion of Suzanne Petersen's contract resulted in the decision to have her meet with the Wild and Scenic officers soon to adjust the contract. Recommendations will be discussed with the Wild and Scenic Subcommittee at its next meeting.
- Work on plans for 2015 will be done at the next meeting.

history:

The fourth panel for the kiosk at John Hatch Park at Wiswall Falls in Durham has been completed and installed. The Town of Durham has also made and installed a wooden sign that has the park's official name on it. Plans are afoot to hold a dedication ceremony at the park for the public and it is hoped that Maryanna Hatch will be able to attend. No date has been set yet.

land protection:

- Work on arranging public walks on easements that allow for public access is progressing slowly. Ellen Snyder was contacted regarding the possibility of surveying such walks for species that require special consideration, but this requires more discussion.
- Easement projects are moving slowly.

water issues:

The group continued to look at DO concentrations. Only the North River branch site had significant number of points below the NH DES cut-off for class B waters of 5 mg/L. This is probably due to its proximity to swampy area. A few outlier data points were identified and investigated.

wildlife: No update available.

project review:

- 6 Great Cove Road, Newmarket: The proponent desires to remove an existing mobile home and replace it with a new permanent 4 bedroom dwelling. The biggest concern was the lack of details regarding erosion control.
- 9 Evans Street, Raymond: The proponent wishes to convert a former house lot adjacent to its current facilities to a paved parking and material storage area. The new lot will allow the owner to move certain materials farther away from the Lamprey River. The new lot will be about 7000 square feet. No major comments were needed.
- PSNH G146, Deerfield: The proponent wishes to up uprate the thermal capacity of its transmission line from the Deerfield Substation to Garvin's Falls in Bow, including the replacement of four transmission structures in Deerfield. The main comment was to ensure that public access by ATVs be curtailed.
- 57 Wiswall Road, Durham: The proponent wishes to restore a stream crossing and natural hydrology by replacing an existing, clogged 18" culvert with two pipe arch culverts. No major comments were needed.

Wild and Scenic Subcommittee:

Two issues not discussed tonight were discussed by the Wild and Scenic group:

- Cows being kept on conservation land were reported in the river in Lee. The easement will be located and reviewed to make sure such activity is not allowed and that it should stop.
- A landowner in Lee contacted the conservation commission to ask for financial assistance in removing a tree that fell from private property into the river and might pose a safety issue. The conservation commission asked the W&S group for help. The group cannot make such a commitment to this landowner or any other landowner and Joe Foley will write a letter to the conservation commission to that effect. The W&S group suggested that W&S, the conservation commission and neighbors could work together to improve natural buffers along the river.

town issues and actions: None reported.

events:

recently completed:

- Sept. 17: outreach, recreation, history workgroup meeting
- Sept. 20: Nottingham Family Day
- Sept. 18: "Book Bash" at the Lamprey Elementary School in Raymond
- Sept. 23: Stewardship Network southeast hub meeting

upcoming:

- Sept. 27: Durham Day
- Oct. 14: Wild and Scenic Subcommittee meeting
- Oct. 15: outreach, recreation, history workgroup meeting
- Oct. 17: Lamprey River Watershed Association annual meeting and dinner, 6:00 Jeremiah Smith Grange, Lee
- Oct. 23: LRAC meeting

membership status update:

- Harriet Cady and Todd Piskovitz terms will expire in October 2014.
- Peter Wellenberger will not reapply when his term ends in 2015. He is moving to New York.
- Fred Lindahl's term will expire in December. He will not renew.

LRAC Bylaws: n/a

other:

adjournment:

Dick Lord made a motion to adjourn. Sharon Meeker seconded. Meeting was adjourned at 8:55.