



RIVERS MANAGEMENT ADVISORY COMMITTEE
NH Rivers Management and Protection Program

New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
phone: 603-271-2959 fax: 603-271-7894



RMAC MEETING MINUTES

December 2, 2020

Online Meeting

1:00 pm – 2:30 pm

Members Present

Michele L. Tremblay, Chair
Larry Spencer, Vice Chair
Peter Bowman
Victoria Bunker
Jennifer Gilbert
Mark Hemmerlein
Christopher Hodgdon
Mark Lombardi
John Magee
Frederick McNeill
Allan Palmer
Donald Ware
Meghan Wells
Stewart Yeaton

Representing

Conservation Community
NH Association of Conservation Comm.
Dept. of Natural and Cultural Resources
Historical and Archeological Interests
Director, Office of Strategic Initiatives
Commissioner, NHDOT
NH Fish & Game Commission
Granite State Hydropower Assoc.
Executive Director, Fish & Game Dept.
Municipal Government
NH Business and Industry Association
Public Water Suppliers
Department of Safety
Agricultural Community

Term

Dec. 28, 2020 V
Oct. 12, 2022 V
Indefinite NV
June 15, 2022 V
Indefinite NV
Indefinite NV
Sept. 28, 2021 V
Jan. 5, 2021 V
Indefinite NV
Nov. 16, 2020 V
Sept. 28, 2019 V
Sept. 28, 2022 V
Indefinite NV
March 22, 2018 V

Members Absent

Shawn Jasper, Comm.
Norman Sims
Ruth Ward

Dept. of Agr, Markets, & Food
Recreational Interests
Local River Management Advisory Comm.

Indefinite NV
Dec. 28, 2020 V
Sept. 5, 2022 V

NHDES Staff Present

Wayne Ives
Tracie Sales

Instream Flow Program
Rivers and Lakes Programs

Guests – None

I. Welcome, Roll Call, and Brief Announcements

This meeting was conducted as an emergency meeting in compliance with New Hampshire's Right-to-Know Law (RSA 91-A) in light of COVID-19 concerns and applicable Executive and Emergency Orders. As such, an online meeting and telephone conference call service was used for this meeting. Chair Michele L. Tremblay called the meeting to order at 1:05 pm. Chair Tremblay conducted a roll call of members and asked staff and guests to introduce themselves.

II. Acceptance of the Consent Agenda

- *Larry Spencer moved to accept the Consent Agenda, consisting of the April 3, 2020 draft minutes, RMAC and RMAC subcommittee representatives, and Surplus Land Reviews 20-004 in Rochester and 20-005 in Portsmouth. Motioned seconded by Fred McNeill. A roll call was taken. Motion passed unanimously.*

Note that the record of roll call votes is included at the end of the minutes.

III. Surplus Land Disposal: DOT Route 9 Rest Area, Antrim

Michele began the discussion by reading the comment provided by the Contoocook and North Branch River Local Advisory Committee on this proposed sale of 19 acres of state-owned land along the designated North Branch River in Antrim. The LAC noted that their preference was that this property be maintained as a park with public access to the river, particularly given the surrounding conservation land. They requested that should the land be sold, however, that there be no increase in impervious surface causing runoff to the river.

Vicky Bunker summarized DOT's archeological and historical review. No archeological evidence was found on the property, but the building is eligible for the national and state historical registries, but is not on either registry at this time.

Discussion centered around the lack of a pre-identified buyer, options with respect to the historic building and potentially subdividing the developed area from the undeveloped area, the opportunity to connect this parcel to the surrounding conservation land, and protecting the river from any future development impacts.

- ***Larry Spencer moved to approve the proposed sale of the Antrim rest area parcel adjacent to Route 9 with the condition that the sale and any subsequent development would not result in an increase in stormwater runoff to the North Branch River, and that NH DOT be encouraged to seek a buyer who would conserve the land. Motion seconded by Don Ware. A roll call vote was taken. Motion passed unanimously.***

Discussion: Mark Hemmerlein commented that NH DOT's purpose for selling the property was to open it up for other uses and to relieve DOT of the maintenance burden. Michele expressed concern with the decreasing number of river access sites across the state, and that she would like to see the parcel retain public access. Tracie summarized the comment from the chair of the Public Waters Access Advisory Board, who noted that this river was rarely boatable but could not comment on the fishing in the area. He suggested retaining the land for parking for general recreation access. Chris Hodgdon noted that a Fish and Game access site is available about 1 mile east of this site.

IV. 2021 RMPP-Related Legislative Service Requests

Bill language was not available on any 2021 legislation at the time of the RMAC meeting, but staff had assembled a list of legislative service requests (LSRs) of potential interest to the committee. Larry Spencer explained that, of these LSRs, three appeared to be re-introduced versions of 2020 bills on which the RMAC had taken a position but that were vacated in the prior legislative session due to COVID-19 and the curtailing of the 2020 legislative session. The LSRs are 2021-0108 (seasonal platforms on waters of the state), 2021-0291 (definition of prime wetlands), and 2021-0523 (winter road maintenance).

- ***Larry Spencer moved to retain the RMAC's 2020 positions on three 2021 LSRs, 108, 291 and 523, which appear to be re-introduced versions of 2020 bills on the condition that the 2021 bill language is not substantially changed. Motion seconded by Fred McNeill. A roll call vote was taken. Motion passed unanimously.***

Larry noted an LSR of concern related to conservation easements. Tracie said she would add it to the list. Michele invited RMAC members to join the Policy and Legislation Subcommittee, and also to email Larry regarding any bills with which the organizations members represent are concerned.

V. RMPP Program Updates

1) Staff Changes and Hiring

Tracie reported that Jen Drociak had moved to the Land Resources Management section as a

Compliance Inspector for the central region of the state. Given the hiring freeze for general-funded positions, filling the vacancy in the next few months is unlikely.

2) NHDES Budget

Tracie explained that the Fiscal Years 2022 and 2023 Rivers and Lakes Programs budget had been submitted to the governor as a portion of the overall NHDES budget. All general funded programs were asked to cut 15% from their 2021 budgets for FY2022 and FY2023. Larry asked about potential Federal funding cuts impacting the Rivers and Lakes programs, but no impacts are expected.

3) Instream Flow Program Update

Tracie reported on behalf of Wayne Ives and Joe Schmidl, who was hired in February: On the Lamprey and Souhegan rivers, staff conducted long term ecological monitoring this year consisting of five transects across floodplain of each river at locations studied in 2010 and macroinvertebrate sampling collected. Fish surveys were postponed due to the pandemic.

Water management plans were in action this summer and fall due to drought, limiting water use from both rivers and resulting in four pulse releases on the Lamprey in June, August, and September.

On other rivers, temperature and conductivity loggers were placed in several rivers over the summer to study current conditions. A contractor has extended the periods of record for two existing USGS gages on the Ashuelot and Isinglass Rivers, filling the data gaps. USGS established three staff gages on the Ammonoosuc, North Branch, and Piscataquog rivers, in order to measure stream flows on these otherwise un-gaged river segments. Finally, another contractor continued their protected instream flow studies on the Cold and Warner rivers; the Cold River study is expected to be completed in 2021, and the Warner River study is expected in 2022.

4) Wetland Rule Update Results

Tracie commented that the Wetland Program rules were updated in two batches this fall after the 2019 overhaul. Impacts to the RMPP include a revised definition of “LAC jurisdiction” impacting routine roadway projects, and removing the LAC pre-approval requirement for many PBN projects which were deemed unlikely to impact rivers, thus allowing LACs to focus on projects most likely to have an impact.

VI. New Business and Action Item Review

1) New Business

Tracie commented that the new NHDES website goes live on 12/8/2020. The look and function of the new site is very different, and is search-based. Every link except des.nh.gov will break. The RMAC Forum, OneStop tools, and the Instream Flow Program tracking tool are not affected by the website change and will retain the same addresses.

Larry reported that several organizations have submitted a grant proposal to purchase an oxbow property on the Pemigewasset River for conservation and river access.

2) Action Item Review

Action Item	Leader	Supporter(s)	Target Date
Draft letter to NHDOT re: Antrim SLR	Tracie Sales	Michele L. Tremblay	12/11/2020
Add conservation easement LSR to tracking spreadsheet	Tracie Sales		12/11/2020

Draft letters of testimony for the 3 LSRs.	Tracie Sales	Larry Spencer	Hearing date
--	--------------	---------------	--------------

3) Next Meeting and Agenda Items

The RMAC and LMAC are meeting jointly on January 7, 2021 at 9:00 am, and the next RMAC meeting is scheduled for January 27, 2021 at 1:00 pm.

Chair Michele L. Tremblay thanked RMAC representatives for their attendance and participation, and adjourned the meeting at 2:27 pm.

December 2, 2020 RMAC Meeting Roll Call Record:

	II. Consent Agenda	III. Antrim Surplus Land	IV. Three LSRs
Michele L. Tremblay	Yes	Yes	Yes
Larry Spencer	Yes	Yes	Yes
Victoria Bunker	Yes	Yes	Yes
Chris Hodgdon	Yes	Yes	Yes
Mark Lombardi	Yes	Yes	Yes
Fred McNeill	Yes	Yes	Yes
Allan Palmer	Yes	Yes	Yes
Norman Sims			
Ruth Ward			
Donald Ware	Yes	Yes	Yes
Stewart Yeaton	Yes	Yes	Yes

Meeting summary prepared by Rivers Program staff.