



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

DRAFT

RMAC MEETING MINUTES

January 18, 2023, 9:00 – 11:00 AM
NHF&G First Floor Conference Rooms
11 Hazen Drive, Concord, NH

Members Present

Michele L. Tremblay, Chair
Larry Spencer, Vice Chair
Peter Bowman
Jennifer Gilbert
Mark Hemmerlein
Christopher Hodgdon
John Magee
Frederick McNeill
Madeleine Mineau
Donald Ware

Representing

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

Term

Dec. 28, 2023 V
Oct. 12, 2022 V
Indefinite NV
Indefinite NV
Indefinite NV
Sept. 28, 2021 V
Indefinite NV
Nov. 16, 2023 V
Jan. 5, 2024 V
Sept. 28, 2025 V

Members Absent

Natasha Cole
Shawn Jasper, Comm.
Robert Roseen
Vacant
Vacant
Vacant
Vacant

Department of Safety
Dept. of Agr, Markets, & Food
Recreational Interests
Agricultural Community
Historical and Archeological Interests
Local River Management Advisory Comm.
NH Business and Industry Association

Indefinite NV
Indefinite NV
Dec. 28, 2023 V
March 22, 2021 V
June 15, 2022 V
Sept. 5, 2022 V
Sept. 28, 2022 V

NHDES Staff Present

Erin Holmes Watershed Management Bureau
Nisa Marks Rivers and Lakes Management and Protection Programs
Dave Neils Biological Monitoring Program
Tracie Sales Rivers and Lakes Management and Protection Programs

Guests

John Mullen Jr. Cochecho River Local Advisory Committee
David Packard New Hampshire Rivers Council
Cory Ritz Souhegan River Local Advisory Committee
Brooke Kenline-Nyman Historical and Archeological Interests

I. Introductions and Agenda Overview

Chair Michele L. Tremblay called the meeting to order at 9:05 AM. Chair Tremblay asked members, staff, and guests to introduce themselves.

II. RMAC Administrative Updates

In addition to reminding member to submit financial disclosure forms and explaining the need for roll call votes during hybrid in-person/online meetings, Tracie Sales provided the following updates:

- Membership: Cory Ritz has been nominated to represent LACs on the RMAC, pending approval by the Governor and Executive Council. Brooke Kenline-Nyman has expressed interest in the seat representing historical and archeological interests. The RMAC is still in need of candidates to represent the Business and Industry Association and agricultural interests.
- Staffing: Nisa Marks is now the Watershed Coordinator. She is focused mainly on lake-related issues but does some river-related and watershed-based work. The Program Assistant role is newly vacant but will be rehired.
- The new [RMAC website](#) is live, replacing the RMAC Forum. If members have suggestions or cannot find something, please reach out to staff.

III. Acceptance of the Consent Agenda

- ***Larry Spencer moved to accept the Consent Agenda, consisting of the March 28, 2022 draft minutes and surplus land reviews CORD SLR 22-001, DOT SLR Littleton, DOT SLR Lisbon Pine Knoll Terrace, CORD SLR 22-002, CORD SLR 22-003, DOT SLR Thornton, and CORD SLR 23-001. The motion was seconded by Fred McNeill and passed by unanimous voice vote.***

IV. Rivers Management and Protection Program Relevant 2023 Legislation

Larry Spencer provided an overview of the positions recommended by the Policy and Legislation Subcommittee:

- Support: HB137, HB212, HB276, HB308, HB311
 - Support with Amendment: HB214
 - Oppose: HB186, HB236, HB592
 - Track: HB56, HB254, HB472, SB12, SB60, SB61, SB159, SB258
 - Remove as not relevant: HB448
- ***Larry Spencer moved to adopt the 2023 legislative positions recommended by the RMAC Policy and Legislation Subcommittee. The motion was seconded by Don Ware and passed by unanimous voice vote.***

V. CORD Surplus Land Review 23-002 Warren

This property is a dam that used to be owned by the New Hampshire Fish and Game Department. The dam was destroyed in a flood. In order to accomplish repairs, the Fish and Game Department transferred the property to NHDES. NHDES agreed to repair the dam on the Governor and Executive Council's condition that the dam and easements on two associated abutting properties would be transferred to local ownership after repairs were completed. The present disposal is implementing that condition. The impounded area is eight acres, so the lake is not considered a public water of the state. The town proposes to maintain public access to the pond.

- ***Chris Hodgdon moved to recommend disposal of the parcel with the recommendation that there be nothing in the deed that required the town to maintain the dam, so the***

town could remove the dam in the future if they so choose. The motion was seconded by Larry Spencer and passed by unanimous voice vote.

VI. RMAC 2020-2021 Biennial Report

Michele thanked the LACs and staff for contributing to and preparing the report. Larry asked if any rivers were seriously considered for nomination to the program. The committee discussed the middle Merrimack River, which was the subject of a bill last legislative session to be designated into the program. However, there has not been community interest in support of its designation, as required by the existing statutory process. Larry also asked if there are places where the RMAC should support local interest in potential river designation; it was decided there is no place for action at this time, though staff will continue to support any community that expresses interest.

- ***Don Ware made a motion to approve the 2020-2021 Biennial Report as drafted. The motion was seconded by Fred McNeill and passed by unanimous voice vote.***

VII. Cyanobacteria Plan Advisory Committee Update

During the 2022 legislative session, the RMAC engaged on HB1066, a bill to create a statewide cyanobacteria strategy. The resulting act charges NHDES with preparing this cyanobacteria strategy by November 1, 2023. NHDES is using the \$30,000 allocated by the bill to fund two projects: a contract with UNH to do supplemental cyanotoxin testing, and a contract with NH LAKES to conduct stakeholder outreach to inform the plan. The bill also created an Advisory Committee that has met twice to provide input to NHDES. NHDES aims to produce a draft report this spring.

Don Ware asked if the current cyanobacteria monitoring program includes rivers. Nisa said that the current cyanobacteria program is reactive. It responds to bloom reports from the public but does not include surveillance monitoring. NHDES has received reports of and responded to blooms on rivers. Michele and Larry mentioned several examples of blooms on river and lakes.

VIII. Rivers Monitoring Plans for 2023

Dave Neils, Chief Aquatic Biologist, NHDES, provided an overview of state and federal river monitoring programs in New Hampshire. One of the primary programs is the National Rivers and Streams Assessment (NRSA). Questions that the NRSA seeks to answer include:

- What is the current condition of the rivers and streams?
- What stressors are contributing to the degradation of the nation's rivers and streams?
- What are the changes in river/stream condition from previous NRSA?

New Hampshire focuses on aquatic life and swimming as the designated uses of interest.

This summer will be the third time New Hampshire has completed a state rivers and streams assessment. Andy Chapman will be heading the effort in New Hampshire. For 2023-26, there are 20 national sites, four additional national sites revisited for trends analysis, 30 state sites and two reference sites. Parameters assessed include biological indicators, public health indicators, and information on key stressors, and may include research indicators like contaminants of emerging concern.

New Hampshire is part of the northern Appalachians ecoregion of the national report. The report is released approximately 5 years after sampling effort. The most recent national report was

published in 2019 based on data collected in 2013-14. It concluded that nutrient pollution is widespread and expanding, and is a significant stressor to aquatic life nationally.

At the state level, half of aquatic life use condition was “good” in New Hampshire wadable streams, 18% were in poor condition, 7.7% fair condition, and 23% of streams did not meet criteria or were not accessible. For primary contact recreation, 70% were in good condition and 7% in poor condition. Over the time of the three state assessments, results have been relatively consistent for aquatic life and primary contact recreation.

Michele asked if there is any citizen science or other agency’s data that could be used to augment information available for a specific stream. Dave described that the probability-based assessment is time-sensitive, where EPA wants the information collected on one day. Don asked if there is a control for weather and sampling timing. Dave acknowledged weather impacts. The national sites happen on a particular schedule, provided river flows are safe. Members asked that the [presentation](#) be made available on the RMAC website.

IX. Instream Flow Program Update

Joe Schmidl provided an update on last year’s work and the next steps for the Program. In 2022, the Cold River Protected Instream Flow (PISF) study was completed and the PISF Criteria developed. The Cold River’s water management plan is currently in development. Test releases to the Cold River were done last summer at Crescent Lake and Lake Warren.

The Warner River PISF study has been drafted. The public hearing is coming up. Test relief pulses from four lakes in the watershed will be done this summer.

On the Ashuelot River, the data for the PISF study has been collected, and the PISF study and criteria will be published later in 2023. The Ashuelot River has many more water users than the Cold or Warner rivers.

The prioritization of rivers for the next PISF studies has been finalized. The next river is the Isinglass River, for which NHDES is starting the contracting process, followed by the Pemigewasset River. Baseline data collection on the Isinglass will begin this summer.

NHDES staff have installed real-time stream flow stations on the Contoocook North Branch, Lamprey, Piscataquog, Ammonoosuc, and Exeter Rivers to eliminate data gaps on designated rivers where USGS gages are absent. In response to a question from Don Ware, Joe said they are installing gages similar to the USGS gages with a stilling well, sensor and wireless transmitter. Staff are taking field readings to be able to build a rating curve for each site. NHDES has contracted with USGS to cover a few sites on the larger rivers where the state’s wading-based approach is not feasible.

Michele asked about the timeline for doing the Merrimack and Connecticut Rivers. Each have significant challenges, so Joe anticipates them being the last two rivers completed by the program.

X. Member Comments

Larry provided an update on the Livermore Falls project. The Plymouth and Holderness Conservation Commissions have reapplied for Land and Water Conservation Fund money to purchase four properties on the east side of the Pemigewasset River in Plymouth.

Michele mentioned that volunteers have access to the state’s active shooter training. Reach out to Michele if interested.

XI. Action Item Review

1) Outcomes and Action Items

- a. Submit comments on CORD SLR 002 (staff)
- b. Post Dave Neils’ powerpoint presentation from today (staff)
- c. Draft 2023 letters of testimony (Nisa and Michele)
- d. Submit financial disclosure forms (all members who have not done so)

2) Next Meeting and Agenda Items

- The RMAC’s next meeting will be April 10, 2023 at 1:00 PM.
- Legislative crossover is March 30, 2023.
- Mark suggested having a presentation from New Hampshire Geological Survey about forthcoming updates to hydrogeography data layer.

Chair Michele L. Tremblay thanked RMAC representatives for their attendance and participation. The meeting adjourned at 10:53 AM.

Meeting summary prepared by Rivers Program staff.