

**Lamprey Rivers Advisory Committee Meeting Minutes
March 19, 2019
7:00 P.M. Lee Safety Complex, 20 George Bennett Road**

APPROVED APRIL 16, 2019

representatives present: Emily Schmalzer (Brentwood), Al Hall (Candia), Dick Lord (Durham), Joe Foley (Epping), Kitty Miller (Lee), Cris Blackstone, Jerry Martin (Newmarket), Therese Thompson (Nottingham)

staff present: Jim MacCartney, Suzanne Petersen

guests: Ric Raymond, Jason Settineri

Meeting began at 7:03.

summary of motions passed:

- **Al Hall made a motion to provide \$5000 to the LRWA for its water quality testing program. Dick Lord seconded. Motion passed unanimously with Cris Blackstone abstaining.**
- **Al Hall made a motion to award \$2500 through the community grants program to LRWA for the purpose of updating its mailing list and the email database and sending out newsletters to members. Therese Thompson seconded. Motion passed unanimously with Cris Blackstone abstaining.**
- **Dick Lord nominated Joe Foley as chair. Therese Thompson seconded. Vote was unanimous.**
- **Al Hall nominated Cris Blackstone as secretary. Dick Lord seconded. Vote was unanimous.**
- **Joe Foley made a motion to amend the bylaws to allow towns to appoint representatives to the W&S committee. Dick Lord seconded. Motion passed unanimously.**
- **Dick Lord made a motion to approve the 2019 outreach specialist's contract retroactive to January 1, 2019. Al Hall seconded. Motion passed unanimously.**
- **Dick Lord made a motion to authorize a \$50 honorarium to David Carroll for use of his artwork in LRAC projects. Joe Foley seconded. Motion passed unanimously.**
- **Dick Lord made a motion to transfer \$5000 from the operating budget to the land protection account each month for March, April, May, and June. Cris Blackstone seconded. Motion passed unanimously.**

approval of Minutes from November 13, 2018:

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

financial report:

Bank reconciliation, budget YTD, book sales, and land protection account reports were reviewed with no concerns noted.

outreach, recreation, and history workgroup update:

- The group made the following recommendations regarding the community grants program:
 - a cap of \$6000 as a compromise between potentially insufficient \$5000 and harder-to-manage \$7500
 - no deadline for applying, but once a grant is approved, rigorous attention to completing the project within 6 months
- Work on the Route 87 kiosk and Thompson Forest kiosk is progressing.
- The recreation map is being revised to add four new sites and site descriptors.
- David Carroll video footage was reviewed. Probable topics are “Beginning a Conversation about Land Conservation” goals beyond access for people and turtles as indicator species for habitat integrity.

land protection:

- Several big projects were approved for funding in December. The account is now insufficient to support the land protection administrator and major work on projects will be winding down.
- The land protection map should be updated to reflect the projects completed in 2018. This will cost \$300 and should be charged to the land protection account.

project review:

- Deerfield: Eversource proposes to install grounding rings to 111 existing utility poles along the Deerfield boundary. The project traverses several wetlands with threatened species. The group recommended that NHDES require an on-site inspector to check for rare species prior to deployment of equipment and certify that sites are returned to satisfactory condition upon completion.
- Newfields: Applicant submitted paperwork for a wetland crossing, but the larger project is to build a subdivision of eleven lots that are approximately .5 acre each.
 - The site has numerous Natural Heritage Bureau reports for 5 species of concern and the habitat is on the NH list of most endangered natural communities.
 - At least three of the proposed lots will be built on or adjacent to wetlands.
 - Great concern was noted that significant changes in hydrology and ecological damage to this prime wildlife area from development are likely.
 - The letter to abutters was misleading and underrepresented impacts.
- Epping: The applicant would like to demolish an existing apartment building and build 3 new duplex buildings and a 12 unit apartment house. Key comments focused on adding Ts or elbows to catch basins, defining who will manage and maintain stormwater infiltration features, and requiring Sno-pro certification to reduce salt application on site.
- Newmarket:
 - Applicant would like to expand existing house, replace septic system, and run utility lines to his dock and boat house. No substantial impacts to the river are expected. It was recommended that the landowner add more

- shrubs and trees to make the buffer zone more nearly conforming to current standards.
- Macallen Dam safety improvements. No concerns noted other than the impoundment drawdown should be timed to accommodate spotted and Blanding's turtles that might be seeking hibernacula and to avoid mass stranding of freshwater mussels.
- change in process: The project review chair noted difficulty signing for applications at home and trying to send needed information to workgroup members. A potential new representative offered to have these plans sent to his office where he has access to big, high speed scanners. The current chair will continue to receive plans at his house until the new representative is appointed.

water quality:

Anne Lightbody will be supervising an undergraduate student to analyze existing data relating to possible heavy metal and phosphorus contamination. He will be working for at least 3 months and possibly through the summer. The group was leaning away from analysis of organic compounds at this time.

LRWA business:

- Cris Blackstone made a formal request for \$5000 to be used for water quality training, testing, and equipment. This is generally a standard item on the budget. **AI Hall made a motion to provide \$5000 to the LRWA for its water quality testing program. Dick Lord seconded. Motion passed unanimously with Cris Blackstone abstaining.**
- Cris Blackstone made a request for \$2500 through the community grants program for the purpose of rejuvenating the LRWA membership by updating the LRWA mail list and email list and sending out two rounds of newsletters in 2019. Joe Foley requested that LRWA seek new LRAC representatives in its communications with members. **AI Hall made a motion to award \$2500 through the community grants program to LRWA for the purpose of updating its mailing list and the email database and sending out newsletters to members. Therese Thompson seconded. Motion passed unanimously with Cris Blackstone abstaining.**

town updates:

- Newmarket: The wetlands permit for Macallen Dam has been submitted. Work should begin in late summer/early fall.
- Nottingham: Therese Thompson has presented the 2018 annual report and spoken with town leadership about a potential community grant to support the town's master plan revision.
- Epping: Citizens voted to sunset zoning variances after 3 years. Prior to the vote, variances could have been deemed to be in effect in perpetuity.
- Durham: Dick Lord presented the 2018 annual report and it was well received by the town council. He was disappointed that the one-page report was not published in the town annual report.
- Brentwood: While not in the Lamprey River watershed, citizens voted to spend \$125,000 for land protection in town.

election of chair and secretary:

- **Dick Lord nominated Joe Foley as chair. Therese Thompson seconded. Vote was unanimous.**
- **Al Hall nominated Cris Blackstone as secretary. Dick Lord seconded. Vote was unanimous.**

appointment process of W&S and LAC representatives:

RSA 15-A requires all state appointed volunteers to submit a financial disclosure statement to the secretary of state. This law was enacted in 2006 and LAC representatives were never aware of this law until December of 2018 when the NHDES commissioner was made aware by pending legislation that will assess late fees and penalize non-compliance with a fine of up to \$5000. The financial disclosure form is a public record. The NHDES commissioner and the NHRMPP director have addressed the NH House to argue that LAC representatives have no authority to spend state funds, award state contracts, or in any way influence the distribution of state money. Their arguments had no sway. The bill will now head to the senate for consideration. LAC representatives in LRAC and along other rivers have indicated that they will resign if this bill is passed. All LAC representatives are currently required to be nominated by towns in the designated rivers and officially appointed by the NHDES commissioner. If HB150 passes and penalties for non-compliance are established, the only recourse will be to seek an amendment to RSA483 to redefine the process of LAC representative appointment.

The LRAC is in a unique position in New Hampshire due to the W&S designation. When first formed, having the NHDES commissioner appoint representatives to the state and federal programs was a convenient way to handle the two separate programs. Other W&S river groups in other states can appoint representatives through town councils and boards of selectmen and also through the National Park Service. Appointment of representatives from non-W&S towns can also be handled by towns or the NPS if the W&S towns request upstream representation.

Joe Foley made a motion to amend the bylaws to allow towns to appoint representatives to the W&S committee. Dick Lord seconded. Motion passed unanimously.

It was explained to attendees at the meeting that this vote does not actually amend the current by-laws, but starts the two month process by establishing that the committee is willing to move forward with notification and a future vote for approval.

FY2020 budget:

Jim MacCartney will create a draft budget to be discussed at the April meeting. All workgroup chairs were requested to provide a 1-2 sentence to the outreach specialist before March 29 outlining key projects and their expected cost for next year.

outreach specialist contract for 2019:

Dick Lord made a motion to approve the 2019 outreach specialist's contract retroactive to January 1, 2019. Al Hall seconded. Motion passed unanimously.

honorarium for donated artwork:

David Carroll has generously donated his illustrations for use on the website, publications, and most recently, the Route 87 kiosk. **Dick Lord made a motion to authorize a \$50 honorarium to David Carroll for use of his artwork in LRAC projects. Joe Foley seconded. Motion passed unanimously.**

community grants:

Based on recommendations from the outreach workgroup, the committee agreed by consensus that the maximum award would be \$6000, applications would be accepted on a revolving basis except when the 5 year cooperative agreement dictates a firm deadline, projects should be completed within 6 months of award issuance, and the program description will state that LRAC retains all copyright rights to publish and amend materials.

land protection account:

The account balance is currently about \$20,000. **Dick Lord made a motion to transfer \$5000 from the operating budget to the land protection account each month for March, April, May, and June. Cris Blackstone seconded. Motion passed unanimously.**

adjournment:

Dick Lord made a motion to adjourn. Al Hall seconded. Meeting was adjourned at 9:10.