

N.H. Lakes Management Advisory Committee

[N.H. Lakes Management and Protection Program](#)

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LMAC MEETING MINUTES

October 30, 2019

NH Department of Environmental Services, Conference Room 208C

1:00 pm to 3:00 pm

| Members Present | Representing | Term | |
|----------------------------|--------------------------------------|-------------------|----|
| David Packard, Chair | New Hampshire Lakes | August 1, 2021 | V |
| Garret Graaskamp, V. Chair | Executive Director, F&G | Indefinite | NV |
| Mark Borrin | NH Travel Council | August 1, 2019 | V |
| Shane Bradt | Scientific Community, UNH | August 22, 2019 | V |
| Mark Hemmerlein | Commissioner, DOT | Indefinite | NV |
| Janet Kidder | Planning Boards | August 1, 2020 | V |
| Frank Lemay | NH Business and Industry Association | July 8, 2022 | V |
| Lisa Morin | State Conservation Commission | August 1, 2021 | V |
| Rex Norman | Municipal Officials | August 1, 2021 | V |
| Dick Smith | Fishing Interests | November 17, 2019 | V |
| Bruce Temple | Fish & Game Commission | August 22, 2021 | V |
| Mary Truell | NH Association of Realtors | June 27, 2020 | V |

Members Absent

| | | | |
|--------------------|---|--------------------|----|
| Bruce Allen | NH Assn. of Conservation Commissions | August 22, 2022 | V |
| Ed Crawford | Marine Dealers Association | August 22, 2017 | V |
| Capt. Tim Dunleavy | Commissioner, DOS | Indefinite | NV |
| Eric Feldbaum | Commissioner, DNCR | Indefinite | NV |
| Jennifer Gilbert | Director, Office of Strategic Initiatives | Indefinite | NV |
| Tiffany Grade | Conservation Commission | September 19, 2019 | V |
| Shawn Jasper | Commiss., Dept. of Agr., Markets & Food | Indefinite | NV |

Staff Present

| | |
|-------------------|-------------------------------|
| Jen Drociak | Rivers and Lakes Programs |
| Wayne Ives | Instream Flow Program |
| Marie-Eve Jacques | Land Resource Management |
| Mariah Mitchell | Rivers and Lakes Programs |
| Tom O'Donovan | NHDES Water Division Director |
| Tracie Sales | Rivers and Lakes Programs |

Guests

| | |
|----------------|---------------------------------|
| Kelly Buchanan | NH Lakes |
| Noah Hodgetts | Office of Strategic Initiatives |

I. Introductions/Minutes/Committee Business

1) Welcome, Introductions and Brief Announcements

Chair Dave Packard called the meeting to order at 1:03 pm and welcomed all present. LMAC members and guests introduced themselves.

2) Acceptance of July 30, 2019 LMAC Meeting Minutes

- ***Frank Lemay motioned to accept the July 30, 2019 LMAC Meeting Minutes as written. Seconded by Mark Borrin. Motion passed unanimously.***

II. LMAC Member “Info-mercials” – Fishing Interests

1) Fishing Interests

Dick Smith is the Conservation Director for the New Hampshire Bass Federation. In his position he reviews legislation that may impact fishing or boating, representing the anglers in New Hampshire. Every year there are approximately 250,000 people who fish in New Hampshire waters. The federation hosts events and programs that help introduce people of all ages to the sport of fishing. One of their most popular fishing events are bass fishing tournaments. Dick expressed that it is important to introduce people of all ages to fishing, the outdoors, and to provide education about natural resources.

2) Scientific Community

Shane Bradt shared his involvement with the UNH Scientific Community and provided a list of his colleagues in the UNH College of Life Sciences and Agriculture who have interests in natural resources and lake-related subjects. Shane serves as the coordinator for the UNH Cooperative Extension Volunteer Lakes Lay Monitoring Program. Shane provided a list of his colleagues’ biographies and contact information if anyone was interested in reaching out to these experts.

III. Wetland and Shoreland Rules Update: Water Access Structures

Marie-Eve Jacques, NHDES Shoreland Specialist, presented on the newly-modified wetland and shoreland rules regarding water access structures; explaining what rules are changing and what is staying the same as before. All new water access structures will need to meet the new rule requirements.

IV. LMAC Business and LMPP Program Updates

1) LMAC and Subcommittee Membership Update

Tracie Sales welcomed Commissioner Shawn Jasper as the new representative of the NH Department of Agriculture, Markets, and Food on the LMAC. Commissioner Jasper was unable to attend this meeting but expects to attend the next LMAC meeting. Four LMAC members have expired memberships—Mark Borrin, Shane Bradt, Tiffany Grade, and Dick Smith. Tracie offered her assistance to any LMAC member who is looking to renew their membership. Lastly, the LMAC Policy and Legislation Subcommittee is inactive due to low membership. LMAC members agreed that this committee was not needed at this time.

2) Joint Water Quality Indicators Subcommittee Update

Shane Bradt and David Packard provided a summary of what was discussed at the first meeting of the RMAC/LMAC Joint Water Quality Indicators Study Subcommittee on October 7, 2019. The subcommittee is looking to create a web-based tool that provides answers to common New Hampshire surface water quality questions, using reputable data to support the answers. Subcommittee members are in the process of determining what are the most common water quality related questions being asked about New Hampshire surface waters.

3) State Budget Status and Impact

Tracie shared that the New Hampshire state budget was finally passed. There is now funding for the Instream Flow Program to hire a hydrologist (a new position) and support ongoing projects.

4) LMPP Program Updates

Tracie shared a few lake-related items of interest including complaints regarding The Dive (a commercial barge on Lake Winnepesaukee), an interest from residents around Post Pond in Lyme in developing lake association, a resident on Long Pond in Danville with questions regarding lake levels and private dam ownership, and the concept of replicating leaks in repaired dams to assist with instream flow. Additionally, the Water Quality Standards Advisory Committee at NHDES is looking to develop PFAS standards for surface water in New Hampshire, as required by statute to be developed by January 2020.

5) Instream Flow Program Update

Wayne Ives presented that the Instream Flow (ISF) Program continues to work on the Lamprey, Souhegan, and Cold rivers, and will begin work on the Warner River in 2020. Gomez and Sullivan have been contracted to perform surveys on the Cold and Warner rivers. Wayne has begun to draft the management plan for the Cold River. Utilizing index gauges, the ISF program has been able to develop estimated 50-year streamflow records. Wayne is working with the Dam Bureau to design outflow structures for the dams on the Souhegan River that will allow relief pulses.

V. Surplus Land Reviews

1) SLR 19-006 Hampton Result

Tracie informed the LMAC that CORD approved the disposal of the SLR 19-006 in Hampton with an amendment to perform a preconstruction archeological study of the area. The sale was approved with an emphasis on environmental protection and education for development project proposals. It was mentioned to CORD members that LMAC letters were in their packets, but the letters were not discussed. Tracie explained that any future proposed project will have to acquire a wetlands permit and likely an alteration of terrain permit. Because access to these properties is from a federal highway, any construction will also have to meet federal law requirements. Tracie informed the LMAC that the RMAC discussed the SLR outcome in their most recent meeting and they voted to send a letter to CORD asking them to reconsider their decision, and send a second letter to the Long Range Capital Planning and Utilization Committee asking them to consider the original recommendation of the RMAC to establish a conservation easement on the wetland.

2) SLRs Outside LMAC Jurisdiction

Jen Drociak presented on four SLRs which were outside of the LMAC Jurisdiction: 19-003 Berlin, SP-012815 Warner, 19-007 Hopkinton, and an inquiry in Thornton on the Pemigewasset River. All project locations did not fall within 250 feet of any lake, therefore no action is required of the LMAC.

VI. Lake-related Legislation

1) 2019 Legislation Review

Tracie provided a brief review of the outcomes of the 2019 legislative season:

- HB 107–Retained, but \$200,000 /yr. was added in the budget for invasive aquatic species control grants.

- HB 325–Passed, boaters are now required to use boat cleaning tools when they are available at a boat ramp.
- HB 326–Vetoed by governor, relative to the definition of prime wetlands. Expected to appear again in 2020 legislation.
- HB 542–Inexpedient to Legislate, regarding a grant program to support municipalities in updating wetlands regulations.
- HB 543–Inexpedient to Legislate, a wetlands protection bill.
- HB 640–Retained, likely due to logistical complications in running the program this bill would establish.
- HB 682 –Did not pass, but part of it was inserted into another bill that did pass, which resulted in an increase of the permitting fees at NHDES.

2) 2020 Legislative Service Requests

LMPP staff has been reviewing LSRs for the 2020 Legislative season to find potential lake-related legislation. There are several LSRs concerning the Right-To-Know Law which will be tracked. Legislation will be further assessed once bill text is available to review.

VII. Member Comments

On behalf of Tiffany Grade, Tracie Sales presented that the Squam Lake Contaminants group is still waiting for EPA to send back the results from the fish tissue sampling. The New Hampshire Geological Society has recently conducted a flood risk analysis on the culverts near Squam Lake to determine culvert condition and if they are likely to fail and potentially spread contaminants.

VIII. New Business and Action Item Review

1) Next LMAC Meeting

A Doodle poll will be sent out to schedule the next LMAC and joint LMAC and RMAC meetings in early to mid-January.

- ***Garret Graaskamp motioned to adjourn the meeting. seconded by Dick Smith. Motion passed unanimously.***

David Packard adjourned the meeting at 2:59 pm.