

N.H. Lakes Management Advisory Committee

N.H. Lakes Management and Protection Program
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<https://www.lmac.des.nh.gov/>

LMAC MEETING MINUTES

January 18, 2023, 1:30pm – 3:30pm

New Hampshire Fish and Game, 11 Hazen Drive, Concord, NH

Members Present	Representing	Term	
Jared Maraio, Chair	NH Travel Council	August 1, 2025	V
Garret Graaskamp, V. Chair	NH Fish and Game Department	Indefinite	NV
Shane Bradt	Scientific Community, UNH	August 22, 2025	V
Eric Feldbaum	NH Dept. of Natural & Cultural Resources	Indefinite	NV
Jennifer Gilbert	NHBEA Office of Planning & Development	Indefinite	NV
Tiffany Grade (online)	Conservation Community	September 19, 2022	V
Mark Hemmerlein	NH Department of Transportation	Indefinite	NV
Sara Holland	NH Association of Realtors	June 27, 2023	V
Janet Kidder (online)	Planning Boards	August 1, 2023	V
Andrea LaMoreaux	NH LAKES	August 1, 2024	V
Frank Lemay	NH Business and Industry Association	July 8, 2025	V
Lisa Morin (online)	State Conservation Commission	August 1, 2024	V
Susan Price	NH Fish and Game Commission	August 1, 2024	V
Dick Smith	Fishing Interests	November 17, 2022	V
Steve Wingate	NH Assn. of Conservation Commissions	August 22, 2022	V

Members Absent

Ryan Cardella	Marine Dealers Association	August 22, 2023	V
Tim Dunleavy	NH Department of Safety	Indefinite	NV
Shawn Jasper	NH Dept. of Agriculture, Markets & Food	Indefinite	NV
Meredith Smith	Municipal Officials	August 1, 2024	V

NHDES Staff Present

Nisa Marks	Rivers and Lakes Management and Protection Programs
Tracie Sales	Rivers and Lakes Management and Protection Programs

No guests present

Chair Jared Maraio called the meeting to order at 1:30 PM. Three members attended virtually for personal reasons: Tiffany Grade, Janet Kidder and Lisa Morin.

I. Consent Calendar

Frank Lemay made a motion, seconded by Steve Wingate, to accept the consent calendar consisting of the November 9, 2022 meeting minutes, notice of one surplus land disposal not near any lake, and reauthorization of the LMAC's standing positions on legislation. It passed unanimously by roll call vote.

II. Discussion of Surplus Land Disposals Near Lakes

- 1) **2023 CORD 001 Belmont:** The proposal is to lease 375' of waterfront along the state-owned Concord-Lincoln Railroad, for three seasonal docks (five slips) in Lake Winnisquam. The lessee would install a pedestrian at-grade crossing at the railroad, and signage where access crosses the WOW paved multi-use rail trail. The site does not currently have public access and none is proposed. Docks would be used by the Sun Lake Village Association whose subdivision abuts the railroad property. The lessee may install a stairway down to the docks.

Sara asked if there is opportunity to not renew the lease at the end of the proposed five-year term. Mark described that the state can refuse to renew a lease if the lessee is not abiding by lease conditions. Eric pointed out that the lease would be governed by existing law that requires lease terms be no more than five years.

Frank Lemay moved to recommend for disposal the lease proposed in 2023 CORD 001 Belmont. Sara Holland seconded the motion.

Garret then recommended that the LMAC support disposal with the condition that the state retain the right to not renew the lease. After discussion the LMAC decided not to pursue that because leases are governed by existing law, which would already permit such a decision. **The motion to recommend for the property's disposal passed by a roll call vote of 10-1.**

- 2) **2023 CORD 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. NHDES agreed to repair the dam on the condition that it would be transferred to local ownership after repairs were done. In order to accomplish repairs, the Fish and Game Department transferred the property to NHDES. The Governor and Executive Council approved the transfer to NHDES on condition that the town eventually acquire the dam and easements on two associated abutting properties 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. People use the dam to fish and swim, and the town uses it as a water supply for fire protection.

Sara Holland made a motion to recommend for disposal the sale proposed in 2023 CORD 002 Warren. Frank Lemay seconded the motion, which passed unanimously by roll call.

III. Policy and Legislation

- 1) **Discussion of the LMAC's Legislative Role:** Nisa Marks and Tracie Sales provided an update on communications with the NHDES Commissioner, following questions from the LMAC at the November 9, 2022 meeting. There are no legal concerns with the LMAC communicating directly with legislature. The LMAC's main charge is to advise the Commissioner, who welcomes a closer relationship and communication about legislation.

Dick Smith raised concerns about the LMAC taking positions on legislation before hearing all the information presented at the hearings. Jared said that it is each member's responsibility to be familiar with the legislation and their appointing interest's position, and to communicate that to the LMAC in order to inform the LMAC's position.

- 2) **Changes to the Policy and Legislation Procedure:** Changes to the LMAC's procedure were proposed in order to reflect hybrid meetings, roll call vote requirements under 91-A and other administrative changes. **Frank Lemay made a motion to approve the proposed edits to the**

LMAC Policy and Legislation Procedure. Second by Susan Price and passed by a roll call vote of 9-0 with one abstention.

- 3) **2023 Legislation:** The LMAC discussed and voted on positions for the following bills, for which text was not out when the Policy and Legislation Subcommittee met or about which the Subcommittee requested that staff find additional information: HB186, HB236, HB472, HB592, SB12, SB60 and SB61.

In addition, Jared made a motion to accept the positions recommended by the Policy and Legislation Subcommittee on the following bills as a consent calendar: HB56, HB137, HB212, HB214, HB254, HB276, HB308, HB311, HB448, SB159 and LSR1014. Steve Wingate requested that HB448 be pulled from the consent calendar for a roll call vote. With that bill removed, Jared's motion was seconded by Andrea LaMoreaux and passed unanimously. There was not subsequently time for a roll call vote on HB448 before a member left and there was no longer an in-person quorum. As a result, that bill will be tracked.

In all, the LMAC voted to

- Track: HB186, HB212, HB254, HB276, HB448, SB60, SB61, SB159, LSR1014
- Support: HB56, HB137, HB308, HB311, HB472 (with amendment)
- Oppose: HB236, HB592
- Remove as not relevant: HB214, SB12

Chair Jared Maraijo adjourned the meeting at 3:43 PM. The remaining items on the agenda were not discussed due to time constraints.