

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 10, 2023, 9:00am – 12:00pm

DNCR, 172 Pembroke Rd., Concord, NH

Meeting held as a hybrid meeting due to inclement weather

| Members Present | Representing | Term | |
|----------------------------|---|--------------------|----|
| Andrea LaMoreaux, Chair | NH LAKES | August 1, 2024 | V |
| Garret Graaskamp, V. Chair | NH Fish and Game Department | Indefinite | NV |
| Tiffany Grade (virtual) | Conservation Community | September 19, 2025 | V |
| Mark Hemmerlein | NH Department of Transportation | Indefinite | NV |
| Janet Kidder | Planning Boards | August 1, 2023 | V |
| Frank Lemay | NH Business and Industry Association | July 8, 2025 | V |
| Joanie McIntire | NH Association of Realtors | June 27, 2026 | V |
| Amanda McQuaid | Scientific Community, UNH | August 22, 2025 | V |
| Susan Price | Fish and Game Commission | August 22, 2024 | V |
| Steve Wingate | NH Assn. of Conservation Commissions | August 22, 2025 | V |
| Allen Wyman | NH Dept. of Agriculture, Markets & Food | Indefinite | NV |

Members Absent

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|---------------|---|-------------------|----|
| Ryan Cardella | NH Marine Trades Association | August 22, 2023 | V |
| Tim Dunleavy | Department of Safety | Indefinite | NV |
| Eric Feldbaum | NH Dept. of Natural & Cultural Resources | Indefinite | NV |
| Lisa Morin | State Conservation Commission | August 1, 2024 | V |
| Dick Smith | Fishing Interests | November 17, 2025 | V |
| Vacant | Municipal Official of a Lakefront Community | | V |
| Vacant | NH Travel Council | | V |
| Vacant | NH Dept. of Business and Economic Affairs | | NV |

NHDES Staff Present

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

Guests Present

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|---------------------|---|
| Brea Arvidson | NH LAKES |
| Jamie Irving | Planning Boards |
| Michele L. Tremblay | New Hampshire Rivers Council/Rivers Management Advisory Committee |

I. **Welcome and Introductions:** With Chair Andrea LaMoreaux unavailable at the beginning of the meeting, Vice Chair Garret Graaskamp called the meeting to order at 9:11. This meeting was

conducted under emergency provisions of 91-A because of the weather and unsafe road conditions.

II. Update on Loon Contaminants Report: The Loon Preservation Committee (LPC) partnered with NHDES to test 144 inviable loon eggs from across the state for PFAS contaminants. Tiffany Grade gave an update on the draft report from that work, which has been submitted to NHDES but is not yet public. Elevated PFAS levels were observed in some samples, and the report recommends NHDES test fish tissue to determine if a fish consumption advisory is appropriate where those samples were taken. Finding contaminants in loons suggest that contaminants are present throughout the rest of the food chain. LPC recommends the continued monitoring of PFAS across the state and further study to understand the impacts of PFAS contamination on wildlife and human health.

Amanda McQuaid asked if fish consumption advisories are species-specific or for all fish. Nisa Marks gave people the link to the table of current fish advisories. Steve Wingate asked about the impacts of PFAS on public drinking water. Tracie Sales said that past studies showed bioaccumulation of PFAS in fish and loons, but that PFAS has generally been below detection limits in water samples taken from the same sites. Garret asked if there are differences in how PFAS bioaccumulates compared to other contaminants like PCBs or lead. Tiffany said that PFAS binds to proteins (unlike PCBs, which bind to fat), which means it is not well understood how PFAS moves through the food web. PFAS tends to cause chronic health issues and may impact breeding success, whereas lead causes acute toxicity.

III. RMAC/LMAC State Lands Mapping Joint Subcommittee Update: Subcommittee chair Michele L. Tremblay described that the Subcommittee is reviewing state-owned lands and making a recommendation to retain or dispose of each parcel. The Subcommittee has reviewed all river-related parcels in Sullivan County and now is reviewing parcels in Rockingham County. Michele asked for additional volunteers from the LMAC to join the subcommittee. Garret, Steve and Janet Kidder offered to join. Tracie will send meeting invitation details to them.

IV. Consent Calendar:

- ***Frank Lemay moved to accept the consent calendar, consisting of the December 6, 2023 meeting minutes and notice of CORD SLRs 24-001 Lebanon and 24-002 Bennington. Tiffany seconded the motion, which passed unanimously by roll call with Susan Price abstaining.***

V. 2024 Legislative Positions: Garret opened by asking for discussion on HB 1229, for which the Policy and Legislation Subcommittee did not provide a recommended position. The bill would require notification of the requirements of the Shoreland Water Quality Protection Act at the time of a property's rental, purchase or transfer. NH LAKES supports the bill. The Fish and Game Commission is not taking a position on the bill. Frank supported the intent of the bill, but expressed concern about the proposed fines for noncompliance, as the buyer would be liable but would only have whatever information a realtor provided. Tracie said that regardless of this bill, the buyer is responsible for following the requirements of the Shoreland Act. Joanie McIntire expressed concern that the notification requirement would be minimally effective because of the volume of other information and paperwork presented at closing. She also said the associated paperwork would be burdensome, particularly when applied to renters.

- ***Steve Wingate made a motion for the LMAC to support HB 1229 with an amendment to exclude rental properties. Janet Kidder seconded the motion, which passed with 4 yes, 1 no, and 2 abstentions.***

| Member name | Vote |
|-------------|------|
|-------------|------|

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|-----------------|---------|
| Tiffany Grade | Yes |
| Janet Kidder | Yes |
| Frank Lemay | Yes |
| Joanie McIntire | No |
| Amanda McQuaid | Abstain |
| Susan Price | Abstain |
| Steve Wingate | Yes |

Garret opened discussion on the list of positions recommended by the LMAC Policy and Legislation Subcommittee. Susan asked to remove HB 1121, HB 1143, HB 1304, HB 1417 and SB 533 from consent because the Fish and Game Commission took positions other than those recommended by the LMAC Policy and Legislation Subcommittee. Frank asked to remove HB 1301, HB 1390 and SB 431 from consent as the NH Business and Industry Association had not yet taken a position on them. The LMAC Policy and Legislation Subcommittee had previously asked staff for additional information on HB 1613 prior to taking a position. Tracie summarized the bill, which would establish an environmental trust fund but potentially have implications for designated funds including ones used by the Rivers and Lakes Programs.

- **Garret Graaskamp moved to track HB 1613 and to accept the LMAC Policy and Legislation Subcommittee’s recommended positions as follows:**
 - **Support:** HB 1103, HB 1113, HB 1250, HB 1293, HB 1314, HB 1360, HB 1562, SB 394 and SB 543.
 - **Oppose:** HB 1049, HB 1158, HB 1294, HB 1576.
 - **Track:** HB 1139, HB 1140, HB 1141, HB 1208, HB 1291, HB 1401, HB 1429, HB 1503 and SB 539.
 - **Delete:** HB 1440.
 - **Removed from consent:** HB 1121, HB 1143, HB 1301, HB 1304, HB 1390, HB 1417, SB 431 and SB 533.

The motion was seconded by Frank Lemay, and passed by roll call vote.

| Member name | Vote |
|-----------------|---------|
| Tiffany Grade | Yes |
| Janet Kidder | Yes |
| Frank Lemay | Yes |
| Joanie McIntire | Yes |
| Amanda McQuaid | Abstain |
| Susan Price | Abstain |
| Steve Wingate | Yes |

- **Tiffany Grade moved to approve the Policy and Legislation Subcommittee’s recommended positions for the following bills:**
 - **Support:** HB 1143, HB 1304, SB 533
 - **Track:** HB 1121, HB 1417

Joanie McIntire seconded the motion, which passed by roll call vote. Susan Price noted that the Fish and Game Commission opposes HB 1121, HB 1143, HB 1417, and SB 533. The Commission supports HB 1304.

| Member name | Vote |
|---------------|------|
| Tiffany Grade | Yes |
| Janet Kidder | Yes |

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|-----------------|---------|
| Frank Lemay | Yes |
| Joanie McIntire | Yes |
| Amanda McQuaid | Abstain |
| Susan Price | No |
| Steve Wingate | Yes |

- ***Tiffany Grade moved to approve the Policy and Legislation Subcommittee’s recommended positions for the following bills:***
 - ***Support: HB 1301, HB 1390***
 - ***Oppose: SB 431***

Steve Wingate seconded the motion, which passed by roll call vote. Frank Lemay noted that the Business and Industry Association had not yet considered these three bills.

| Member name | Vote |
|--------------------|-------------|
| Tiffany Grade | Yes |
| Janet Kidder | Yes |
| Frank Lemay | Abstain |
| Joanie McIntire | Yes |
| Amanda McQuaid | Abstain |
| Susan Price | Abstain |
| Steve Wingate | Yes |

- ***Steve Wingate moved to reapprove the LMAC’s existing standing positions on legislation and to add the position to support bills or policies that provide funding for cyanobacteria and/or associated watershed planning work. Joanie McIntire seconded the motion, which passed by roll call vote.***

| Member name | Vote |
|--------------------|-------------|
| Tiffany Grade | Yes |
| Janet Kidder | Yes |
| Frank Lemay | Yes |
| Joanie McIntire | Yes |
| Amanda McQuaid | Abstain |
| Susan Price | Abstain |
| Steve Wingate | Yes |

VI. New Hampshire’s Cyanobacteria Plan – Nisa provided an overview of New Hampshire’s Cyanobacteria Plan, which was published in November 2023. In response to a request at the LMAC’s last meeting, Nisa identified five areas for potential LMAC engagement: legislative advocacy, advocating for funding, advising NHDES on the Nonpoint Source Management Program Plan (NPS plan), promoting the development and implementation of municipal policies to reduce nutrient pollution, and stakeholder education. The LMAC discussed these five ideas.

Steve said there are a lot of needs at the municipal level, especially for funding for culvert and road maintenance. Garret expressed concern that the LMAC may not have the right skills for municipal engagement given that most people are representing statewide interest groups. He suggested hosting fundraisers across the state or advising NHDES on how to spend existing funding. Steve said the LMAC could help develop talking points for each stakeholder organization, such as what cyanobacteria means for realtors. Joanie said she sometimes crosses properties off people’s list because of blooms, but that many realtors do not know about water quality issues. She suggested there be a continuing education

course for realtors. Amanda asked if each member organization is doing work on whatever project is selected, or if the LMAC would work collectively on a project.

Mark expressed interest in the cyanobacteria plan's action items to review NHDES regulations and to advise NHDES on the NPS plan. He also highlighted that there is no state funding source for addressing non-point source pollution. Steve said it is challenging to make people understand why that funding is needed. He suggested a "train the trainer" model for cyanobacteria presentations aimed at getting more funding.

Mark said that work on the NPS plan is most in line with the LMAC's mission of advising NHDES. For example, he said that the LMAC itself would not be doing presentations, but that the LMAC could advise NHDES on who to present to or suggest ways for NHDES to work with the organizations that LMAC members represent in order to help with education efforts. Frank suggested each LMAC representative poll their organization's members to learn what LMAC representatives could do to assist their members on cyanobacteria issues.

Speaking on behalf of NHDES, Tracie said that the NPS plan is a five-year plan, meaning that the current opportunity to provide input is a narrow window. She said that NHDES does not currently need help on a request for funding, but in the future may need the support of outside groups for agency budget requests.

Joanie suggested that municipal engagement is potentially a low-cost opportunity to address misinformation. For example, municipal association and realtors are hearing a lot about septic systems. Is that actually the place where the science suggests action is needed? She suggested that the LMAC can help by using the data to suggest what types of education are needed. Steve said the LMAC could use its diversity to help NHDES develop a saleable message, particularly to the legislature.

Tiffany suggested that the LMAC be given a presentation about the NPS plan, and then engage by providing input to NHDES on that plan. Nisa suggested that staff work with colleagues to develop a bullet list of questions for the LMAC about the strategies in the draft NPS plan, then share that with the group to guide discussion at the next meeting. The LMAC agreed to this approach. Allen Wyman pointed out that addressing nonpoint sources of pollution requires many stakeholders to work together, making it a good topic for a stakeholder group.

VII. LMAC Administrative Updates – Nisa Marks reminded members to submit their annual financial disclosure form.

Garret Graaskamp adjourned the meeting at 11:59 AM.