

Ammonoosuc River Local Advisory Committee (LAC) Meeting Approved Minutes

Haverhill, Bath, Landaff, Lisbon, Littleton, Bethlehem, Carroll

Wednesday, November 5, 2014

Members in Attendance: (Haverhill) Bill Harris; (Bath) Rick Walling; (Landaff) Marilyn Booth; (Lisbon) Steve Jesseman; (Littleton) Charlie Ryan, Chris Hodge, Connie McDade, (Carroll) Joan Karpf

Members Absent: (Landaff) Errol Peters; (Lisbon) Rosalind Page; (Littleton) Jessica Willis; (Bethlehem) Marilyn Johnson

Guests in Attendance: Jacquie Colburn, NHDES Rivers Coordinator, Linda Magoon, NHDES Wetlands Bureau Compliance Supervisor, attending in place of Jeff Blecharczyk, NHDES Wetlands Bureau Compliance Inspector

Other Guests: Rachelle Lyons, Agriculture & Environment Coordinator, Plymouth State University Center for Rural Partnership and Zach LeBreux, Student

Review and Approval of Minutes

Chairman Ryan opened the meeting at 4:30 p.m. at Senior Center, Littleton. Connie made correction to the spelling of John Magee's last name; motion by Joan to accept minutes as corrected, seconded by Chris. Passed.

Treasurer's Report

Jessica provided a written report by e-mail, showing a check for \$49.95 was drawn, leaving \$1221.16 balance in the account. Charlie discussed the 2015 town dues letters. Need to decide which representative for each town will deliver the letter to their town office. Deliver it now so it goes to the budget committees in timely manner for the 2015 budget.

Correspondence

1. Announcements and Letters

- Copy of NHDES notice to Jeff Winn in Littleton was received. Jeff did not file the required report by the deadline. Members told Jacquie and Linda the stockpiled dunes vary in content; the dune with asphalt aggregate is of greatest concern. Bill said the silt screening currently in place is inadequate to protect the river. NHDES can view the stockpiled dunes from Route 302/10.
- Chris reported remediation at the Palmer Brook Culvert Project in Littleton has been completed. He expressed appreciation to John Magee, NH Fish & Game Habitat Biologist, who was an ally in getting the rocky fish passage transitioned from stream to culvert as well as adding plantings to shade where natural vegetation was removed.
- Jacquie said the Easton Meeting on 9/29 for nomination of Ham Branch Watershed into RMPP was continued; hearing to take place November 10 from 6:30 to 8 p.m. in Easton. Chairman Ryan sent a letter of support for the designation and Connie attended the 9/29 meeting, speaking in support of the Ham Branch designation on behalf of the Ammo LAC. Charlie asked Jacquie to tell Easton Conservation Commission that they are welcomed to attend our LAC Meetings, if we can be of any help to them as they move forward with the designation.
- Ammonoosuc River LAC members (Rick, Chris with his son Miles, Marilyn Johnson, Joan and Connie) attended the Wild & Scenic Film Festival, in Bethlehem on 10/14/14. Rachelle asked for feedback on the festival. Favorable reviews were given; it was especially nice to see involvement by next generation of recruits.

2. Incoming Permit Applications

- NHDES File #2014-03054 Wetland Application (minor impact) Rotobec project, Littleton for construction of building addition of 26,600sf and relocation a 4,000sf portion of existing building (pre-engineered metal bldg.) with stormwater runoff

directed to existing stormwater drainage. Proposed Project increases impervious surface 10,000sf. Chris has walked the site many times in his role of zoning officer and said he sees no problem with the project, as proposed. Members concurred. Charlie will send comments before deadline.

- NHDES File #2014-02818 Standard Dredge & Fill Application for culvert, in Bath was reviewed. Rick visited the site. (Charlie sent comments: no problem with the project, which needs to be done.)
- NHDOT Project #28653 Shoreland by Notification Application to replace guardrails along Route 302/10 in Lisbon/Littleton. Steve and the Littleton LAC representatives viewed the guardrails. (Charlie sent comments: no problem with this project, as proposed, provided BMPs are followed during construction. It is our opinion guardrails currently in place are in need of updating, as they are dangerous.)

Old Business (Northern Pass: not discussed)

New Business

1. Town Issues

- Carroll
Charlie asked Joan, if anything has been done about the plantings that have not taken hold at the Overlook. Joan said the last she knew, remediation has not taken place.
- Haverhill
Across the road from Slicks, the silt fencing has been placed against the cornfield instead of where needed. Jacquie said she'd communicate with DOT.
- Lisbon (1)
Where culvert goes across the road to the restored barn on Main Street, Steve observed someone, he assumes the owner, has dug a ditch across the property (approximately 100' long) to the west side of the barn. Not sure of the purpose, whether for drainage or piping.
- Lisbon (2)
Steve reported on the proposed project (discussed at Public Hearing on 10/15): earth excavation on River Road. Steve took photos that raise concerns. Steve will keep LAC in the loop about subsequent decisions being made for the proposed project.
- Littleton
Did not get a chance to discuss flooding at Ammonoosuc River Viewing Area, during heavy rains 10/16. Members will observe location during future deluges of rain.

2. Other

- Jacquie inquired if source of sedimentation in the Ammo River between Bath and Lisbon reported on in August was ever identified. Bank erosion was one possible source but no conclusion as to cause. Bill said the River wasn't very high at the time. He said the sand was finer than usual and he never saw that amount of sediment before. He added the water was orange in color instead of the usual brown when sediment is high. He had to shut the water plant down for the day.
- Charlie asked Jacquie, if third order streams were added to designated water bodies that would be protected under the Shoreland Protection Act. LAC received a copy of HB665H draft of changes to Comprehensive Shoreland Protection Act in 2007, which talked about 3rd order streams. Linda said the amended bill did not pass. Jacquie said all designated rivers, regardless of order, fall under Shoreland Protection Act.

NHDES Rivers Coordinator Jacquie Colburn and Wetlands Bureau Compliance Inspector Linda Magoon informed LAC members about the Notice of Violation and subsequent actions taken on the Littleton Island Property as follows:

1. Jacquie said correspondence was sent to Renaissance Mills Owner, Ron Murro, regarding backhoe and bush hog activity that took place on the island, apparently in preparation for a town event. Linda said DES response varies, according to the written Compliance Assurance Policy. The process makes use of tools that are based on factors, i.e., a history of violations, should have known, economic benefit to violate the law, ongoing harm, how cooperative the person is, size of the violation, damage to public waterway, and or failed to take good faith actions. See complete reference at RSA483-B:18 for more information. Jacquie said the file is still open through next year. Inspector Jeff Blecharczyk looked at it under RSA483-B:5 “A permit is needed within protected shoreland before a person commences construction, excavation, or filling activities within the protected shoreland.” LAC members inquired if the restoration plan has been received from Mr. Murro. Jacquie replied the DES was not going to push for it because conditions are such that plantings would be washed away this winter. The owner of the island has been placed on notice. The DES plans to use the event as an opportunity to provide education. LAC members reported there are 5 piles of brush and limbs that still remain on the island that should be picked up instead of washing downstream. Jacquie said she would notify Ron Murro that the piles should be removed manually.
2. Jacquie encouraged LAC to make use of available educational opportunities for the public about the river. Joan informed Jacquie about the 1st Annual Riverflow Event planned in Littleton for May 2015. To date, the town committee working on the project has not collaborated with LAC, seemingly viewing LAC as an enforcer of regulations.
3. Joan asked Jacquie whether sizing regulation of culvert replacement will take into account the predictions of increased storm water runoff in the future. Jacquie replied that FEMA current requirement is to replace in kind.
4. Connie reported that the VRAP volunteers (Leslie, Jess, and Connie) water testing on September 9 at the Cottage Street testing station observed that brush had been appreciably cut back on the south side river shoreland, extending from the end of the parking lot behind the bike shop toward the covered bridge island location. Unknown when the slope grooming took place. Jacquie said the DES was unaware this area had been cut and she would check up on it.
5. Chris said trash is being washed up on the bend of the river just beyond town in Littleton. It appears to be coming from the Schilling property, where more than 10 trash barrels are overflowing with litter dispersed all over the ground. Chris sent the owner a letter and spoke with him several times, as the problem has continued on. There appears to be inadequate space next to this business for dumpsters. It is a health issue and not only detrimental for the river, but also not good for the restaurant business if it is to remain inviting for customers. Chris to send photos to Jacquie. LAC members discussed importance of addressing this issue at their upcoming December meeting.
6. Discussion followed about who owns the shoreland and the river itself. Steve reported someone recently came to his KOA Campground with permit in hand to get his permission to trap. Jacquie said shoreland ownership goes to the thread of the stream (middle of the river). Chris said he'd provide members with info about trapping regulations. See below.

No person may set, arrange or tend any trap/snare upon any land or from the shores of any waters of which he is not the owner or occupant unless he has signed, written permission, and until a copy is filed with the conservation officer in whose district said person is going to trap, together with a description of the land on which trapping is to be done. The only exceptions are traps/snare placed in public bodies of water as defined in RSA 271:20 and on the following named rivers: Androscoggin, Ammonoosuc, Ashuelot,

Bearcamp, Contoocook, Connecticut, Cocheco, Exeter, Lamprey, Mascoma, Merrimack, Merrymeeting, Isinglass, Pemigewasset, Pine, Saco, Soucook, Suncook and Winnepesaukee and their navigable tributaries. Navigable tributaries are those waters from the tributary's mouth to a point upstream where a person can row a boat or paddle a canoe when the water in the stream is in its ordinary condition.

7. Bill reported on mechanized dredging for gold, which recently took place in the Wild Ammonoosuc River by the owner of shoreland property located right by the dredging site. The man doing recreational dredging left the gas filled apparatus in the river overnight at close of the day's activity. Bill contacted NH Fish & Game. The Bath Constable was called in and tracked the person down. The constable removed the equipment from the river. Linda Magoon advised: Although the gold dredger did not have to seek shoreland owner permission in writing because he's the owner of the land, the dredging being mechanized required him to obtain a permit from the DES before starting this activity. The rule also states that mechanized equipment must be removed from the site upon completion of the day's activity.

Rachelle Lyons, Agriculture & Environment Coordinator of CRP Staff of PSU, informed LAC about the fieldwork done by the students for ACT, TU, and NH F&G this past summer. Rachelle introduced student Zach LeBreux, who also talked about the project. Rachelle reported on results of the project along Ham Branch in Easton. Outreach to landowners provided opportunity for education about best landowner practices next to streams. Priorities ahead include: the Salmon Hole habitat, stream assessments, species of fish in reproducing populations, the river system as a whole, connectivity, and encouraging easement placement. Future plan is to show the importance of tributaries flowing into the river. Connie said the Ammo LAC has not identified and mapped all the tributaries flowing into the river and that would be a project that members likely would be interested in collaborating on. Trout Unlimited-NH Fish and Game EBT Studies would be an info source about the tributaries that have been studied to date. Rachelle asked LAC members to recommend an Ammo River tributary they'd like to have an assessment done on. Marilyn Booth suggested Mill Brook in Landaff, a beautiful stream that flows by dairy farms with a graded slope that maintains volume and river velocity as it heads toward the Ammonoosuc River. LAC members concurred with this choice. The \$5,000 Mitigation Enhancement Fund of present project supporters included: The NH Charitable Foundation, Trout Unlimited, NH Fish & Game, ACT, PSU, Town of Easton, Town of Sugar Hill, and Franconia. Rachelle inquired if LAC would be willing to write a letter of support to offset cost of future project, when they are ready to apply for grants. Charlie said we certainly would be glad to do so. LAC members are pleased this allied group is involved in river stewardship.

Adjournment

Steve made the motion to adjourn, seconded by Chris. Passed. Meeting adjourned at 6:45 p.m.

Respectfully submitted by Connie McDade

[Next Meeting Takes Place on Wednesday, December 3](#)