

LAKES MANAGEMENT ADVISORY COMMITTEE
NH Lakes Management and Protection Program



New Hampshire Department of Environmental Services
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MEETING MINUTES
September 25, 2009
Squam Lake Association – Holderness, NH
9:00 a.m. – 11:00 a.m.

Members present:

Phil O'Brien, Ph.D., Chair
Wendell Berry
Bill Carpenter
Jim Haney, Ph.D.
Diane Hanley
Mark Hemmerlein
Eric Orff
Fred Murphy
Larry Sunderland, Vice Chair

Representing:

NH Lakes Association
NH Business and Industry Assn
Commissioner Rep, DRED
Scientific Community, UNH
Conservation Commissions
Commissioner Rep, DOT
NH Fish & Game Commission
Planning Board
Conservation Community

Term:

August 1, 2009
July 8, 2010
Indefinite
August 22, 2010
August 22, 2010
Indefinite
August 22, 2012
August 1, 2011
September 19, 2010

Members not present:

Jennifer Czysz	Director Rep, Office of Energy & Planning	Indefinite
Mark Gallagher	Commissioner Rep, DOS	Indefinite
Dennis Pavlicek	Municipal Official	August 1, 2009
Bo Quackenbos	NH Association of Realtors	June 27, 2011
Mike Racine	Ex. Dir. Rep, F & G	Indefinite
Ken P. Wilson	NH Marine Dealers Association	August 22, 2011
Vacant	Tourism Industry	Expired
Vacant	Commissioner, Dept. of Agr., Markets & Food	Indefinite

Staff Present

Jacquie Colburn	Lakes Coordinator, Watershed Management Bureau (WMB)
Jenn Rowden	Assistant Planner, Watershed Management Bureau
Carolyn Guerdet	Admin. Asst., Water Division

Guests

Josh Carroll	Dept. of Recreational Management, UNH
Jeff Schloss	Cooperative Extension, UNH
Valerie Thayer	Guest
John Cooley	Loon Preservation Committee
June Hammond Rowan	Squam Lakes Association Board member

I. Opening

Chairman O'Brien called the meeting to order and introduced new committee member, Eric Orff of the NH Fish and Game Commission. Committee members then introduced themselves.

Minutes

A quorum was not present so the minutes will be addressed at the next meeting.

Status of Committee Membership

Chairman O'Brien and Dennis Pavlicek have been reappointed to the LMAC. Jacquie said that in July she had spoken briefly with Jim Morash, past Tourism representative, and that he expressed an interest in seeking reappointment to the LMAC.

Other Committee Business

Relative to the on June 30, 2011 sunset provision of advisory commissions and committees as called for in HB2; Jacquie talked with Laura Weit, Interim Rivers Management Coordinator, who in turn spoke with Representative Mike Kappler who agreed to add the LMAC to the bill that he will submit requesting an exemption for the RMAC.

With the state's new accounting system it is necessary for the committee members to fill out new alternate W-9 forms to be filled out and returned to Jacquie.

II. Key Discussion Issues

1) Squam Lake Presentation – Josh Carroll, UNH

Josh presented an overview of the Water Recreation Opportunity Spectrum (WROS) to the committee; this was a follow-up to last year's lake visit. A WROS study was done in 2008 on Squam Lake and the methodology could be used as part of a carrying capacity study.

The WROS is an inventory, assessment, and planning tool which has been adopted by the United States Department the Interior Bureau of Reclamation to help manage water resources. WROS can be used to understand and describe six different water-related recreation opportunities, otherwise known as WROS classes. These classes take into account the recreational setting from a physical and managerial standpoint, the experience recreational users can expect, and the benefits of recreation to the individual, community, economy and environment. The six WROS classes range on a spectrum of urban (U), suburban (S), rural developed (RD), rural natural (RN), semi primitive (SP), and primitive (P). These labels are not definitive as the scoring system can represent intermediary zones that fall between the WROS classes, and give even more descriptive information. The WROS can be used on any body of water as a tool for inventorying current recreational opportunities, as a planning tool for making changes or a management tool to create guidelines.

The work done on Squam Lake for the Squam Lakes Association combined the WROS classes and water quality information collected through the UNH Lay Lakes Monitoring Program. The goal of combining the WROS findings with the water quality information was to identify areas of high concern, consider what factors contribute to the prevailing threats and make suggestions to managers and policy makers that will limit these threats.

Benefits of WROS:

- Visual understanding
- Assessment of proposed changes
- Regional view/value
- Understandable to stake holders
- Communication tool
- Valuable policy leveraging tool

2) Proposed Revision to RSA 483-A – Jenn Rowden

With the possibility of developing a carrying capacity pilot project it became clear that carrying capacity needed to be more prominent in the Lake Management and Protection Program statute (RSA 483-A). If carrying capacity was to become defined in the statute, then the opportunity to make other revisions to the statute should be made at the same time.

Major proposed changes include:

- Clarification that protection of water quality standards comes first (483-A:1).
- Adding a definition of carrying capacity (483-A:2). More discussion below.
- Changes to the LMAC membership (483-A:6), including:
 - Elimination of the state conservation committee representative.
 - Changing the conservation interest representative to now be nominated by the NH Loon Preservation Committee.
 - Allowing the scientific community representative to be nominated by the state university system.

- Procedural changes for LMAC member replacement and the inclusion of mileage reimbursement (as department appropriations permit)
- Changes to the development of lake management plans(483-A:7), including:
 - They must be consistent with carrying capacity of a lake.
 - A public hearing must be held prior to the LMAC or DES accepting a management plan.
 - Towns may adopt a lake management plan as part of their Master Plan.
- Requirement that the LMAC develop a biennial report to be submitted to the legislature (483-A:6).
- Establishing a non-lapsing, dedicated Lakes Management and Protection Fund in the case that a donation is ever made to the Lakes Program (483-A:8). This could be a stand alone fund or could possibly be combined with the newly created Rivers Management and Protection Fund.

Major discussion revolved around the definition of carrying capacity and the terms “unreasonably degrading” and “ecological integrity”. Concerns were raised regarding whether the term “unreasonably degrading” would actually allow lakes to be degraded in some instances and if the anti-degradation clause in the federal Clean Water Act should even be in the carrying capacity definition. Questions were raised with what was meant by “ecological integrity” and whether that would include items outside of the lake.

The work on the definition of carrying capacity and other suggested changes will continue. The revisions will be discussed at the next meeting.

III. General Updates:

1) 2009 Lake-Related Legislation

- 1) The bill concerning phosphorus in dishwashing detergent was signed into law and will go into effect July 2010.
- 2) Leasing of state-owned property in SB107 was increased from \$25 to \$30 per foot along railroad corridors, with the Consumer Price Index adjustments every 5 years for residential only.
- 3) Changes to the Comprehensive Shoreland Protection Act were signed into law.

2) Sustainability Initiative – Jenn Rowden

The DES commissioner has approved a group of DES staff, beyond Lakes and River Program staff, to work with the LMAC and RMAC to develop water and watershed indicators with the goal of better communicating the status of water and watershed health in the state to the general public. Volunteers for RMAC/ LMAC data subcommittee will be needed in the next few weeks.

3) Jump Into Lake Management: Guidelines and CLI - Jacquie Colburn

The project has been completed and the new guidelines were distributed to the LMAC members. Jacquie will go through it with the committee at the November meeting.

III. Other Business:

Member Updates and Future Agenda Items

- 1) Don Kent will be at the next meeting to give an update on Ossipee.
- 2) Fred Murphy asked for the following:
 - a. Asked to review the Sustainability Initiative; and
 - b. How to move it into our process – the 303D list.
- 3) Jim Haney reported Milton is proposing a shoreline protection ordinance and adopting the 1st and 2nd order streams.

Next meeting is Friday, November 6, 2009.

The meeting concluded at 10:55 AM.