

LMRLAC – September 22, 2011

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

September 22, 2011

Members:

- ✓ = present

Current:

- ✓ Kathryn Nelson (Chair) -- Nashua
Michael Redding (Vice Chair) – Merrimack
- ✓ Karen Archambault (Secretary) – Nashua
- ✓ Michael Croteau - Litchfield
- ✓ Nelson Disco - Merrimack
- ✓ George May – Merrimack
Bob Robbins – Hudson
David Scaer – Hudson

Pending Renewal:

- ✓ Jim Barnes (Treasurer) – Hudson
Glenn McKibben – Litchfield

Associate Members:

Mildred Mugica – Nashua

Also in attendance:

- Geoff Daly, corridor resident and potential member, Nashua
- Ron Hamel, Merrimack River Valley chapter of Trout Unlimited
- Barbara Pressly, Nashua
- Lucy St. John, Deputy Planning Manager, City of Nashua
- Tracie Sales, Water Resources Manager, Merrimack River Watershed Council

The meeting was called to order at 7:05 pm in the Music/Art/Media section at the Nashua Public Library by Chair Kath Nelson. Kath stated that Michael Redding and Bob Robbins had informed her they would be unable to attend the meeting.

Kath stated the agenda for the evening will consist of local updates, the status of water quality monitoring, and some discussion on future planning.

General Discussion

Local Updates – Nashua

Kath mentioned that she had received notification from Ms. St. John that the monitoring wells were being installed on the Keyspan site on Bridge Street in Nashua.

Local Updates – Merrimack

Nelson stated that work continues on the Souhegan River bridge. He also mentioned that silt has settled in as a sandbar downstream from the former location of the Merrimack Village Dam. The sandbar is used as a beach and swimming area. George commented that a water quality monitoring site has been moved to the area in response to the public use there.

Local Updates – Region

Water Quality Monitoring

George explained that Karen Mattor is now running the water quality monitoring program. She had previously served as the volunteer coordinator for several years. He stated that the results this year continue to indicate that the Merrimack is generally clean for what's being tested. He

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stated that e. coli levels are generally “very acceptable”. George stated the sample sites are located between Manchester and Tyngsborough.

George explained that rain events generate high counts. He cited one example from about three weeks ago when Tuesday morning sampling followed a heavy rain. He stated the results were off the charts (samples are measured for a range of values, and so can generate a result above the maximum measured value), and stated that’s a typical result after heavy rains.

Kath explained there are two reasons that wet weather causes high counts. The first is general runoff, and the other is discharge from pipes.

Ms. Sales explained that the Merrimack River Watershed Council (MRWC) has two sampling projects. One is a monthly sampling that occurs at locations from Greeley Park to the mouth of the Merrimack River. The second project is a more intense sampling in Lowell and Lawrence. The more intense sampling is an attempt to learn how long it takes the river to get back to normal after a rain event. She explained that the data indicated it took 4-5 days for the river to recover after Tropical Storm Irene. More typically, it takes about a day for the river to recover.

Jim asked if there were changes noticed from the recent lowering of the Boott Hydropower Dam in Lowell. Ms. Sales replied she is not sure whether they captured results from that.

George mentioned that their monitoring doesn’t go after anything specific unless something is noticed. For example, if a site has particularly high counts, the sampler may go back to try to get more data from the site.

Mr. Daly asked about whether adding a velocity meter at Taylor’s Falls Bridge would help with the monitoring programs. Ms. Sales replied that the MRWC uses US Geological Survey study calculations to estimate velocity.

Mr. Daly asked whether flow can cause backup on tributaries and whether that affects water quality. He mentioned that he has seen a whirlpool where the Nashua flows into the Merrimack and it appeared that water was flowing from the Merrimack into the Nashua. Kath suggested it may have been an eddy and not an actual backup.

George commented that he would like to measure conductivity. Ms. Sales replied that the MRWC had applied to the EPA equipment loan program for a HOB0 for temperature and conductivity, but was turned down. Ms. Sales suggested that the MRWC and the Souhegan water sampling groups could work together to apply to the EPA program.

Kath mentioned that the Nashua River Watershed Association (NRWA) has meters, obtained with a grant. She explained the NRWA has a handheld meter and pocket testers. Ms. Sales mentioned that the MRWC also has equipment to take measurements during sampling, but the HOB0 would measure for a period of time.

Kath commented that it’s hard to capture data from the spring salt runoff because it’s generally already flushed out by the time sampling starts in the spring. Ms. Sales replied that that’s why the MRWC wanted the HOB0. Kath agreed it would be useful to get a baseline and from there future monitoring could look for spikes.

George asked whether MRWC tested for metals. Ms. Sales replied that MRWC did some metals testing in Massachusetts last year and the year before. George mentioned that metals testing took place on the Merrimack several years ago, and mercury was found. On the Souhegan, George indicated they found lead as well as mercury. Arsenic was found in both.

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Mr. Daly asked about dissolved oxygen versus conductivity. Ms. Sales responded the MRWC sampling doesn't reveal any issues. George indicated their sampling includes dissolved oxygen and hasn't seen problems.

George asked whether any biologicals were included in testing. Kath indicated that the NRWA does not include any tests for biologicals. Ms. Sales indicated MRWC gave its rock baskets to the Upper Merrimack for sampling. Mr. Daly commented that there are 4 rock baskets near the Beazer East site at present. He indicated they are located about 80-90 feet from the shore and were put there by Beazer at the request of DES.

Fish Passage

Kath commented that there has been no news on the 604b grant proposal for the continuity study. Kath suggested NRPC might not get the grant, in which case LMRLAC should think about a plan B. Kath asked the Trout Unlimited representatives for some information about the cold water fisheries in the member towns.

Mr. Hamel explained that the Merrimack River Valley Chapter of Trout Unlimited has been involved in projects on the Piscataquog and on the Souhegan. He mentioned a feasibility study for the Milford dam on the Souhegan River and the eastern brook trout initiative on the Piscataquog River, which runs from Frankestown into the Merrimack River in Manchester.

Mr. Hamel commented that they had temperature monitors but had lost them due to flooding. Michael C. commented that they're finding wild brook trout in the Piscataquog watershed. This led for a general discussion of fish species in tributaries in the region.

Kath asked whether LMRLAC could collect temperature data and suggested thinking about what project to pursue next year regarding cold water fisheries. Kath suggested LMRLAC should learn more about where fish are and then reach out to the member towns with that information to promote land protection to protect the fisheries.

Mr. Daly asked about the possibility of pursuing a grant to re-establish trout in the Pennichuck Brook and pond system. Kath mentioned she was not aware of any current state-level river restoration grant funding opportunities.

Mr. Daly explained that the springs in the water system have a temperature of about 48 degrees and 500,000 gallons per day of spring water flow into the ponds. There are seven springs near the Pennichuck Junior High school.

This led to a brief discussion of the Pennichuck water supply system. Over 23 million gallons of water per day is drawn from the Merrimack River and piped to Harris Pond. Over 6 million gallons of water per day comes from the pond system itself. The springs feed Supply Pond, water from Supply Pond flows over the Supply Pond dam, and from there to the river.

Kath asked what the issue is. Mr. Daly replied that the temperature supports the possibility of re-establishing trout. Discussion followed on how far upriver the trout would be able to travel and whether it would be feasible to look into re-introducing them to the Pennichuck system. George pointed out that fishing takes place now from bridges along the Pennichuck system.

Kath asked the committee to consider the question of whether there are existing cold water fisheries and whether there are any that can be restored by culvert or dam replacement. She suggested that NRPC might not get the 604b grant applied for to do the feasibility study, as the program is quite competitive. She suggested if we don't get the grant that perhaps we should target one stream.

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Mr. Hamel suggested that Trout Unlimited might be able to help with that. Kath asked if Trout Unlimited would like to schedule a presentation. Michael C. suggested perhaps a presentation on the brook trout project.

Kath brought up the instream flow pilot project on the Souhegan and Lamprey Rivers. George stated one thing that's being discussed is to augment flows on the Souhegan when the river level is low, by using two of the thirteen flood control dams as reservoirs to pulse the river. Kath commented that charts exist on what amount of time fish can tolerate a level of flow before the situation becomes critical.

Those living near the proposed reservoirs may have concerns about the stockpiled water and whether it would contribute to flooding. George explained that DES is working on getting the word out about the project. He stated it will take about \$300,000 to modify gates at the two dams to serve as reservoirs. Once the gates are in place there would be a test period.

Mr. Daly mentioned he has information on a duck bill control valve that could be retrofitted immediately, and said he would provide information on it to George.

Returning briefly to the subject of water sampling, Mr. Daly asked whether there's a water sampling site where the Pennichuck system flows into the Merrimack. There is not one at present; Kath speculated that a sampler would have to bushwhack to get there, and George suggested they would have to use the Greeley boat ramp area. Mr. Daly mentioned there is brown smudging, which is a natural reaction of iron, but wondered whether there is an effect on the Merrimack River. This led to a brief discussion of whether there might be a conservation easement behind Brinton's Landing for access to the area. Kath suggested approaching another group – for example, Brinton's Landing residents – to organize to collect samples in the area.

Local Updates – Nashua

Discussion of Hayden Green Project – Alteration of Terrain Permit AOT-0238

George asked to open a discussion on the Hayden Green project. The proposed senior housing project is on a parcel of land near the Merrimack River, but outside the quarter mile corridor. The parcel is near Pennichuck Junior High school, the Supply Pond, and the Pennichuck water treatment plant.

Ms. St. John provided a brief overview of the Hayden Green project, noting that the project was approved by the Nashua Planning Board in July.. She noted that the Nashua Conservation Commission has scheduled a special meeting for Tuesday, September 27 to discuss the letter they had sent to DES, requesting that DES reconsider or revoke the Alteration of Terrain permit for the project. . At the Sept 6th meeting, they asked for a special meeting to reconsider the letter. The Alteration of Terrain permit was issued in March of this year.

George suggested a letter from LMRLAC to DES on the subject might hold some weight.

Mr. Daly described some concerns with the parcel. He indicated he was in attendance at a site walk earlier in the day. Mr. Daly stated there were areas of dumping, and also mentioned a flow regulation pipe between bog 1 and bog 2 which is still on site.

George asked if LMRLAC would see the plans; Jim pointed out the plans did not come before LMRLAC the first time.

Mr. Daly mentioned a resident of Brinton's Landing stated there was increased flooding. Mr. Daly stated the water tank on site led to compaction of the soil, altering flow.

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Kath stated her view that there are multiple issues requiring oversight, but wondered about the level of LMRLAC involvement, as the parcel is outside LMRLAC's jurisdictional area. Kath also pointed out that requesting DES revoke or rescind the Alteration of Terrain permit is a significant request. She also pointed out some of the concerns are not germane to the Alteration of Terrain permit. Mr. Daly replied that the flow has changed on the site.

Kath asked whether the Nashua Conservation Commission saw and commented on the Alteration of Terrain permit. Ms. St. John replied that the Commission did not submit comments on the Alteration of Terrain permit application. She further explained that the Commission did not receive plans for review during the City's application process.

Ms. Pressly gave a brief summary of the Pennichuck acquisition process and status. She stated that Pennichuck had an agreement with a developer several years ago about the parcel.

George pointed out that if there is a problem due to this development that the problem is there forever.

Ms. St. John reiterated that the Nashua Conservation Commission (NCC) is holding a special meeting on Tuesday about the letter to DES. She stated there may be an opportunity for the public to comment during the meeting. George replied that LMRLAC should not be giving feedback to the NCC, but to DES.

George made the motion that LMRLAC contact DES requesting they revise or rescind the Alteration of Terrain application for the project because of concerns expressed. Michael C. seconded the motion.

Ms. St. John pointed out that the comment period for the Alteration of Terrain application has expired.

Jim pointed out that the application did not come to LMRLAC because the project is outside the corridor. Mr. Daly replied that water flow from the parcel does enter the corridor.

Jim expressed concerns about the use of the word 'rescind' and indicated he would prefer using the word 'review'. Karen indicated she agreed with Jim.

Kath pointed out that there are two reasons to review an approved Alteration of Terrain permit: one is for technical worthiness, and one is for protocol.

Nelson stated that he disagrees with the motion. He stated LMRLAC has no factual information before them on the project and that the issues are beyond LMRLAC's area of expertise. George agreed about the lack of information but expressed his view that the lack of information is precisely why he supports sending a letter. Ms. St. John pointed out that information is available about the project at DES and at Nashua City Hall.

Nelson asked whether the NCC had made its decision on the letter. Ms. St. John replied that the special meeting on Tuesday is for the NCC to reconsider the letter.

The motion to send a note to DES, requesting that they please review Alteration of Terrain permit AOT-0238 because of concerns expressed by the Nashua Conservation Commission passed, 5-1; Nelson voted in opposition. Kath will send an e-mail to Ridge Mauck at DES.

Kath commented that she thought, when she served as Nashua Conservation Commission chair, that there may have been communication to Pennichuck regarding possible purchase of the parcel by the City, but she could not recall a time frame or how formal the communication

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may have been. She indicated she recalled there was no response from Pennichuck on the matter.

Meeting adjourned at 9:00 pm.

Upcoming Meetings

The combined November/December meeting is currently scheduled for Thursday, November 17.

Next meeting is currently scheduled for Thursday, October 27, 2011, at 7:00 pm at the Nashua Public Library.

Respectfully submitted,
Karen Archambault
secretary