

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

August 23, 2007

Members:

- ✓ = present

- ✓ Bob Robbins (Chair) – Hudson
- ✓ Kathryn Nelson (Vice Chair) -- Nashua
- ✓ Karen Archambault (Secretary) -- Nashua
- Glenn McKibben (Treasurer) – Litchfield
- Cynthia Ruonala (Public Relations) – Nashua
- ✓ George May - Merrimack
- ✓ Jim Barnes – Hudson
- Ray Peeples – Litchfield
- Stan Kazlouskas – Hudson

Also in attendance:

- ✓ Minda Henderson, NRPC
- ✓ Millie Mugica, corridor resident

The meeting was called to order at 7:10pm in the east wing downstairs in the Nashua Public Library.

Minutes

The minutes for the May 24, 2007 and June 28, 2007 were approved without changes.

Old Business

Members briefly discussed notification prior to meetings. Kath will call Cynthia if the meeting is cancelled. Kath will continue to send out a reminder e-mail to members prior to a meeting.

Members briefly discussed the June meeting and the Litchfield dock comments submitted. It was decided that the approach taken in June was fine; to send comments to DES and to c.c. the committee members with any comments or issues raised at the meeting.

Bob briefed the members on his meeting with DES Commissioner Tom Burack in early July. Bob indicated that Commissioner Burack took voluminous notes during the discussion. Bob expressed the LAC's concerns about the lack of feedback from DES (e.g. feedback on comments the LAC submits to DES on permit requests) and requesting more support for the river. Bob will regularly e-mail Commissioner Burack, indicating we would appreciate feedback. Bob will also forward river testing reports to the Commissioner. Members thanked Bob for meeting with Commissioner Burack. Kath pointed out that ultimately we would like the LAC's recommendations to be part of the permit.

A brief discussion followed about tracking the status of DES permits for applications that the LAC has provided comment. Bob recommended we put permit numbers under Old Business and track the progress on a monthly basis in our minutes. Kath stated she would try to gather together the information on recent permits.

Bob also mentioned that he received a handwritten note from the Hudson Conservation Commission chair, thanking him for speaking to the Commission about the LAC.

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Bob indicated that he had talked with someone at the Hudson Conservation Commission meeting who indicated that Hudson had incorporated LID into the town code. Jim said he would look into this. Kath mentioned that Hudson is in the process of designating prime wetlands.

Bob suggested we have a link to some LID documentation on the LAC Web site. We could then send out an e-mail suggesting best practices and LID techniques and point to the links. Bob will e-mail the information to Minda.

George brought members up to date on the Protected River signs. He asked whether the LAC would fund the manufacture and installation of the signs ourselves if the Nashua and Hudson Conservation Commissions did not contribute. Nashua has already responded in the negative, and Hudson has not yet responded. Members passed a motion to pay up to the full amount for manufacture and installation of Protected River signs. Members encouraged George to contact Hudson again to see whether they would offset some of the cost. Members also discussed having a sign on the walkway, either positioning it so that motorists and users of the walkway can see the sign, or a separate sign if needed. George will also look into whether the Merrimack River signs themselves could be moved to be more visible. George will follow through with contacting DES and NHDOT to have the signs made and installed.

Bob will review his records to see whether he has any outstanding expenses from the survey to submit for reimbursement.

George also brought up the issue of timing and notification of dam lowering. In particular, he pointed out that the lowering of the Pawtucket Dam in Lowell in June caused the water level to be down for 4th of July week, which was inconvenient for recreation on the river. George suggested the LAC receive notification a week or two in advance, so the LAC could get the word out and potentially comment on or influence the timing.

Kath cautioned that there can be competing interests regarding when to lower the river level. She mentioned an example on the Nashua River, where the Pepperell Dam was lowered in the spring, which interfered with fish nesting.

Members discussed notifying the dam about convenient and inconvenient times for dam lowering, but decided to start with requesting notification with enough lead time to allow for comment. George will write the letter and circulate to the LAC members to look it over.

The discussion continued on contacting the Telegraph about the letter. It was decided to wait to contact the Telegraph if the dam management firm sends a positive response, and to indicate something to that effect in the letter to them.

George asked whether there were any additional newsletter ideas before he sends it out. Members suggested he try to put in a picture of a Protected River sign. George will also put in information on the Corridor Management Plan update. Minda will put the draft chapters on the Web site and George will mention that in the newsletter.

Corridor Management Plan Update

Minda handed out copies of Chapter 4, Corridor Assessment, that was distributed via e-mail earlier in the week.

Members started by reviewing the purpose of the chapter. It contains a regulatory assessment at the local, municipal, state, and federal levels. There was discussion about other kinds of assessments, and a follow-up section that 'makes the leap' from assessment to Chapter 5 (Recommended Actions).

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Members discussed adding information about current conditions, followed by an assessment, and indicated there could be some overlap between the two. One example given was trails: information on current trails, and an assessment on whether there were enough trails. Members indicated that, in the end, everything in the assessment should flow into the recommendations.

Among the items discussed for assessment were such things as erosion and aquatic weeds.

Members started discussing specifics within the chapter. Jim asked about the IDDE (Illicit Discharge Detection and Elimination) and asked whether information from all the towns was available. Minda indicated it was not in a format that could be readily presented. The table provided gives data for all of Nashua, although it was pointed out that all the streams in Nashua ultimately flow into the Merrimack. It was decided that the survey table could be provided in an Appendix.

Kath recommended that the section discuss the pipes that discharge to the river that the need to have them surveyed. The IDDE survey does not have the pipes identified; it was suggested that the plan recommend this. Research is also needed to make a distinction between illicit and permitted discharges.

The paragraphs discussing the LMRLAC outreach survey were discussed next. Bob will send Minda a copy of the survey results spreadsheet to Minda and she will review it to modify or clarify the statistics in the survey results summary if needed. Bob will review the raw data and check against the individual comments highlighted in the draft chapter; any individual comments highlighted will become a bulleted list.

Water Quality was the next topic discussed. George will supply water quality data to Minda for inclusion in an Appendix. Bob pointed out that the plan should mention that LMRLAC supports the testing and provide recommendations for improvements. Some discussion of possible specific additions to testing followed. George mentioned that he would like to see tests for copper added. Phosphorus was also mentioned as a substance for testing; George indicated that waste water treatment plants may be required to test for it. Kath pointed out that Nashua's waste water treatment plant permit is currently under review.

Members turned their attentions to the Regulatory Framework section of the chapter. Jim asked whether the LMRLAC paragraphs should mention activities the LAC is pursuing beyond those required. Kath mentioned that it should also mention items the LAC would like to see, such as more feedback from the state.

Members next discussed non point source pollution and what the plan should cover about it. It was agreed that the issue has to be addressed. There are no statistics indicating how affected the Merrimack is by non point source pollution. George indicated that the plan could refer to the Souhegan as a general example (without using specific data).

Kath suggested changing the title for section A, Completed Studies and Surveys. She also suggested adding a recommendation for a vegetation survey and a vegetation management plan. The primary focus would be on invasive species, but an overabundance of other species (e.g. algae) can also be an issue.

The issue of river restoration, and river bank restoration in particular, was discussed. It was mentioned that towns do not generally get to that point. George indicated that he liked Paul Wiggins' comments regarding river outfalls (which had been circulated to members prior to the meeting). Kath suggested that the recommendation could go further, recommending LID and no additional pipes to the river. The overall consensus was to "general protection of visual aesthetics of the river from the river point of view" (e.g. from a boater on the river).

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Kath suggested that a grant could be sought to develop a guidance document for the aesthetics. Some examples cited were: tall buildings with clear cutting so the building's occupants could see the river, but then people on the river could also see the building; and rip rap at outfalls.

George asked about adding a reference to Best Management Practices in the Regulatory Framework section. Minda indicated it is not regulatory but could perhaps go in the "Other Guidance" portion of that section. Jim will check what Hudson might use for BMPs and have Minda use that as a reference.

A brief discussion followed about the Rivers Management Protection Program and the Comprehensive Shoreland Protection Act, and the timing of their updates versus the timing of the management plan update.

Minda pointed out that information on Ordinances for Nashua and Litchfield is currently being gathered to plug in to the Ordinances table.

The next topic covered was the Watershed Audit table. The generalized table provides a quick overview on similarities and differences between the towns. Members expressed a few concerns about possibly confusing entries in the table. For example, the table indicates Riparian Cover is "Required" by Nashua. Kath asked Minda to re-check the responses indicated in the Aquatic Buffer section of the table in particular and to remove misleading information. Minda said she welcomes additional feedback from members who have concerns about the table.

Kath reiterated one of Paul Wiggins' comments about dumping along the river banks – that river abutters have told him that they had been told to dump fill along the bank to help stop erosion. Kath suggested a trash survey should be added to the recommendations.

Kath suggested gathering an anecdotal assessment of vegetated buffer cover or riparian corridors along the river. Members briefly discussed the topic but came up with no specific percentages per town. It was mentioned that the boat tour from a couple of years ago showed some lawns going down to the river. George pointed out that the railroad protects the river on the west side, although it could still be threatened.

Minda summarized that she will rework chapters 4 and 5 based on the discussion in the meeting. She will also take the Chapter 3 headings and pull them together with the concerns to lead to the recommendations. She will distribute updates for chapters 4 and 5 on September 20, in preparation for the next meeting.

Meeting adjourned at 9pm. Next meeting will be held on Thursday, September 27 at 7pm at the Nashua Public Library.

Respectfully submitted,
Karen Archambault
secretary