

LMRLAC – April 23, 2009

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

April 23, 2009

Members:

✓ = present

- Bob Robbins (Chair) – Hudson
- ✓ Kathryn Nelson (Vice Chair) -- Nashua
- ✓ Karen Archambault (Secretary) -- Nashua
- ✓ Jim Barnes (Treasurer) – Hudson
- Glenn McKibben – Litchfield
- ✓ George May - Merrimack

Associate Members:

Mildred Mugica – Nashua

Also in attendance:

Geoff Daly, corridor resident and potential member, Nashua
Tracie Sales, Water Resources Manager, Merrimack River Watershed Council

The meeting was called to order at 7:15pm at Margaritas. Kath indicated that Bob was out of town and would not be attending the meeting.

Discussion with Tracie Sales, Merrimack River Watershed Council

Kath introduced Tracie Sales, Water Resources Manager with the Merrimack River Watershed Council (MRWC). Kath summarized the Rivers Management Protection Program (RMPP) in New Hampshire, LMRLAC's area of jurisdiction along the Merrimack, and mentioned that LMRLAC had recently completed an update to its Corridor Management Plan. Kath noted that George coordinates the water quality sampling that occurs on the Merrimack in the corridor.

George mentioned that he has water quality data going back about 20 years. George also mentioned how water quality reports and dam notifications are e-mailed to the mailing list that LMRLAC had put together from the survey responses, the survey having been a step in the process of producing the updated Corridor Management Plan.

George indicated he considers the primary function of the data to be publicity for the river. George stated the results have shown an indication that the river is cleaning up – at least, for the substances being tested. He mentioned that, for example, volatile organic compounds (VOCs) and heavy metals are not tested.

Tracie gave an overview of MRWC's water quality monitoring. The current program started two years ago. MRWC conducts monitoring in teams by boat twice per month. Tracie is working on an update to the plan and hopes to change it from just using boats. The plan is EPA and MA DEP (Department of Environmental Protection) approved. MRWC volunteers sample 31 sites covering 48 miles of the river; all sampling locations are on the mainstem. Tracie also said that the 2008 monitoring report is scheduled for release on the Web Friday, April 24.

MRWC would like to expand its sampling range into New Hampshire, and would like to increase the parameters it's monitoring for. Currently, they sample such things as temperature, pH, and dissolved oxygen. MRWC gets one set of samples per month analyzed by EPA for bacteria.

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MRWC would like to include testing for nutrients, heavy metals, pharmaceuticals, and personal care products, but has encountered some resistance to expanding testing for pharmaceuticals and personal care products. Tracie mentioned that the University of Massachusetts at Lowell has equipment to test for personal care products. MRWC applied for a grant for sampling and analyzing for some nutrients and bacteria.

Geoff pointed out there are nine hospitals on the Merrimack River, and also mentioned that he understands there has been an increase in antibiotics being detected in the water at the Nashua Wastewater Treatment Facility.

Kath mentioned that testing for caffeine could provide an indicator of other substances.

Tracie stated she had viewed some New Hampshire sampling data on line, and George said he'd look into getting more data to Tracie. Tracie mentioned she'd like to be able to get the data in spreadsheet form.

Tracie also stated that she is working on getting data from wastewater treatment facilities to learn about combined sewer overflow (CSO) events. She indicated that she does receive notification from Lowell, Haverhill, and Lawrence, either the day of, or day after, CSO events. Tracie stated she had also received some data from Manchester. Tracie stated she has two reasons for gathering this data: one is for the safety of the volunteers collecting water quality samples, and one is to provide data for analysis on flow rates/time of travel studies to determine how long the CSO's discharge remains in the river under various flow conditions. Tracie mentioned there had been a US Geological Survey dye study in the Merrimack, and the results of that study is what MRWC has used to model flow. Tracie indicated the study included timing from the leading edge of the dye, the majority of the content, and the trailing edge.

Kath asked about the study and the quality of the river due to non point source pollution compared to CSO "slug flow". Tracie pointed out that the discharge from the CSO dissipates at various rates, depending on the flow rate.

George asked whether it would be a duplication of effort if he were to seek CSO data from wastewater treatment facilities in the corridor. Tracie indicated it would not, since she has not gotten much in response so far.

Geoff mentioned there is a solar monitor on the Taylors Falls Bridge in Nashua, and wondered whether it monitors flow rate in the Merrimack. Geoff mentioned that Nashua Fire Marshal Richard Wood may be able to provide Tracie with the code to access the information being collected by the Taylors Falls feed.

Tracie mentioned that she would like to work on coordinating monitoring. Kath mentioned that New Hampshire seems more receptive to accepting volunteer data; Tracie indicated Massachusetts is becoming more receptive than in the past. Tracie asked for DES contact information and Kath said she would provide it.

Tracie did point out that 2009 is probably the last year that the EPA will provide bacteria testing for MRWC, so MRWC will try to line up waste watertreatment facilities to do the testing. Tracie said the monitors test for dissolved oxygen and pH on site.

MRWC owns some of the equipment used for monitoring, while other equipment is on loan to them. Currently, the bacteria test is the only one that MRWC has to send samples out to have performed for them. If testing for nutrients such as nitrates, nitrites, phosphorus, is added, samples for those tests will have to be sent out as well.

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George mentioned his volunteers have to do titration for dissolved oxygen. Tracie stated MRWC has only four meters, but can test more sites with fewer volunteers by having multiple meters.

Tracie asked how many boaters are on this part of the river. Geoff mentioned he has seen two boats with water skiers all summer long, and speculated their owners may live on the river.

George indicated that taking a motorboat north of the confluence with the Nashua is a risk to propellers, but that a careful boater can probably get as far as Cromwell's Falls (near the Anheuser-Busch plant). Tracie indicated she has some samplers with boats at the dam in Lowell, but would be interested in boaters in southern New Hampshire as an alternative to having boaters from Lowell have to come north to take samples.

Geoff asked about the possibility of drift sampling. Tracie responded that the meters can collect continuous data. She also mentioned that MRWC is thinking about leaving a meter at one spot for a period of time – a day or two. She stated it may be especially interesting to see the dissolved oxygen curve over the course of a couple of days.

George mentioned sampling for macroinvertebrates and suggested Tracie look into that. Kath mentioned the upper Merrimack has been doing such sampling. George indicated Tracie could contact Michele Tremblay (chair of the Upper Merrimack LAC) or Steve Landry at DES for information.

Kath mentioned how LMRLAC comments on large projects within the river corridor, and mentioned how some projects could be of regional interest. She asked whether Tracie and MRWC would like a copy of LMRLAC's comment letters, for information and to potentially provide further comment. Tracie indicated she would like to receive a copy of the letters, and stated MRWC comments on permits as well. Kath asked if Tracie could send copies of MRWC's comment letters to Kath and Bob.

Discussion turned to the hydropower dam in Lowell. Geoff mentioned a recent meeting at Thoreau's Landing at which Vanasse Hangen Brustlin and Enel North America representatives were in attendance. He stated Steve Landry from DES was also in attendance. Geoff mentioned the scouring at Thoreau's Landing due to the raising and lowering of the water level. He stated that Steve Landry estimated that another 15-20 feet of headland has been lost in roughly the last four years.

The discussion turned to the sometimes conflicting concerns related to water levels and the dam: erosion due to fluctuating water levels, recreation impacts (boating) when the water level is low, the fact that the Pawtucketville neighborhood, just upstream from the Lowell dam, was flooded two years in a row, and sensitivity about the historical appropriateness of any repairs to the flashboards and pins.

Kath asked Tracie whether MRWC has a position on the dam. Tracie replied that MRWC has limited resources and is currently focusing on water quality monitoring and reviewing permits, but they do keep track of what's going on.

Tracie mentioned that MRWC is putting on its Earth Day event on Saturday, April 25, at the Parker River National Wildlife Refuge in Newburyport, MA.

Members thanked Tracie for coming to the meeting and discussing MRWC and water quality monitoring on the Merrimack.

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LMRLAC Meeting with Hudson Planning Board

Jim mentioned LMRLAC is on the agenda for June 10 Planning Board meeting in Hudson. Jim recommended that LMRLAC have a specific topic to discuss at the meeting and suggested that this be an agenda item for the May LMRLAC meeting. Jim mentioned he will not be able to attend the May LMRLAC meeting. Jim also stated the Hudson Conservation Commission has nearly completed its prime wetland study and they will also be at the June 10 meeting. George asked whether the plan would get accepted by Hudson at the meeting. Jim indicated he doesn't think that will occur yet.

Merrimack River Wetlands Restoration Mitigation Plan

Kath summarized the plan, available on line (<http://www.restorenhwetlands.com/>). Kath mentioned that only a couple of prioritized sites are within the corridor but several are within the watershed. She had contacted Sandra Rumbaugh, on the Hudson Conservation Commission, about Hudson sites. Kath will follow up with Sandra about the Hudson sites, and whether the Hudson Conservation Commission feels those sites, or something else – like Merrill Park – would be an appropriate project to promote.

HB2 Sunset Clause

Kath summarized HB2, the budget bill, which includes a sunset provision for “all non-regulatory boards, commissions, councils, advisory committees, and task forces”. Kath said that Bob had contacted Lou D’Allesandro, chair of the Senate Finance Committee, about the matter. The NH Rivers Management and Protection Program had sent a letter to Sen. D’Allesandro, requesting that the Rivers Management Protection Program and its related committees be exempt from the provision. Kath will draft a follow up letter to send to Sen. D’Allesandro and the Senate Finance Committee, also requesting the LACs be exempt from the sunset provision.

Local Updates

Alteration of Terrain Notification - Merrimack

The recent e-mail that mentioned an Alteration of Terrain application for a recycling plant in Merrimack was in error; the application is for a site in Concord.

Bridge Street Waterfront Development - Nashua

Kath summarized and showed a copy of an RFP Nashua had put out for a proposed mixed-use development project near the skateboard park on Bridge Street. Kath expressed concern that LMRLAC had not been contacted about the project at the outset. George suggested Kath invite Nashua's Director of Economic Development, Thomas Galligani, to the next LMRLAC meeting.

Biodiesel plant on Franklin Street – Nashua

Geoff summarized the communications he had with Fire Marshal Richard Wood at Nashua Fire Rescue about emergency response to hazardous spills. Fire Marshall Wood summarized the resources Nashua Fire Rescue has for such a situation. Geoff also summarized information he gathered about Planning Board discussions and communication between planning staff and the applicant. Geoff indicated it appears there were some questions planning staff asked the applicant that were not answered. Geoff stated the site plan indicated information that the site has six 2,000 gallon storage drums, and that up to 8,000 gallons of biodiesel would be delivered at any one time.

Geoff indicated he had calculated that the berm at the site would not be sufficient to contain a 12,000-gallon biodiesel spill. George pointed out that the most likely spill event would be with the delivery truck.

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Kath asked Jim how LMRLAC might go about addressing this with the Planning Board. Jim made two points in response: first, that LMRLAC could write a letter to the Planning Board, specific to this issue, and second, that the Planning Board's role in the process is complete once the site plan is approved. Jim mentioned that the building inspector/code enforcement is responsible for checking compliance with site plan/safety violations.

Kath asked Geoff to draft a letter for LMRLAC to review for communication to the Nashua Planning Board about this site, expressing concerns that a spill may get in the river, a request that redevelopment be approached in a thoughtful way, and that the City remain diligent about inspections once a site is in operation.

Miscellaneous

Merrimack River Watershed Council 2009 Paddling Schedule

George handed out 2009 MRWC paddling schedules for people to distribute at such places as area libraries, town halls, and sporting goods stores.

LAC Tax Exempt Status

Kath mentioned that a letter had been sent out from DES, describing the tax-exempt status of the LACs. Kath pointed out this documentation is useful in case someone wants to donate to LAC and that it's also applicable for such things as easements/land swaps.

LMRLAC Meeting Venue

Members briefly discussed trying another venue for the next meeting. Geoff will check at Martha's to see if we can get a spot there for the next meeting.

Meeting adjourned 9:15pm.

Next meeting will be held Thursday, May 28, at 7pm, tentatively at Martha's.

Respectfully submitted,
Karen Archambault
secretary