

Upper Valley Subcommittee
of the Connecticut River Joint Commissions
Monday – February 26th, 2018
Lyme Town Office, Lyme, NH
Meeting Minutes

Present:

Carl Schmidt, Orford
Christine Bunten, Orford
John Mudge, Lyme
Alice Creagh, Hanover
Jim Kennedy, Hanover (Chair)
Ruth Bleyler, Lebanon
Ben Dana, Fairlee
Bill Bridge, Thetford
Linda Matteson, Thetford
Bartlett Leber, Norwich
David Barrell, Hartford
Jason Houle, Hartford
Danielle Owczarski, VT Agency of Natural Resources
Tara Bamford, Connecticut River Joint Commissions
Kathy Urffer, Connecticut River Conservancy
Alex Belenz, North Country Council, staff consultant

1. Chairman Kennedy opened the meeting at 7:04 and introductions were made. Ruth Bleyler was introduced as a new member representing Lebanon.
2. The minutes from December 18th, 2017 were approved by motion of Mudge/Leber with two corrections; 1) on page 2, “no erosion of any kind” was changed to “no significant erosion”, and 2) on page 3 “wire netting” was changed to “erosion netting.”
3. Danielle Owczarski of VTANR gave a presentation on the White River Tactical Basin Planning Process. A copy of the presentation is attached. The basin plan covers portions of Norwich and Hartford. Bartlett asked if ANR is working directly with the towns, Danielle indicated they were. Discussion revolved around issues of concern in the White River Basin. Danielle indicated that there were bacteria impairments (e. coli and others) in the 2nd, 3rd, and 4th branches of the White River. The State has been performing outreach to agricultural operators, septic owners, and others in the basin to provide education on the issue. ANR has also been working to address impacts from emergency protective stream alternations that were put in place after Hurricane Irene (e.g., dredging, berming). Undersized and/or geomorphically incompatible culverts are an ongoing issue, causing erosion and/or road damage, and/or limiting aquatic organism passage. ANR has also been active in the Municipal Road General Permitting process in order to improve road resiliency and

stormwater/runoff mitigation. Danielle encouraged subcommittee members to be in touch with any comments or input. Alex circulated a questionnaire that Danielle had developed to solicit input.

4. Permits. Jim opened up a discussion of a wetlands permit application for the Twin Pines development in West Lebanon, which would include new housing and a parking area. The permit would be for a culvert pipe to cross over a wetland area near West Lebanon Feed and Supply on the other side of Route 10. Jim noted that it was one of the more sophisticated systems he had seen. Kathy asked if there were any direct wetlands impacts and if any mitigation would be required, Jim replied that there were 2,400 square feet of impacts, which is below the 3,000 square foot requirement for mitigation. Carl asked who performed the engineering, Jim replied it was Engineering Ventures. Alice asked about a deadline for a response, Jim replied that there was no true deadline, but it is good to respond within 30 days. Jim indicated that he had no concerns with the application, and members agreed. Jim will submit a letter to NHDES indicating that the subcommittee has no concerns.
5. Great River Hydro Erosion Study. Jim provided an overview of the erosion study supplement and the subcommittee's concerns. The supplement was required by FERC after peer reviews raised questions on the methodology used in the original erosion study. The main issues with the supplement are 1) that 75% of the original study sites were eliminated from being studied again, with all sites above the Wilder Dam eliminated, 2) that Great River Hydro has attempted to narrow the focus of the study and supplement to in-stream erosion, rather than including bank erosion, which is a known major issue above the Wilder Dam, 3) that the supplement does not adequately address the link between dam operations and erosion, and 4) that the supplement solely relies on computer modeling at the expense of empirical observations. Several typographic corrections were made to the draft comment letter for FERC that Jim had prepared. Tara suggested that the fact that no sites above the Wilder Dam were included in the supplement should be emphasized. Jim will add more about site selection, and Tara will provide some written comments as well. The letter was approved by motion of Barrell/Leber. Jim will make revisions and send the letter to FERC.

John passed around copies of the Erosion for Dummies book that he had written, which lays out the Connecticut River bank erosion issue using clear language and images. Members were encouraged to take copies and distribute. John also passed out handouts that provide instructions for sending letters to FERC. Getting individuals to write independent members is critical. Physical letters can be mailed to FERC, or they can be scanned and uploaded to the FERC library. John recommended that members pass out the handouts and public meetings and/or town meeting day. David asked if it was too late to draft warrant articles, John indicated that it was too late, but that the issue could be raised during the public discussion period.

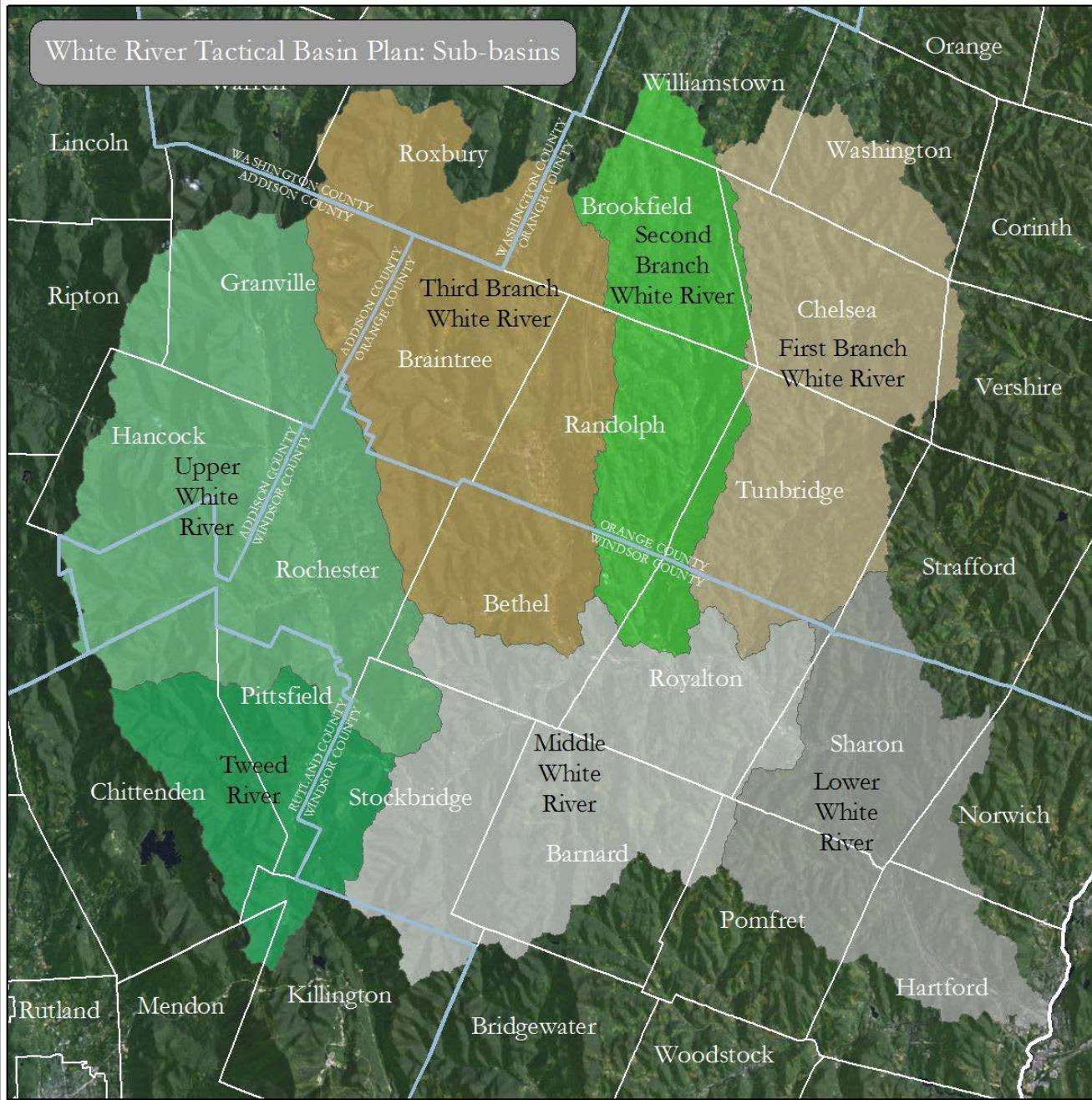
Jim asked Kathy what CRC has been doing recently in regards to the FERC relicensing process. CRC has been commenting continuously on all GRH studies, and has contracted with Princeton Hydro to perform peer reviews. PH came to similar conclusions as the subcommittee – so far the studies have not effectively looked at the relationship between dam operations and erosion or other impacts. CRC anticipates that some level of mitigation will be required as part of the relicensing, and will be pushing for streambank erosion monitoring. There will be new opportunities to comment when the

NEPA process begins – GRH will have to get a 401 Water Quality Certification from both New Hampshire and Vermont. Once the application is deemed complete by FERC, GRH will have 30 days to file the 401 application. There will likely be historic preservation concerns raised during this process – if there are archaeological or historic sites that could be impacted, then there may be monitoring required for erosion. John indicated that there are potential historic sites on his property. Carl indicated that for Section 106 to be triggered, the sites must be on the National Register of Historic Places. The application can take a while, and the council meets 4 times per year. Kathy indicated that CRC may pursue a publicly-announced meeting and tour with FERC of erosion sites along the Connecticut River. CRC has been in contact with congressional staff to do a project briefing with FERC as well. Tara suggested showing them the rip-rapped sites that were considered “stable” in the erosion study.

6. Other business. Jim noted that the Pike Quarry in West Lebanon is planning to expand. There will be wetlands impact, so there may be some mitigation that is required, which could be an opportunity for wetlands protection or creation. Jim was invited to a meeting to discuss, and will provide updates to the subcommittee.
7. Next meeting will be held on Monday, April 16th at 7:00 PM at the Lyme Town Offices.
8. John made a motion to adjourn, Bartlett seconded. All members approved to adjourn at 9:00.

Minutes respectfully submitted by Alex Belenz.

White River Tactical Basin Plan: Sub-basins



Vermont Agency of Natural Resources
Watershed Management Division

WHITE RIVER TACTICAL BASIN PLAN

~~July 2013~~



Photograph Credit- Carol Langstaff

This White River Basin - Water Quality Management Plan was prepared in accordance with 10 VSA § 1253(d), the Vermont Water Quality Standards, the Federal Clean Water Act and 40 CFR 130.6, and the Vermont Surface Water Management Strategy.



White River Tactical Basin Plan Update

2017-2018 Planning Phase

Overview



Introduction to Basin Planning

What's New for Protection

What We've Accomplished

Water Resource Protection



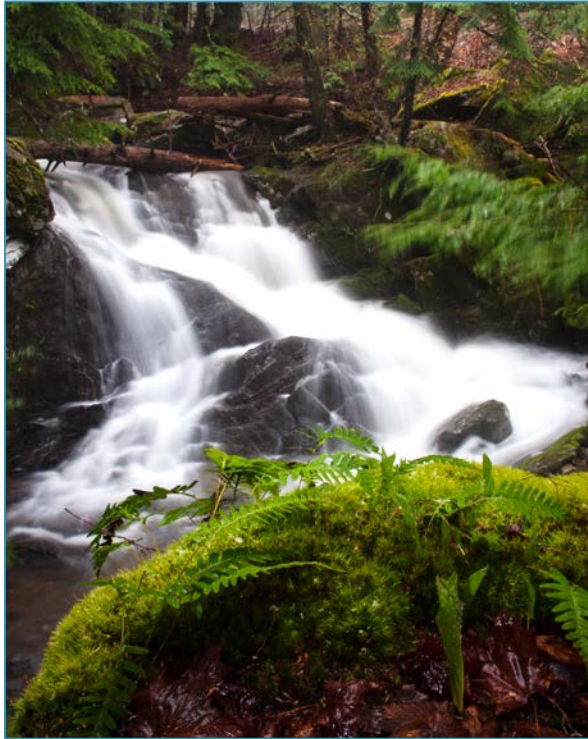
Basin Planning

INTRODUCTION

Purpose of Basin Planning



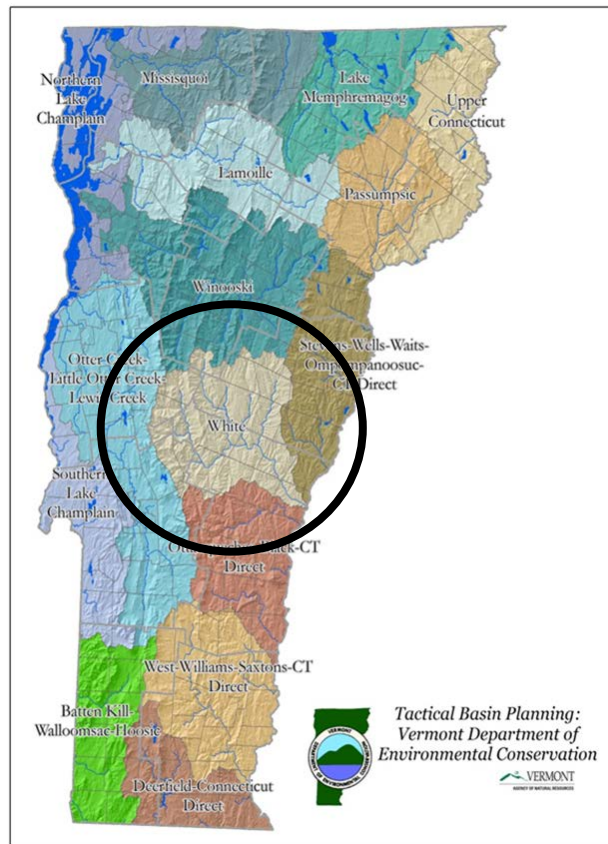
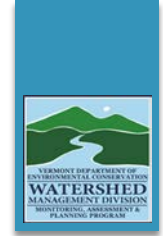
▶ Protect the Best



▶ Restore the Rest



Basin Coverage & Planning Cycle



- 15 Planning Basins
- 5 Planners
- Plans revisited ~ every 5 years
- 2018 White River Tactical Basin Plan



2018 White River Tactical Basin Plan

TIMELINE

Planning Timeline



Jan - May

- ▶ Work with partners on project list for protection and restoration
- ▶ Develop implementation table summary
- ▶ Finish first draft of plan

June - December

- ▶ Internal and external stakeholder review
- ▶ Incorporate comments into first draft
- ▶ Complete final draft
- ▶ Put plan on notice (October)
- ▶ Finalize plan for adoption



What's New

STATEWIDE & LOCAL



Watershed Projects Database

- ▶ Public Interface – a work in progress!

VERMONT OFFICIAL STATE WEBSITE

Watershed Projects

Name Status Grant Number

Project Type County Project ID

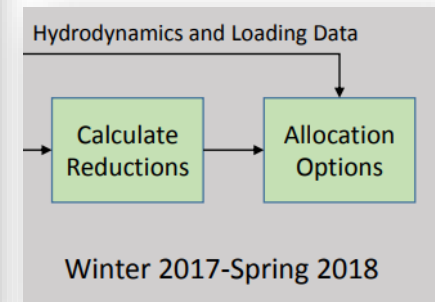
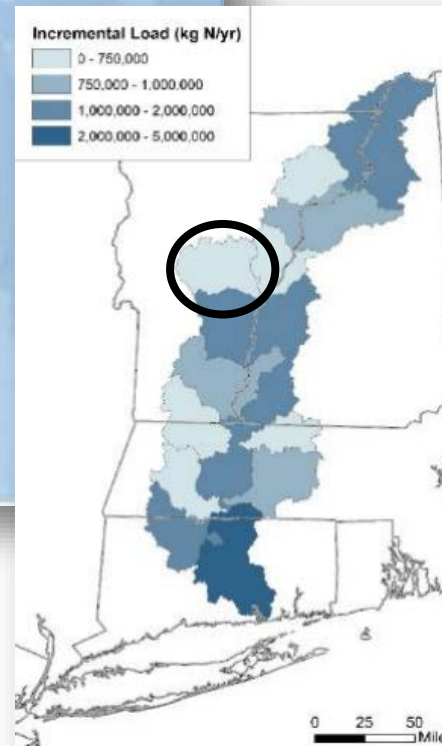
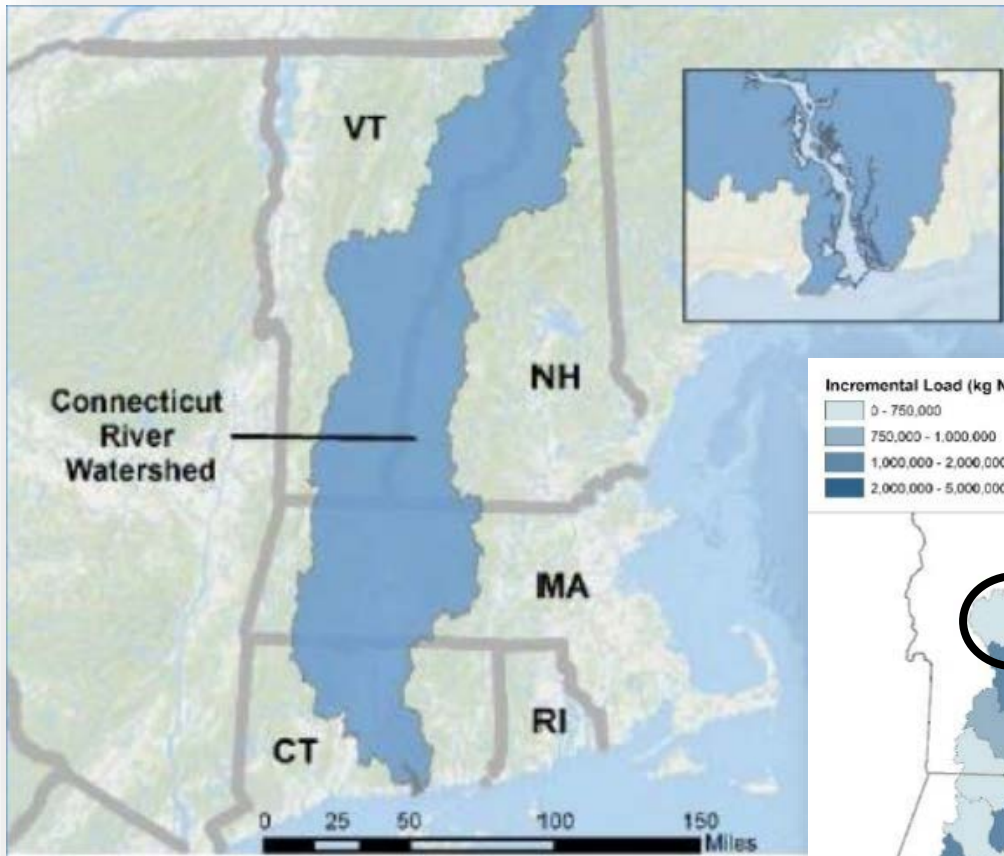
Basin Plan Town

Grade Type Grade

[Search](#) [Clear](#) [To Report](#)

ID	Project Name	Project Type	Status	Grant Number(s)
238	Statewide Trees for Streams/Riparian Buffer Restoration, 2014-2015	River - Planting	Completed	2014-ERP-2-01
3022	Upper-Middle-White RCP #30 - Riparian Buffer Planting and Wetland Restoration	River - Planting	Not Graded	
3038	Upper-Middle-White RCP #50 - Riparian Buffer Planting	River - Planting	Not Graded	
3072	Upper-Middle-White RCP #87 - Riparian Buffer Planting	River - Planting	Not Graded	
3102	Upper-Middle-White RCP #53 - Riparian Planting	River - Planting	Not Graded	
3108	Upper-Middle-White RCP #76 - Riparian Planting	River - Planting	Not Graded	
3109	Upper-Middle-White RCP #78 - Riparian Planting	River - Planting	Not Graded	
3111	Upper-Middle-White RCP #86 - Riparian Planting	River - Planting	Not Graded	
3112	Upper-Middle-White RCP #89 - Riparian Planting and Restore Adjacent Wetlands	River - Planting	Not Graded	
3163	Ayers SWMP - Route 12 #16 - Riparian Buffers	River - Planting	Not Graded	
3172	Ayers SWMP - Bear Hill Road and Route 12 #24 - Hydrologically Connected Roads, Riparian Buffers	River - Planting	Not Graded	

Long Island Sound TMDL





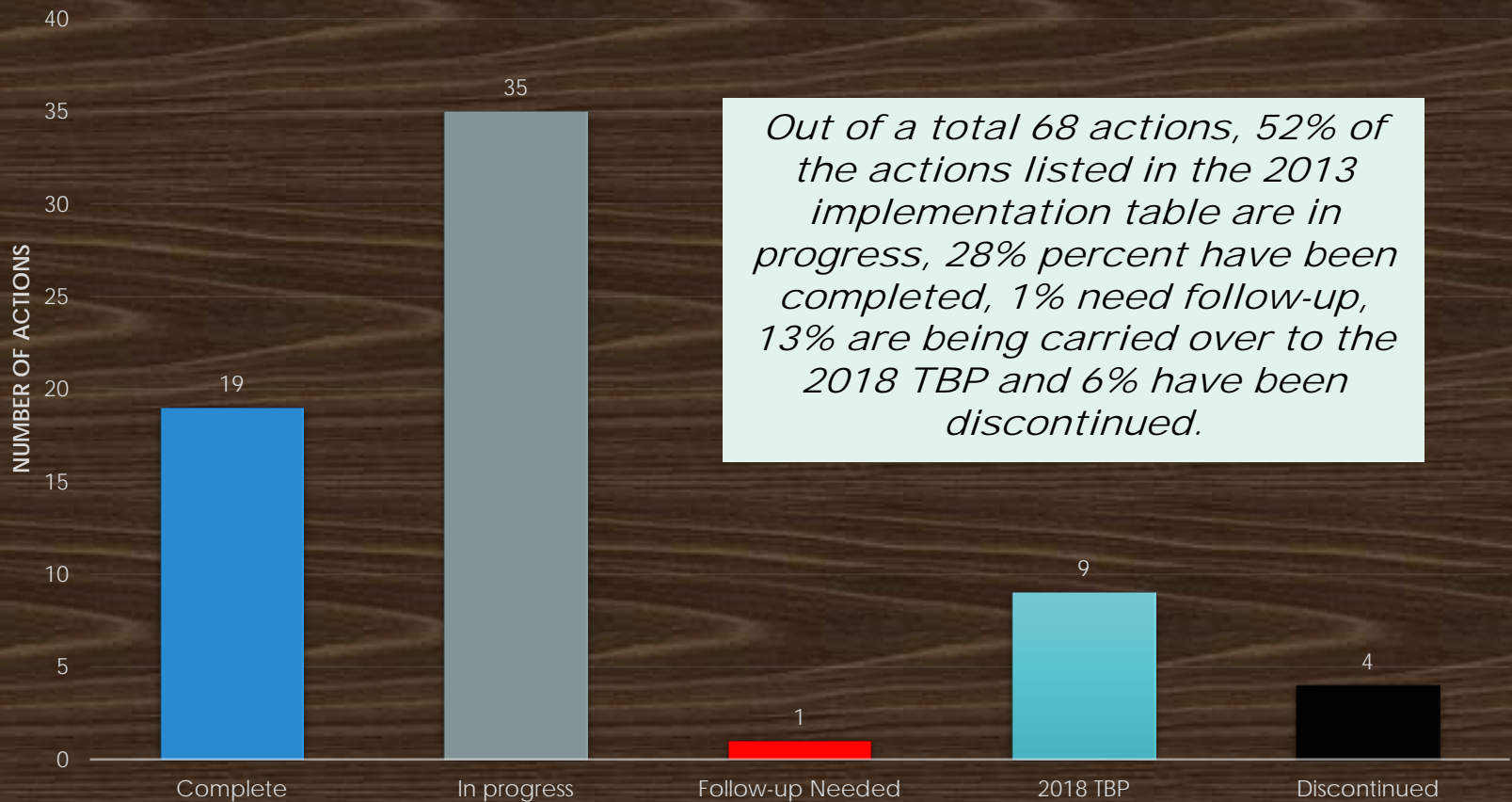
What We've Accomplished

2013-2017

Progress – 2013 to 2017



2013 White River Basin Plan Progress Update

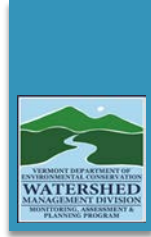




Protection

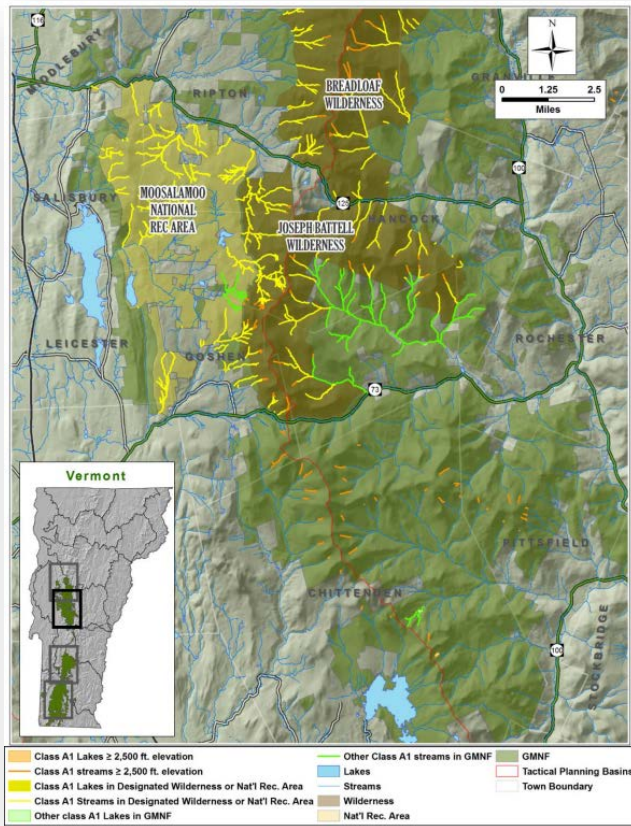
POLICY, ACTIONS, AND STRATEGIES

Increased Policy Protection



Water Quality Standards

Class I Wetlands



Vermont's Class I Wetlands: An Interactive Journey

Approximately 1,000 acres of wetland have been protected in Vermont through the Class I designation. Over 1,000 more acres were proposed in 2016 for Class I protection.

A story map | [f](#) [t](#) [e](#)

VERMONT

Dennis Pond Class I Wetlands
Brunswick, Vermont

Dennis Pond Class I Wetlands
Brunswick, Vermont

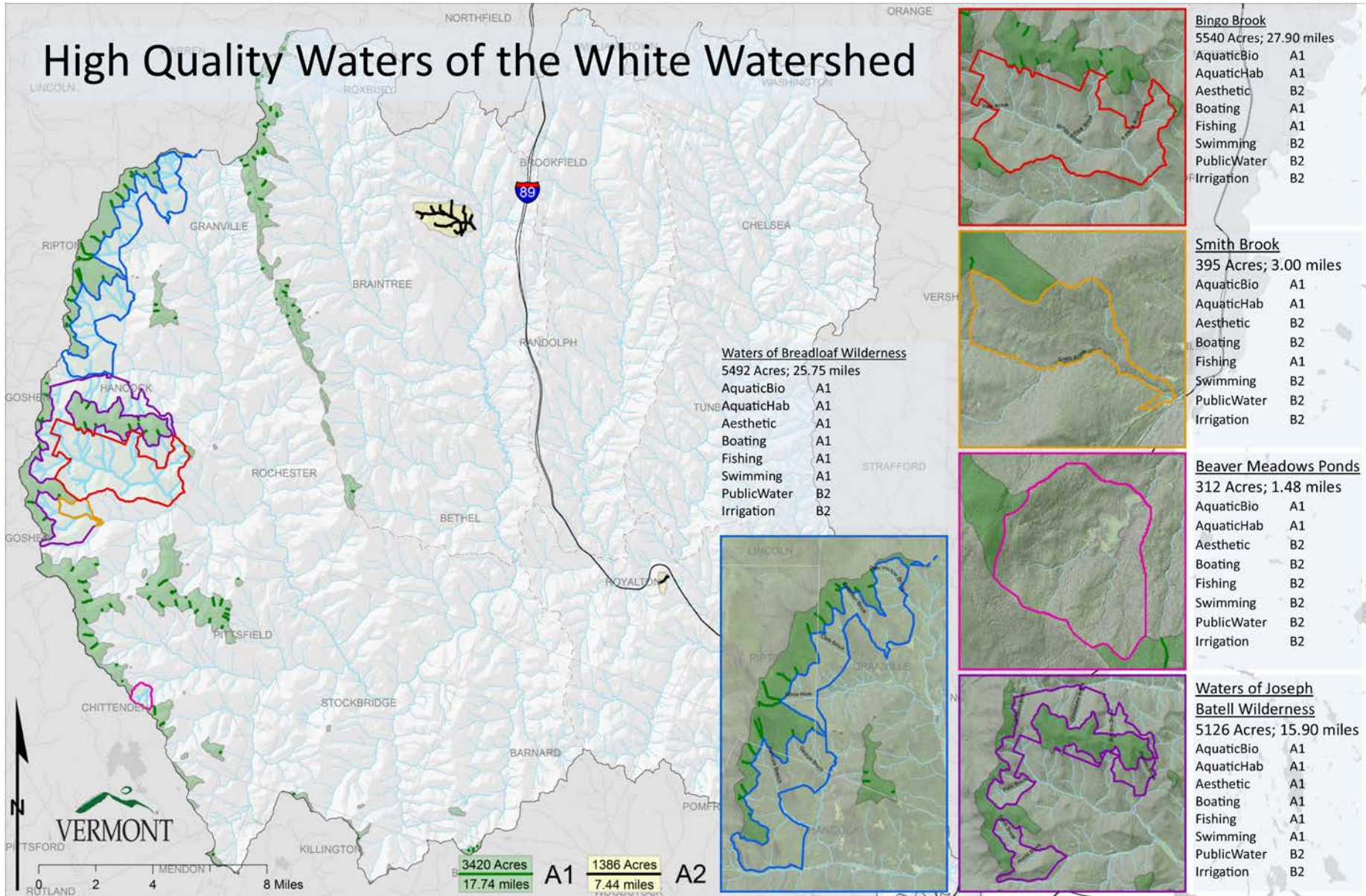
Dennis and Mud ponds are relatively small open water areas associated with the 370-acre wetland complex which includes about 160 acres of peatland. The wetland is considered exceptional and irreplaceable for wildlife habitat, exemplary wetland natural community, and rare, threatened and endangered aquatic habitat. This wetland is being proposed as a

USDA, FSA, DigitalGlobe, GeoEye

POWERED BY **esri**

1. Candidate Stream
2. Class I Wetland Complex - LaPlante River Marsh
3. Another Wetland Complex - Class I Wetland
4. Choosing Fish Class I Wetland
5. Wetland Class I Wetland - Burdett, Vermont
6. Forestland Channel Class I Wetland
7. Diverse Marsh Class I Wetland
8. Peatland Class I Wetland

High Quality Waters of the White Watershed



Bingo Brook
5540 Acres; 27.90 miles

AquaticBio	A1
AquaticHab	A1
Aesthetic	B2
Boating	A1
Fishing	A1
Swimming	B2
PublicWater	B2
Irrigation	B2

Smith Brook
395 Acres; 3.00 miles

AquaticBio	A1
AquaticHab	A1
Aesthetic	B2
Boating	B2
Fishing	A1
Swimming	B2
PublicWater	B2
Irrigation	B2

Beaver Meadows Ponds
312 Acres; 1.48 miles

AquaticBio	A1
AquaticHab	A1
Aesthetic	B2
Boating	B2
Fishing	B2
Swimming	B2
PublicWater	B2
Irrigation	B2

Waters of Joseph Batell Wilderness
5126 Acres; 15.90 miles

AquaticBio	A1
AquaticHab	A1
Aesthetic	A1
Boating	A1
Fishing	A1
Swimming	A1
PublicWater	B2
Irrigation	B2

Waters of Breadloaf Wilderness
5492 Acres; 25.75 miles

AquaticBio	A1
AquaticHab	A1
Aesthetic	A1
Boating	A1
Fishing	A1
Swimming	A1
PublicWater	B2
Irrigation	B2

3420 Acres 17.74 miles A1 1386 Acres 7.44 miles A2

VERMONT

0 2 4 8 Miles



VT Water Quality Standards

Environmental Protection Rule Chapter 29A

EFFECTIVE JANUARY 15TH, 2017

General Policies (§29A-103)

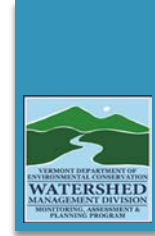


Tactical Basin Planning

- ▶ As part of the tactical basin planning process, public participation shall be sought to identify and inventory problems, solutions, **high quality waters, existing uses and the quality of such uses, and significant resources of high public interest.**

Plans are required to contain any recommended :

- ▶ Changes in classification
 - ▶ A(1), B(1), B(2)
- ▶ Designation of waters
 - ▶ Outstanding Resource Waters



Classification of Water Use (§29A-104)

Recommendations for use reclassification:

- ▶ are made during the TBP process
- ▶ Case by case basis by DEC
- ▶ Can be part of a written request to the Secretary

Designated Uses

- ▶ Aquatic biota and wildlife
- ▶ Aquatic habitat
- ▶ Swimming (primary contact recreation)
- ▶ Boating (and related)
- ▶ Fishing (and related)
- ▶ Enjoyment of aesthetic conditions
- ▶ Public water source and irrigation

Antidegradation Policy



Protection and Determination of Existing Uses

- ▶ Existing uses of waters and the level of water quality necessary to protect those existing uses shall be maintained and protected regardless of the water's classification.



Reclassification

A(1) Most natural condition

- All uses supported
- **Excellent** conditions
- All waters above 2500', few waters by petition

Excellent

B(1) Minor changes allowed

- All uses supported
- **Very Good** conditions
- Only Minor changes from natural conditions allowed

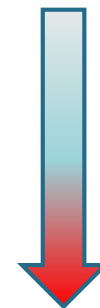
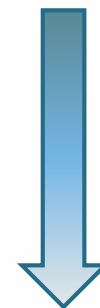
Very
Good

B(2) Moderate changes allowed

- All uses supported
- **Good** conditions
- Moderate changes from natural conditions allowed

Good

**Impaired
Waters**



Reclassification by Use



Use	A1	B1	B2
Aquatic Biota	Natural Condition	Very Good - minor change	Good - moderate change
Aquatic Habitat	Natural Condition	Very Good - minor change	Good - moderate change
Aesthetics	Natural Condition	Very Good	Good
Boating	Excellent - maximum extent without degradation	Very Good - maximum extent with no more than minor degradation	Good - meets hydrological criteria
Fishing	Salmonid population in Natural Condition	Salmonid population in Very Good Condition	Salmonid population in Good Condition
Public Water Supply	(A2) Uniformly excellent character, highly suitable	---	Suitable with treatment
Swimming	Excellent	---	Good

2018 Basin Priorities



Protection

- ▶ River Corridor Easements in priority areas using Stream Geomorphic Assessments (SGA) and partner input
- ▶ Town Planning
- ▶ Outstanding Resource Water (ORW), Class I Wetland, and Reclassification efforts in priority areas



Chickering Fen Class I Wetland

Calais, Vermont

2018 Basin Priorities



Monitoring

- ▶ Rivers, Lakes and Wetlands
 - ▶ Biological monitoring for protection and evaluation for reclassification





Discussion

THANK YOU FOR LISTENING!