

Upper Valley Subcommittee
of the Connecticut River Joint Commissions
Monday – June 18th, 2018
Lyme Town Office, Lyme, NH
Minutes

Present:

Lynn Bohi (Hartford)
Jason Houle (Hartford)
Bartlett Leber (Norwich)
Tara Bamford (Thetford)
Linda Matteson (Thetford)
Jim Kennedy (chair, Hanover)
Alice Creagh (Hanover)
Eric Agterberg (Lebanon)
Sue Mackenzie (Lyme)
John Mudge (Lyme)
Christine Buntin (Orford)
Alex Belenz, North Country Council, staff consultant
Olivia Uyizeye, Upper Valley Lake Sunapee Regional Planning Commission

1. Chairman Kennedy opened the meeting at 7:01 and introductions were made.
2. The minutes from April 16th, 2018 were approved by motion of Mackenzie/Mudge with no corrections.
3. Permit reviews. Jim reviewed the subcommittee's work on the Dartmouth Boathouse expansion permit. Jim, John, Bartlett, and Ruth conducted a site visit and met with a representative from the college. Overall, attendees were impressed with the proposed stormwater and drainage infrastructure. A stormwater chamber under the parking lot will handle runoff from the parking lot, and stormwater from the roof of the expansion will be handled by a series of filters and basins. Attendees were concerned with the storage of materials, debris, and trash on the 10 foot strip between the parking lot and the top of the bank. Dartmouth agreed to put in some sort of wall and to develop a maintenance plan. Those concerns were put into a comment letter that was sent to NHDES. NHDES recently requested more information from the applicant, including the maintenance plan that the subcommittee requested. NHDES also issued guidance on plantings and temporary impacts. NHDES also indicated that an alteration of terrain permit will be required for the project, so the subcommittee may see this project again. Dartmouth will have 60 days to respond to the NHDES request from more information. NHDES will then do a staff and peer review and issue the permit with conditions. Jim noted that eventually the plan is straighten Tuck Drive and replace the parking lot with a park.

Jim opened a discussion for another Dartmouth College permit - for the reconfiguration of the Channing Cox parking lot above Ledyard Boathouse behind some of the college dorms. The parking lot is of a similar footprint as before, and is being reconfigured to add more spaces. Jim noted that the applicant was very thorough. Stormwater will be handled by a complex drainage system that includes plantings and underground basins. Jim asked if members were interested in a site visit, members indicated that they didn't feel it was necessary. Jim will send in a comment letter indicating that the subcommittee has no concerns.

Jim opened a discussion for underground storage tank replacement in West Lebanon. Alex noted that NHDES will hold the permit until comment is received from the subcommittee. Members noted that the tank has a 5 gallon spill pipe, plus an overflow control device. Eric asked if he should go do a site visit – members agreed that a site visit wouldn't be necessary. Linda added that the design seems like an improvement from the existing tank. Jim noted that he hasn't yet seen this permit on the weekly permit notification, but will send in a comment letter indicating that the subcommittee has no concerns.

4. Jacob's Brook restoration. Jim passed around maps showing potential restoration areas for Jacob's Brook along NH 25A in Orford following the emergency repairs to the road after the October 2017 flood. Jim submitted a pre-application to the ARM fund on behalf of CRJC. The response from NHDES was mixed – they were less sure about the value of the in-stream work, and more supportive of the bank restoration work. The overall funding request was \$60,000, but Jim may look to scale the request back to \$25,000-\$30,000 and only include the bank restoration work. There are 5 other projects competing for a small pot of money, so scaling the project back may increase the likelihood of funding. Town of Orford will pitch in \$5,000 and in-kind volunteer work and planting material. There was some debate in the town regarding the merits of restoring the stream versus armoring the road. Jim may also apply for an Upper Connecticut River Mitigation and Enhancement Fund (MEF) grant for further funding. Jim and Sue noted that there was some confusion over eligibility. Alex noted that on the NHCF website, it indicates that municipalities and 501(c)3 non-profits are eligible MEF applicants. Jim recently visited the site with NH Fish and Game. The river is beginning to create deposit bars and pools. An electrofishing survey revealed a surprising number of brook trout adults, brook trout fingerlings, suckers, and dace, which is encouraging. Ron Rhodes from Connecticut River Conservancy attended the site visit as well – he would handle plantings and other restoration activities if the project is funded. The next step will be to develop a restoration plan and bring it to NHDOT. Orford will have more meetings regarding the project as well. John asked when the work might be completed, if funded – Jim replied that it would likely be next year.
5. FERC update. John provided an update on FERC relicensing of the Connecticut River hydropower dams. Great River Hydro released their response to comments that were submitted to FERC on the various relicensing studies, including the erosion studies and supplement. FERC is due to release their interpretation of GRH's response on June 21st – Alex will circulate to the subcommittee. GRH is still insisting that dam operations are not impacting bank erosion. Jim felt that GRH's responses were misleading and bordered on misrepresentation of the facts. Tara added that they are still relying on circular logic regarding the impacts of seasonal high flows on bank erosion. John added that in looking at a relicensing decision, FERC should be considering three things: science, direct

observation, and public opinion. GRH's consultant used an erosion ratio that was not based in science to make conclusions about bank erosion. Direct observation can show you that significant water level fluctuations occur and that banks are severely undercut. Public opinion is essentially universal regarding dam operations being a primary cause of bank erosion. John asked if anyone knew what would happen once negotiations for mitigation funding begin. Tara expressed that negotiations shouldn't begin until the operations modeling is straightened out. There is also no guarantee of mitigation funding, as GRH has not indicated if they will enter a settlement process. Jim noted that Jennifer Griffin indicated that GRH is doing some modeling of "run of river" operations – where inflow would equal outflow – however, GRH would not operate using that model because they wouldn't be able to effectively generate power, and they are relied upon to mitigate downstream floods, both of which require them to store some water behind the dam. Tara noted that it is encouraging to hear GRH discussing run of river operations. John recalled a study that GRH presented at a meeting showing that run of river operations could be profitable. Alice noted that the Wilder Dam impoundment is drawn down about 3 feet every Sunday night, as well other nights. Sue showed a graph of water level variations taken from her data logger on the river. Jim noted that you can look at the second footing on the Hanover boat dock – if it's showing, it means the river is down about 2.5 feet.

John added that the NH Division of Historical Resources recently wrote to FERC to alert them of a meeting request they had sent to GRH in 2017. The purpose of the meeting was discuss cultural and historical resources that were potentially being affected by dam operations/bank erosion, including River Road in Lyme. The meeting has yet to happen, so DHR is writing to FERC to express their concern.

6. Other Updates. Jim noted that the Two Rivers Conservation Area in West Lebanon is a potential opportunity for developing a pocket park with riverfront access. There is about 10 acres of protected land at the confluence of the Mascoma River and Connecticut River. CRJC may get involved. There is no great river access point in West Lebanon currently. Eric noted that the Lebanon Conservation Commission is looking into that area as well. Jim suggested that Eric follow up with Mark Goodwin regarding opportunities at this site.

Sue let members know that a new area on River Road in Lyme is collapsing, just north of the Hanover town line. The river has been so high for the last 2 years that the earthen bank about the hard armoring is eroding. The town is looking at about a \$1 million project. John noted that if that area of the road gets closed, you would have about 50 landlocked houses.

7. Other Business. Alex announced that starting July 1st, staffing support for the subcommittees will be taken over by Olivia Uyizeye of Upper Valley Lake Sunapee Regional Planning Commission. Alex has been working with Olivia to transition the work over to her. One of the benefits of the transition is that UVLSRPC is the local regional planning entity for the subcommittee's region, so now there will be a more direct connection to local planning contacts and resources. Alex is still available as a resource to the subcommittee through his CRJC commissioner role. Members thanked Alex for his work with the subcommittee.

Members announced that Katie Little and David Kotz had resigned their memberships.

8. Meeting adjourned by motion of Leber/Houle at 8:29 PM. The next meeting is August 20th.

Minutes respectfully submitted by Alex Belenz.