

**Upper Valley Subcommittee
Special Meeting Minutes**

Monday, July 15, 2024 – 6:00 PM Meeting

Hybrid Meeting – Norwich Library, Downstairs, 368 Main Street, Norwich, VT

Attendance

NH Members:	Attendance	VT Members:	Attendance
Alice Creagh, Hanover	X	Ted Unkles, Bradford	X
Vacancy, Hanover		Vacancy, Bradford	
Eric Agterberg, Lebanon	X	Ben Dana, Fairlee	X
Ruth Bleyler, Lebanon	X	Arlene Guest, Fairlee	P
Bill Malcolm, Lyme	P	David Barrell, Hartford	X
Vacancy, Lyme		Lynn Bohi, Hartford	P
Ted Cooley, Orford	P	Bill Bridge, Thetford	P
Carl Schmidt, Orford	X	Linda Matteson, Thetford	P
Vacancy, Piermont		Lynnwood Andrews, Norwich	P
Vacancy, Piermont		Vacancy, Norwich	

Note: P = present in person; V = present over remote virtual platform; X = not present

Partners Present: Majestic Terhune (Staff, CRJC, Virtual)

Minutes

1. Welcome and Introductions

Chair Malcolm started the meeting at 6:12 p.m. Members and partners present introduced themselves.

2. Meeting Minutes from May 2024

Cooley motioned to approve the minutes. Bohi seconded. Terhune mentioned Unkles’ request to specify that the Water Quality Certificate under discussion was to be issued by the State of New Hampshire rather than FERC. *Cooley agreed to accept a friendly amendment to approve the minutes with Unkles’ suggested changes. Bohi seconded. The motion passed unanimously.*

3. Meeting Minutes from June 2024 Special Meeting

Bohi motioned to approve the minutes. Andrews seconded. The motion passed unanimously.

4. Update on Hanover River Road

Malcolm provided an overview of updates on the previously discussed Hanover River Road project, mentioning that the subcommittee’s comments seemed to have been considered prior to the approval of the shoreland permit. Andrews confirmed that the leach field is included in NHDES’ response to the applicant.

Malcolm stated that NHDES has been more stringent about requiring that applicants send LACs their application and will not proceed with reviewing applications if the appropriate LACs are not accordingly informed.

5. Hanover Special Herbicide Permit

Andrews, Bohi, Guest, and Matteson discussed who the designated applicator would be and determined that Redstart Inc. as the applicator applicant. The group discussed previous work Redstart has completed around the region.

Malcolm asked whether the group should send a similar comment as the subcommittee's previous comment on an herbicide permit. Andrews asked for clarification on the previous letter. Malcolm responded that the letter stated that, provided that the herbicides are applied by a certified applicator and used appropriately, then the subcommittee takes no issue with the application. He highlighted that this application is an example of the type of permit that might fall under the *de minimus*- or standing position- eligible applications to be discussed later.

Andrews described her support of glyphosate and the Norwich Conservation Commission's experience with using/approving glyphosate, further describing how some herbicides using glyphosate are made safer for water applications in particular. Malcolm stated that he would be willing to remove mentions of glyphosate from the Procedures for Project and Permit Application Review.

Guest stated that she felt that the application was missing a narrative; she anticipated that the herbicides would have to be continued to be applied over time and did not see any mention of how the invasives could be managed for the long-term. Cooley said that it's difficult to successfully mitigate the plants for the long-term. Andrews, Cooley, Guest, and Malcolm discussed the method of and preference for cut stump treatment.

Andrews motioned to respond to the applicant stating that the Subcommittee takes no issue with the application provided that the applicator is certified and uses the least intrusive methods to achieve their objective. Cooley seconded. The motion passed unanimously.

6. Permit Review Process

Malcolm reintroduced the subject of amending the permit review process and mentioned the typos that Unkles had found.

Bohi added that under Procedures for Project and Permit Application Review, 2b should specify the "they" in "If the Subcommittee does not . . . they should immediately notify . . ." as "Chair, Coordinator, or Town Representative." Matteson clarified that that the situation is dependent on not hearing about applications otherwise.

Andrews mentioned that section 4a under Procedures . . . Application Review [draft 2; 5a in draft 3] mentions a standing position against glyphosate. The group agreed that they would like it removed.

Malcolm said that he would appreciate having more specifics from members of what standing positions should be made and what those positions should be. He added that if members were interested, a subcommittee could be formed to discuss the positions.

Andrews, Bohi, Malcolm, and Matteson discussed the difference between *de minimus* applications and applications that have standing positions. Bohi stated that the Subcommittee has also previously had standard responses for issues outside the Subcommittee's purview.

Bridge, Guest, and Matteson agreed to keep section 4 but remove section 5 [of draft 3] in the meantime.

Andrews motioned to adopt the new Permit Review Process guidelines [draft 3] aside from section 5, which is under review, with amendments to the changes Unkles and Bohi suggested (including clarifying language in section 2b). Cooley seconded. The motion passed unanimously.

7. Quorum Requirements

Malcolm stated that it would be helpful to amend the quorum rules to 1/3 present. *Bohi moved to ask the Connecticut River Joint Commission to amend bylaws to defer to New Hampshire quorum requirements. Andrews seconded. The motion passed unanimously.*

The Subcommittee discussed recruiting active members.

8. Other Business

Cooley requested that the agenda include a link to all meeting materials. Terhune agreed.

Malcolm reviewed updates he had received from NHDES and the Connecticut River Conservancy. He recommended that members subscribe to CRC's newsletter.

Andrews, Cooley, Malcolm, and Terhune spoke about the Water Quality Certificate previously discussed. Cooley anticipates that the Full Commissions will accept comments from the local river subcommittees and draft a CRJC-wide comment.

9. Town Updates

Bohi, Bridge, Cooley, and Matteson discussed how high the river has risen. Guest said that the Ompompanoosuc River has become murkier.

Bridge and Malcolm talked about the changes in the river downstream over time. Bridge emphasized that the speed and volume of incoming water impacts the rises and falls the most.

Bohi shared that the Hartford Sustainability Coordinator went ISO New England and reported back on the company's procedures and innerworkings.

Terhune shared Unkles' comments stating that the Howard Island South campsite along the Connecticut River Paddlers' Trail is under water, highlighting that although spring flooding with snowmelt is usual, mid-summer flooding used to be very rare and is becoming more commonplace.

Cooley noted that Meghan Butts (Executive Director of UVLSRPC) has returned from maternity leave.

Terhune shared that she will no longer be serving as a Coordinator with the Subcommittee due to her departure with UVLSRPC. However, she is currently in the process of working with Lebanon City Council to join as a member. Cooley expressed his gratitude for her work with the Subcommittee, and members lauded her with compliments.

10. Adjourn

Bohi motioned to adjourn. Cooley seconded. The meeting adjourned at 7:33 p.m.

The next meeting is September 16, 2024, at 6:00 p.m.

Respectfully Submitted by Majestic Terhune.