

Central NH Regional Planning Commission

28 Commercial Street, Suite #3

Concord, NH, 03301

Tel: (603) 226-6020

Fax: (603) 226-6023

www.cnhrpc.org



**Warner River Nomination:
Town of Warner Public Information Session**

Wednesday, November 16, 2016

Warner Town Hall, 5 East Main St, Warner NH 03278

7:00 P.M.

Minutes:

Attendees	
Chris Connors, Trout Unlimited	George Embley, Town of Webster
Sue Hemingway, Town of Warner	Scott MacLean, Town of Bradford
Nancy Martin, Town of Warner	Jack Noon, Town of Sutton
Michael Simon, Town of Warner	

Members of the Public: (Only 6 signed our sign in sheet, so we may be missing some people) Ed Mical, Bill Balsam, Rebecca Courser, Ken Milender, Laura Russell, Frank Moltz, John Herrick, Noreen Fifield, Clyde Carson, Colleen Fischer, Darrell Parker, Jim McLaughlin and Michael Amaral

Commission Staff: Sam Durfee

The Information Session Presentation began at 7:05 P.M, convened by Nancy Martin. Committee Members and supporting representatives were introduced and a brief summary of the history of the Nomination committee’s process was provided.

Nomination Presentation: given by Sam Durfee

TITLE SLIDE 1: Title slide showing the scenic value of the Warner River

SLIDE 1: Impetus & Progress – an overview of NH F&G and Basil Woods Trout Unlimited Warner River Watershed Conservation Project revealed that 2/3rds of the streams in the watershed contain wild brook trout indicating a watershed of high water quality. This fact encouraged the Warner Conservation Commission to reach out to CNHRPC for assistance in nominating the Warner River to NH’s Rivers Management & Protection Program. New England Grassroots Fund provided grant to enable this process. Having completed the nomination document and a draft map of the designated corridor and classifications, we are reaching out to all five towns to get feedback from the communities. Provided timeline going forward.

SLIDE 2: What Nomination into the RMPP Process means.

SLIDE 3: The 18 Designated Rivers throughout NH, includes the Contoocook River to which the Warner River is a tributary.

SLIDE 4: Why Designate? Economic value of our surface water (change in water clarity and purity could result in 8.3% loss in sales and \$3 million in lost income for Merrimack Valley region; Local Advisory Committee (LAC) set up representing the five towns offers many benefits and would be first group dedicated to the river.

SLIDE 5: Overview of LAC Services & Responsibilities

SLIDE 6: Overview of Projects implemented by existing LACs

SLIDE 7: Resources provided by the Warner River (Hydroelectric Power, kayaking)

SLIDE 8: Historical Resources (credit Rebecca Courser, Warner Historical Society)

SLIDE 9: Protecting Natural Resources for Future Generations – projected loss of privately held forests, increase in future development and climate change led Forest Service to identify the Contoocook Watershed as second most threatened in the nation to undergo a change in water quality.

SLIDE 10: River Health in the Context of Climate Change

SLIDE 11: The Draft Warner River Nomination Proposed Classifications Map

See the full presentation here: <https://warnerrivernomination.wordpress.com/our-calendar/>

Public Question & Answer Period

- **How will this affect situations like if a town decides to put a fire station along the river? (unknown person)** Mr. Durfee replied that any project proposed within the ¼ mile buffer (both sides of the river) will be required to submit a copy of their application to the river's Local Advisory Committee (LAC) for review. Depending upon the nature of the project, they may be restricted to certain setbacks, however upon a review of the various town's ordinances, most towns have more strict ordinances than the Shoreline Quality Protection Act (SWQPA) and the RMPP. A summary of these restrictions is located upon the NHDES fact sheet and can further be referenced within the RMPP RSAs.

- **What is the process that the Local Advisory Committee will use when it comes to reviewing and commenting on documents? (Unknown person)** Mr. Durfee explained that how LAC reviews are coordinated varies by community. Applicants seeking permitting for projects along the river are required to submit a copy of their application to the LAC. Some towns incorporate the LAC review process into the Planning/Zoning Boards checklist. LAC comments are advisory in nature and may follow a similar process as those comments submitted by a conservation commission. Local boards would gain insight; LAC comments are also typically submitted and reviewed by NH DES.

- What happens if one of the five towns involved in this RMPP process drops out? (Unknown person)

Mr. Durfee commented that if one of the towns drops out then that town's proposed river segment is removed from the Nomination Map and the remaining towns may still submit the nomination for their remaining segments. This is unlikely in this case as Hopkinton is the only select board we have not had a chance to meet with and as the Contoocook River is already designated, they are likely to support this effort for the Warner River, a tributary.

- Can the boundaries of the proposed classification segments on the river be changed after the river is adopted into the program? (Unknown person)

Mr. Durfee replied that there may be a formal procedure for doing this, however there is no record of the classification segments being changed after the legislature formally adopts the river into the RSA 483. He further explained that this is why the committee is reaching out to the communities for their input. The premise of this program is to allow communities to define and apply the appropriate protections to preserve the resource into the future.

- Is the ¼ mile buffer (extending either side of the river) statutory? (Ken Milender)

Mr. Durfee replied yes.

- How will my family property's historic dam location, deeded dam rights in Melvin Mills be affected by this process? (Darrell Parker)

Mr. Durfee inquired of the exact location of the former dam site (as referenced on the current proposed protected corridor map which contains the dams)? He further stated that each classification (rural, rural community and community) affects dam sites differently, that concerned owners of dams or former dam sites caused the committee to alter the map and place these dams within a community designated section, thereby the least restrictive to future dam.

- Will river water withdrawals that the fire department needs to make be impacted by the RMPP program? (Ed Mical)

Mr. Durfee commented that he did not believe that the RMPP program would affect these withdrawals, although mentioned that upon surpassing a certain volume for these withdrawals, NH DES requires registration. [Not answered at the meeting, but provided here for educational purposes: all facilities that use more than 20,000 gallons of water per day, averaged over a seven-day period, must register with DES. More information is provided by this fact sheet:

<http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/documents/dwgb-22-31.pdf>]

(Commented on emergency management? I cannot remember what else he asked),

- This designation protects the Warner River, but what will it do to protect the streams that support the wild brook trout population? (Mike)

George Embley answered explaining that he believed that by increasing protection along the main stem, this would also result in protection for these streams. He also commented on how disconnected the watershed is due to inadequate culvert crossing that prevent the migration of trout and other aquatic life, thereby the river is critical for them to migrate to other tributaries. Jack Noon also commented about the loss of the salmon and lamprey eel migrations, and the high ecologic value that the salmon coming to spawn, by their death, provided tremendous nutrient support to the rivers they migrated. The restoration effort to restore salmon in NH has been dropped.

- **What is the timeline of this process?** Mr. Durfee explain that the timeline follows the legislative calendar, so for 2017 the formal nomination document would be submitted to the Commissioner of NHDES June 1, 2017. If the Commissioner finds the nomination worthy, then a public hearing is held. If enough support is received for the nomination, then the nomination is approved and forwarded to the legislature for amendment to be proposed during the 2018 session. Upon passage, the governor signs the nomination and amend RSA 483 to include the Warner River as a Designated River.

- **If you were to characterize this program in a nutshell, how would you describe it?**

Adopting a multiple community vision to the management and preservation of significant water resource.

- **What (further) limitations is this going to impose on agricultural use for properties along the river? John Herrick (commented on agriculture-owns land behind School House Cafe),**

Mr. Durfee replied there would be no change, agricultural properties are further exempt from the SWQPA are held to best management practices put forth by NRCS.

- **Question about the VRAP program and (Bill Balsam)**

Discussion that the last water testing done on the Warner River by a VRAP (Volunteer River Assessment Protocol) team was in 2007, although Basil Woods Trout Unlimited and others are scheduled to meet with DES in December to try to bring back the VRAP testing in 2017.

- **The VRAP program documented water quality reports, but this is old documentation, how is the river being monitored today? Noreen Fifield (commented that 2007 VRAP data was old and unscientific),**

Mr. Durfee responded that the local LAC could assist by seeking funding to produce a River's Management Plan and reinstating the VRAP program. Chris Connors commented that the Basil Woods Chapter of Trout Unlimited is meeting with the NH DES in early December in an effort to resurrect the program. George Embley commented that this program is in need of volunteers and that anyone interested should approach Chris to be added to the volunteer list.

- **Has the committee addressed all the concerns of dam owners Peter Ladd and Alan Wagner: (Rebecca Courser)** Mr. Durfee replied that he believes they have addressed their concerns, although noted that neither have attended the recent meeting or where there tonight. Using the classifications map he explained where the community sections were expanded to include their dams, how the Davisville dam was also changed to community. Chris Connors further added that she had contacted the dam bureau with their concerns and they said the town's historical societies could document the historic dam and mill sites throughout the town, especially those no longer displayed by the dam bureau. This report could then be submitted to the dam bureau and kept in the respective town's folder. The Dam bureau also said they would come and officially document the ruins even though they may not meet the states criteria for a dam.

- Questions about the issue of road salt polluting the river.

There is currently a study being done to determine the level of contamination resulting from the DOT salt sheds.

Does this program take into account the various town's hazard mitigation plans? (Ed Mical)

Yes, Chris Connors replied that both Bradford's and Warner's Hazard Mitigation plans were reviewed, and that the nomination document contains portions and pictures from both plans.

More discussion ensued about how the LAC recommendations would be taken into account by a Zoning Board.

Mr. Durfee explained that is no specific way communication should happen between LACs and ZBAs, but a possible option could be to have a ZBA rep on an LAC or an exchange of minutes.

Jim McLaughlin of the Warner Village Water District spoke up in favor of the nomination as the program and a local advisory board would help protect the water quality of Warner's aquifer and drinking water well located along the Warner River.

Question about how snags spanning the river might be removed to allow for more recreational opportunity... can these be completely removed or cut?

Discussion ensued as to how cutting and removal was performed and by whom. It was also pointed out the value of such snags to the river and that often the snags are partially removed to allow for recreation passage (kayaking), but other portions left for their benefit.

With no further questions, the meeting adjourned at approximately 8:15 pm.