

**Central NH Regional Planning Commission**

28 Commercial Street, Suite #3

Concord, NH, 03301

Tel: (603) 226-6020

Fax: (603) 226-6023

[www.cnhrpc.org](http://www.cnhrpc.org)



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

Thursday, December 19, 2016

Hopkinton Town Hall, 330 Main St, Hopkinton, NH 03278

7:00 P.M.

**Minutes:**

Attendees	
Chris Connors, Trout Unlimited	George Embley, Town of Webster
Doug Giles, Town of Hopkinton	Nancy Martin, Town of Warner
Michael Simon, Town of Warner	

**Members of the Public:** Lee Wilder, Chuck Kapala, Bob Gerseny, Ken Tranm, Mel Myler, Ron Klemarczyk

**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 Ms. Martin asked that everyone sign in. She provided 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 Contocook 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/warner-river-designation/>

**Question – The problem with dams is basically fish passage? Mr. Durfee affirmed. Have they ever looked at designing dams with waterfalls that would allow for fish passage?**

Mr. Durfee said he could not speak to this but mentioned that an LAC could look into this. Chris Connors spoke up to explain that, under this RMPP program, dam owners of new or reconstructed dams are required to provide fish passage. Secondly, Peter Ladd introduced us to a new kind of screw device being used by dam owners in Europe that allows for fish passage. She referred people to the Warner River nomination website, to watch a video that Sue and Peter provided that shows this technology.

SLIDE 12: Mr. Durfee showed a slide pertaining to the In-Stream flow portion of the RMPP program, explaining the goal of the program is to balance the various uses of the river (dam operation, withdrawals, recreation, aquatic needs, etc.), both in high flow and low flow times, so that all uses are sustained throughout the year. NHDES is currently in the rule-making stages now. Revisions to this program aim to take more of a watershed approach by taking into account tributaries upstream of a designated river segment. These tributaries and main stems are studied and uses are calculated. The result is that communities better understand their specific river resource and can be more proactive in balancing uses. Whether or not this nomination is approved, the Warner River will be studied because it is a tributary to the already designated Contoocook River.

In conclusion, Sam let everyone know the project website ([www.warnerriverdesignation.wordpress.com](http://www.warnerriverdesignation.wordpress.com)) and email address ([wrnomination@gmail.com](mailto:wrnomination@gmail.com)), should anyone want to reference further information or have any further questions.

See the full presentation here: [www.warnerriverdesignation.wordpress.com](http://www.warnerriverdesignation.wordpress.com), go to the Warner River Nomination page.

### **Public Question & Answer Period**

**Question – So what is the opposition?** Mr. Durfee explained that in the beginning we realized were moving too fast for people. We were slowly taking in public input, but many did not understand the program (or the regulations that already currently exist). We decided to make a much larger effort, put together a roadshow, and reach out to each town to be certain folks understood what this program is and what it's not. Having done this, everyone here on the committee can tell you we have not had any opposition in any of the towns, in fact, everyone has been very supportive.

Michael Simon spoke up to say that the largest opposition came from owners of old dam sites who wanted to retain the ability to rebuild their dams in their or their heirs' lifetime. They saw the program and some classifications making this prohibitive. They also want to retain the ability for Warner to hydropower. The other forms of opposition came from people, like the dam owners who are impacted by state regulations. They here about another state program and automatically are afraid of more regulations and it's taken time for us to teach people that this program does not create any new regulations, that its an advisory process and each town's master plan takes precedence and after that the Shoreline Protection Act. This program establishes a local group to give advice and comment on things. A lot of what people complained about are regulations that are already in place.

Sam agreed stating that a lot of people complained about regulations that are a part of the Shoreline Protection Act, which we have nothing to do with.

Nancy Marin spoke up to say that our goal is to get people to take a regional approach to managing the river resources for the benefit of all five towns. This program gives us a stronger collective voice, we

have better opportunity to act on something that we all are concerned about, because what happens in one town affects all of us. So it gives us a much louder voice when it comes to talking to DES.

Question – I-89 has a big impact on the river, whether its restrictions or salt or road runoff, newer construction has more concern about these issues, but I-89 is not going to change. Is the state involved in studying the impacts it is having on the river?

Mr. Durfee said he could not speak to this. Chris Connors said she does know that the state is studying the impact of a former DOT salt shed location in Warner where contamination is a concern. Also we (Basil Woods Trout Unlimited and NH F&G) have surveyed several culverts in the watershed that span beneath I-89 that are very long and are perched and likely do create water quality issues. She went on to say that our Chapter is resurrecting the NHDES VRAP (volunteer river assessment program) for the Warner River as except for some testing in 2007, and that done around town wells and water treatment plants, the river is not being adequately monitored. Nancy Martin spoke up to say that Warner's Wastewater Treatment plant receives a tremendous amount of I-89 runoff and they are very concerned about that. So that's what a local advisory committee could do, look into issues like this.

**Question – You indicated there is no cost to these towns (associated with the RMPP Program)?**

Unless they want to voluntarily pay dues to the local advisory committee, Mr. Durfee said. Mr. Simon said an LAC can request the town contribute toward expenses. Mr. Martin spoke about needs for office supplies, and depending upon the programs the LAC takes up, then yes, they may need support from the towns, but in having an LAC, the likelihood that we would receive grant funds for assistance would increase dramatically. Funding needs may be fairly assessed by the length of the river's segment within each town.

**Question – What is the next step?** Mr. Durfee explained the timeline so far. Many of the towns have already given letters of support. Nancy provided an update and explained that we are also looking for letters of support from the towns' conservation commissions, historical societies, and other organizations who might have interests in the river who would support this program. Sam further explained that the committee is responsible for putting the final touches on the nomination document and submitting this along with letters of support to NHDES in May. DES will review and provide feedback, we make any necessary changes and submit the final draft to them in June. Commissioner reviews it, holds a public hearing, if all is approved, then the nomination goes to the legislature. If the legislature approves, then the Governor amends the RSA to include the Warner River in the program.

Nancy Martin mentioned that as we have been taking in information from these presentations, we have been revising the nomination document. We've made significant changes since October

**Suggestion – I was on the Hopkinton planning Board in the 80's and we discussed how to improve development in the town and was on the board when we approved The Meadows development which is located on an oxbow along the river. Looking back, I've always regretted that decision, because whenever we have a major flood they have to evacuate many of the residences. I was concerned about this issue then and was reassured that this would not be an issue. Now massive culverts have been put in. As board members change some have been uncomfortable in cluster development regulations for not having a conservation background, so more strict regulations were made, that do not allow as much flexibility to do what's right for the environment. So it would be helpful to have an educational program for town boards. Across from the Meadows, there is a bluff that is eroding, it's very difficult to tell someone that they cannot put a house on that bluff. Where the banks are privately owned but the water, a public resource, there always tend to be conflict. Planning Board members or Conservation Commission members may not have the knowledge to understand the cause and effect of these dynamic river issues, so it would be helpful to provide educational sessions so they have a better understanding of these issues. They may have good ordinances, but members may not understand or appreciate them.**

Nancy Martin spoke saying that one of the things we have learned about in this process is that raising awareness is one of the responsibilities we have and to keep up with the regulation changes, this has to be a continual process. In fact, before we started these information sessions, we brought in Dr. John Field's, a fluvial geomorphologist, associated with NH River's Council, to teach us about why river's do what they do. He talked about a lot of the issues you raised. We're learning that we shouldn't be doing things like paving everything over like we've done before. It's a matter of reeducating not only the public but all of us.

Chris Connors brought up that the value of having a LAC produce a River's Corridor Management Plan is that all the towns are actually surveyed to provide input. What they like about the river, what protections they want to see, etc. The plan can also include a more thorough study of the river's characteristics, thus help educate and guide the communities. Having a more detailed plan done is wise as this is the kind of plan that attracts grant monies.

George Embley brought up the fact that two-thirds of the watershed streams surveyed have wild brook trout. Their presence indicates high water quality, so we already have documentation of the watershed

being a valuable resource. An LAC is the group which can not only look after the river corridor, but also steward over the watershed.

Another - I was involved with the town of Franklin involving the Webster Lake watershed study and you think there is opposition on a river, you should see what happens when you are talking on the watershed scale landscape! That study ignited tremendous opposition, despite only a few recommendations in zoning. A river is based upon its watershed and that is where a lot has to happen to take water quality into consideration, so has to be approached very differently.

**Another comment – The dam sites seem to attract a lot of attention for obvious reasons, but what about all the issues with culverts in the watershed? Dam sites are highly regulated in terms of flow, and many have to adhere to regulations at the federal level, so towns do not need to be as concerned, but at the watershed scale, towns do need to be concerned about culverts and that’s where the money and education for the highway departments is needed to ascertain where the most egregious problems are, water quality and habitat issues. The dams are important, but there is not a lot of storage along the river and those historic dams are not ever going to be able to generate a lot of hydro, but the culverts and the effect they have is another story.**

Nancy Martin relayed that George Embley can tell you a lot about the studies that Trout Unlimited, Fish & Game and other volunteers have been working on in the watershed for the last five years.

George Embley introduced the Warner River Watershed Conservation Project explaining that not only have the streams been surveyed for brook trout, but that they have also been assessing the water quality of tributaries and surveying stream-road crossings (assessing the culverts). We have completed a survey of all the culvert crossings in the watershed and once we tabulate the results, we intend to share them with the towns.

**Another Comment– This is the second season the DES has had a lot of interns working in various watersheds studying fish passage, whether or not a culvert can handle the storm flow capacity.**

George explained that the culvert surveys in the Warner Watershed are a part of DES’s efforts and the data we collect is entered into DES databases. He explained that Trout Unlimited has a fulltime employee who heads up the New England Culvert Project and all he does is look for opportunities to fix these culverts as well as search for the grant money for these projects. He and the rest of us have

already met with the town of Warner Select Board. The plan is to get back to them to help them prioritize culvert replacement.

Nancy brought up that on a walk along a stream with a logger lately, she told him about the brook trout habitat and that cutting trees too close to the stream would impact the streams water quality and take away shade that keeps the habitat cool. He said he had not thought about this and was very supportive to maintaining a buffer. Sometimes we assume that others know all this stuff, but by continuing to talk about it we are generating awareness.

With no more questions, Nancy Martin thanked everyone for coming and concluded the meeting at 7:55pm.