



## MINUTES

### Connecticut River Joint Commissions

Monday, August 1, 2011

Tracy Hall, Norwich, VT

Present: Dr. Robert Christie, Donna Drouin, Glenn English, Robert Harcke, Cleve Kapala, Mary Sloat, Chris Campany, Thomas Kennedy, Gary Moore, Gayle Ottman

Administrative Staff/Consultants: Rachel Ruppel, Yutian Zhang, Christine Walker of Upper Valley Lake Sunapee Regional Planning Commission

Guests: Bernie Folta, Claremont; Rick Walling, Riverbend Subcommittee Chair; Marc White, Upper Valley Subcommittee Chair; Duane Hyde, The Nature Conservancy of New Hampshire

President Chris Campany called the meeting to order at 10:06 am.

Chris Campany amended the agenda to remove Item #8: Approve invoice for CT River Byway Signs grant, as Two Rivers Ottauquechee Regional Commission is administering this grant and processing these invoices.

**Presentation by Duane Hyde of The Nature Conservancy (TNC):** Duane Hyde made a presentation on the Mascoma River Headwaters Conservation Project. This is a 13,000-acre conservation project in the New Hampshire towns of Lyme, Dorchester, Canaan and Hanover, which would protect the largest block of unfragmented forest south of the White Mountains, 400 acres of wetlands, 11 ponds and streams, 47 miles of frontage on rivers and streams, wildlife habitat, land for outdoor recreation, and views from the Appalachian Trail. The project is broken into three phases: Phase One (called Mascoma Preserve/Refuge Acquisition) being a purchase of land by The Nature Conservancy with possibility for future transfer to the Conte Refuge; Phase Two (Mascoma Working Forest Conservation Easement) being a purchase of land by a timberland owner with a conservation easement placed upon it; and Phase Three (Bear Hill Conservation Easement) being a conservation easement placed upon the land. The total project costs are \$12.5 million, with grant funding being sought through the Forest Legacy Program, private fundraising and the sale of the Phase Two land to a timberland owner.

Bob Christie asked about the elevation change and wetlands on the property. Duane Hyde stated that there are 400 acres of mapped wetlands, and that there are no high peaks on the property. He

estimated the elevation change to be 1,200 feet. Bob Christie asked about old growth forest; Duane Hyde replied that there is no old-growth forest on the property.

Glenn English asked about snowmobile trails and ATV use. Duane Hyde responded that there are state snowmobile corridors as well as local club trails; these trails are not open to ATV use now. After the easements and land purchase, the trails would remain open for snowmobiles, but not ATVs.

Mary Sloat asked about the current landowner. Duane Hyde stated that David Roby owns the land; the land in Canaan and Dorchester was recently purchased by Roby from the Caspersen family.

Gayle Ottman asked about forest management. Duane Hyde stated that the land will be managed for forestry, but that the Phase Three land is primarily managed for wildlife, particularly for black bear.

Bernie Folta asked if David Roby is the only landowner. Duane Hyde stated yes, David Roby owns and controls all land for this project. Bernie Folta asked about the limitations that would be imposed by the conservation easements. Duane Hyde stated that there can be no development nor further subdivision, that the pre-existing structures including a sugar house can remain, that there is a forest management plan that is reviewed and approved by the state, that there can be no sand and gravel excavations, and that the land must be open for pedestrian access and hunting.

Glenn English asked about the impact to property tax payments. Duane Hyde reported that the land is under Current Use, and the same taxes will be paid on the conservation easement parcels and the land that TNC will own. If the TNC preserve is transferred to the Conte Refuge in the future, the National Fish and Wildlife Service will not pay taxes, but rather a payment in lieu of taxes.

Glenn English asked if the towns support the project. Duane Hyde said that no towns are in opposition and all town Conservation Commissions have written letters of support.

Chris Campany asked what will happen to the project if Forest Legacy funding is not granted. Duane Hyde reported that TNC is also looking at Land and Water Conservation Fund grants, and if that is not successful, TNC will raise the funds through private fundraising.

Bob Christie asked about agricultural land or fields. Duane Hyde stated that there is no farmland, but several clearings have been done for wildlife management. Bob Christie asked about fishing. Duane Hyde stated that there are native brook trout in the streams.

Chris Campany asked if there is any action requested of the CRJC. Duane Hyde said this presentation is informational only, and no action is requested.

Glenn English asked if any permits would be required. Duane Hyde said no.

Bernie Folta asked about the permanency of the conservation easements and if they can be undone in the future. Duane Hyde said that conservation easements are rarely but may be amended through a condemnation proceeding by public utilities or governments, but that utilities and governments typically try to avoid locating projects near conservation easements.

Bob Christie asked if NH Department of Environmental Services has any role in this project. Duane Hyde reported that the Forest Legacy easements are with the NH Department of Resources and Economic Development; NH DES is not involved.

Donna Drouin noted that CRJC thanks The Nature Conservancy for an informative presentation. Mary Sloat commented that it is interesting to know that the Conte Refuge could play a potential role in this project, given the CRJC's history in supporting the creation of the Conte Refuge.

Chris Campany noted that a quorum of the CRJC was not present for this meeting, and that CRJC could not vote on any of today's business. Cleve Kapala noted that the Bylaws' Section 7.6 state that the Officers are authorized in the name and on the behalf of the Corporation, to enter into any transaction, contract or lease agreement, which would allows the Officers to vote on the contracts and other business outlined in today's agenda. All Officers were present: Chris Campany, President; Glenn English, Vice President; Mary Sloat, Treasurer; and Tom Kennedy, Secretary.

**Minutes of June 21, 2011:** Approval of the minutes of June 21, 2011 will be voted on at the next CRJC meeting. Mary Sloat noted that the location of the meeting was Lavigne Hall in Haverhill and the minutes should be amended to reflect that.

**Financial report; review FY12 budget:** Mary Sloat reported that there was nothing new to report from the financial report. Yutian Zhang reported that the current cash balance is \$13,000, and that he is waiting for the year-end financial statements from Larry Reed.

**New bank account with Lake Sunapee Bank:** Glenn English moved the following resolution: "To authorize Upper Valley Lake Sunapee Regional Planning Commission to open a bank account at Lake Sunapee Bank in the name of the Connecticut River Joint Commissions (CRJC). Authorized signers of this account will be Tom Kennedy, Secretary, Mary Sloat, Treasurer and Lawrence (Chris) Campany, President of the CRJC. The CRJC further authorizes Yutian Zhang and Christine Walker of the Upper Valley Lake Sunapee Regional Planning Commission to access the information on the account and order checks. The CRJC further authorizes the Secretary (Tom Kennedy) to sign resolutions associated with the Lake Sunapee Bank account." Mary Sloat seconded the motion. All officers voted in favor of the motion – motion passed.

**Confirm contract between CRJC and UVLSRPC:** Mary Sloat made a motion to confirm the contract between CRJC and UVLSRPC for administrative and program support, with a second by Tom Kennedy. All officers voted in favor of the motion – motion passed.

Christine Walker explained that UVLSRPC is planning to subcontract the technical assistance of the two northernmost Local River Subcommittees (Headwaters and Riverbend) and the southernmost Local River Subcommittee (Wantastiquet) to two local Regional Planning Commissions; this will allow for more local support of the subcommittees and reduce travel time and mileage costs than if one individual provided support to all five subcommittees. Glenn English made a motion to authorize UVLSRPC to subcontract with Regional Planning Commissions to provide technical assistance to Local River Subcommittees, with a second by Mary Sloat. Discussion ensued:

Mary Sloat stated that she would like to make sure that there is continuity of support for the subcommittees. Chris Campany stated that CRJC needs to make sure all subcommittees are on the same path and are equally strong. Glenn English noted that the contract includes providing the same services to all subcommittees. Christine Walker stated that Rachel Ruppel will coordinate closely with the staff of the other RPCs. Rick Walling stated that he would like to see continuity up and down the river. Glenn English requested that all minutes of the CRJC and Executive Committee be sent to the local river subcommittees. Bob Christie added that the Executive Committee should review all subcommittee meeting minutes, and recommended that this should be added to the bylaws. Mary Sloat noted that 2 commissioners are typically appointed to each subcommittee, and recommended that this should be added to the bylaws. Glenn English recommended that representation of commissioners of each subcommittee should be required.

Marc White voiced his concern about the future of the subcommittees and about switching from one contractor to another. Cleve Kapala noted that there are three levels of organization within CRJC – the state commissions, the bi-state CRJC, and the local river subcommittees, and that there needs to be a balance between local concerns and bi-state concerns. Christine Walker stated that there is a set amount for two subcontractors and that this arrangement would avoid paying for 4 hours of travel for UVLSRPC staff to attend some meetings. Christine Walker stated that it is imperative to have clear expectations and that the subcontractors will come to CRJC meetings periodically to report out to CRJC. Donna Drouin stated that there needs to be a lot of work to inform members about what is going on. Mary Sloat stated that when she goes to subcommittee meetings, she gives a brief summary of CRJC's current work. Glenn English stated that each group needs to understand its missions; the subcommittees have the responsibility of permit review. Rick Walling reported that the Riverbend subcommittee is fragile right now, but that they do much more than permit review; they recently developed the River Management Plan; he would like assurance that one person will staff each subcommittee. Christine Walker affirmed that there will be one individual from the RPC who will support the subcommittees. Bernie Folta noted that subcommittees are enabled by NH state legislation. Bob Christie stated that it is important that communities on both sides of the river are engaged. It was noted that Adair Mulligan, prior staff to the subcommittees, played an important leadership function.

With no further discussion, Chris Campany called the motion on the floor to a vote by the officers. All officers voted in favor – motion passed.

**Review of FY12 state contracts with NHDES and VTANR:** Chris Campany reported that he has negotiated the Vermont state contract with Michaela Stickney of VTANR, and that CRJC's status has changed from Tier IV to Tier I, as the State of Vermont views CRJC as more financially secure. Christine Walker reported that she has been working with Jacquie Colburn at NHDES, and that there are additional requirements for contract confirmation, including review by the Attorney General and approval by the Governor and Executive Council, which will take at least two months. Christine Walker noted that the scopes include two new pieces: to migrate the website to a new platform that anyone will be able to use and to develop a strategic plan. Glenn English stated that NH Commissioners are available to support the contract's passage through Governor and Council, if necessary. Tom Kennedy made a motion authorizing the President Chris Campany to sign the New Hampshire and Vermont contracts, with a second by Mary Sloat. All officers voted in favor – motion passed.

**Confirm contract amendment with TRORC for CT River Byway Signs grant:** Tom Kennedy stated that Two Rivers Ottauquechee Regional Commission is administering this grant on behalf of the CRJC and that their contract amendment for administrative services is reimbursable by the grant. Mary Sloat

made a motion to approve the contract amendment, with a second by Gayle Ottman. All officers voted in favor – motion passed.

**Review press release about status of organization and new contact information:** Chris Campany presented the press release to the CRJC for their review. Mary Sloat noted that the wording should be Local River Subcommittees, not Committees. Marc White asked that the press release go out to subcommittee chairs first. Donna Drouin asked that the press release go to the Keene Sentinel, Brattleboro Reformer, and Rutland Herald. Mary Sloat asked Rachel Ruppel to send out a list of newspaper outlets for CRJC to review. Glenn English requested that the press release be sent to all towns along the river, and that Regional Planning Commissions would have contact information for all towns. Tom Kennedy asked that Chris Campany or other CRJC officer respond to any questions about the press release.

**Vermont caucus to vote for Executive Committee's VT Member At-Large:** Chris Campany stated that this will be tabled to the next meeting, when there is a quorum of the Vermont caucus.

**Review revisions to bylaws RE: role of Executive Committee:** Chris Campany presented proposed revisions to the bylaws, asking whether it is necessary to have a Board of Directors and an Executive Committee. Glenn English stated that he prefers to have the full CRJC make decisions. Gary Moore stated that he does not want to miss opportunities because there is no time for a CRJC meeting. Tom Kennedy stated that the Executive Committee can enter into a contract, but CRJC must ratify that contract at the next meeting. Bob Christie noted that he had given Chris Campany a requested revision to the bylaws. Glenn English recommended keeping the current schedule of 6 yearly meetings of the CRJC and the Executive Committee on alternating months. Gary Moore asked if written proxy votes would be allowed; the consensus is that New Hampshire law does not allow for proxy votes. Chris Campany and Tom Kennedy will draft proposed language clarifying the current roles of the CRJC and Executive Committee.

**Meeting dates for FY 2012:** Tom Kennedy requested that Rachel Ruppel set up a Doodle poll to schedule the meetings for FY 2012. Discussion ensued about the time of day and which week to hold the meeting. If the meetings are held the third week of the month, financial reports will be available. Rachel Ruppel will include options for 10 am and 12 pm meetings on the first and third weeks of the month.

**Commissioners' comments:** Glenn English reported that Rebecca Brown and Bob Bald have been nominated to serve as New Hampshire commissioners. He added that NH still needs a representative from forestry and UVLSRPC.

Chris Campany shared a letter that he drafted to the US Department of Energy with regard to Northern Pass, per a vote at the June 21, 2011 meeting. The letter states that CRJC would like to see that the Northern Pass project be held to the highest environmental standards. Chris also reported that Theresa Darling has formally separated from CRJC employment and that Theresa is keeping several pieces of fully depreciated equipment. Chris Campany also reviewed NH and VT contracts. He has reviewed the current CRJC insurance and reported that with no employees, some of the insurance coverage can be dropped. CRJC will maintain directors' and document insurance.

Gary Moore reported that he has talked with Michaela Stickney about VT commissioner recruitment.

Mary Sloat asked about the sale of books and that Adair Mulligan has planned to sell the Atlases at an upcoming event. Chris Company noted that CRJC must find a more permanent storage location for CRJC books and archives.

**Public Comment:** Bernie Folta noted that NH RSA 227:E allows CRJC to accept private donations and asked if it might be possible in the future to establish a Friends of the Connecticut River for private fundraising. Cleve Kapala noted that private funds have already supported the work of CRJC; TransCanada financed the development of the last strategic plan completed in 2007.

Rick Walling asked what he should tell his subcommittee. Christine Walker responded that RPC staff will contract you soon and will send an outline of the technical assistance that can be provided.

**Announcements:** None

Meeting adjourned at 12:10 pm.