



## MINUTES - Connecticut River Joint Commissions Meeting

Monday, Sept. 17, 2012

11:00 am - 3:00 pm

Metallak Lodge, Pittsburg, NH

NH Commissioners Present: Bob Ball, Rebecca Brown, Bob Christie, Donna Drouin, Robert Harcke, Cleve Kapala, Aaron Simpson, Mary Sloat, Rick Walling

VT Commissioners Present: Tara Bamford, David Deen, Peter Gregory, Bev Major, Gary Moore, Michaela Stickney, Brendan Whittaker

Administrative Staff/Consultants: Rachel Ruppel

Members of the Public: Brendan Prusik, UNH Cooperative Extension; Bob Baker, Columbia; Bill Schomburg, Headwaters Subcommittee/Columbia; Larry Rappaport, Headwaters Subcommittee/Colebrook; Kevin McKinnon, Headwaters Subcommittee/Colebrook; John Harrigan, Columbia

Brown, President, called the meeting to order at 11:00 am and welcomed new Commissioners, David Deen, Tara Bamford, Rick Walling and Aaron Simpson. Introductions were made.

Whittaker noted a correction to be made in the June 4, 2012 minutes – on page 3, the sentence should be read, “Whittaker reported an immense improvement to CRJC’s operations thanks to staffing by UVLSRPC...” Major moved to accept the June 4, 2012 minutes as amended, with a second by Drouin – motion passed, with Simpson and Deen abstaining.

Sloat presented the financial report, noting that CRJC has already received its first quarter advance payment from Vermont for FY13. Christie moved to accept the financial report as presented, with a second by Whittaker – motion passed unanimously. Sloat added that CRJC will have a financial compilation for FY12 rather than an audit; this decision was based on advice received from CRJC’s newly chosen CPA, Malone and Dirubbo, given the size of CRJC’s current budget. Brown noted that the Executive Committee decided to use a firm with no prior association with CRJC or its contractors.

Moore moved to authorize CRJC’s officers: Rebecca Brown, L. Chris Campany, Thomas Kennedy, and Mary Sloat to act as signatories on CRJC’s bank account, with a second by Gregory – motion passed unanimously.

Moore moved to confirm the nominations of the following slate of Local River Subcommittee members: Michael Crosby (reappointment) and Lloyd Saltmarsh of Dalton, NH, Stephanie Taylor of Newbury, VT, Bill Bridge of Thetford, VT, Elise Angelillo of Plainfield, NH, Don Farquharson of Westmoreland, NH, and Elizabeth McLoughlin and Michael Fairchild of Brattleboro, VT with alternates Sue Fillion and Rod Francis. Kapala seconded the motion. Discussion ensued as Bamford asked if Whittaker should be added to this list representing Brunswick; Whittaker noted that the Brunswick

Selectboard has not yet acted. There being no further discussion, Brown called for a vote - the motion passed unanimously.

Commissioners discussed whether Subcommittee membership is open to CRJC Commissioners, if an individual Commissioner is nominated by his/her town; this was met with agreement by CRJC Commissioners. Harcke also asked if a Commissioner should have voting rights if he/she has not been nominated by the town; this was not met with agreement by CRJC Commissioners. Brown asked for a vote in order to clarify CRJC's policy. Bamford moved to clarify that Local River Subcommittee membership is open to CRJC Commissioners if nominated by the town, with a second by Drouin – motion passed unanimously.

Deen provided an overview of the FERC dam relicensing process, reporting that TransCanada plans to file its preliminary application documents for three Upper Valley dams in October, which sets in motion a five-year process to renew their federal operating licenses. He noted that there are multiple opportunities for public input, and posed two questions to CRJC: (1) should CRJC be involved? and (2) who should be the point person or spokesperson for CRJC? Deen stated that Nat Tripp was CRJC's spokesperson for the Canaan Dam relicensing. Kapala added that TransCanada started the relicensing work two and a half years ago, but the formal process starts this fall. Kapala presumed that CRJC will be an intervenor, and suggested that those interested in being the spokesperson should submit their names to the Executive Committee. Kapala further suggested that the spokesperson be someone who does not wear multiple hats, and can clearly and accurately represent CRJC's position. Moore noted that CRJC may authorize anyone to act as spokesperson, not just one of its own Commissioners. Brown stated that CRJC will revisit this topic in November.

Kapala provided an overview about the 15 Mile Falls Mitigation and Enhancement Fund, set up as part of the settlement agreement of the 15 Mile Falls dam license. NH Charitable Foundation distributes the funds, based on recommendations of a 12-member committee. Nat Tripp has served as CRJC's representative but is looking to retire from this committee, and Bob Ball has attended meetings with Nat in the past year. Ball stated that he feels that he understands the process and responsibilities of this Committee. Moore moved to appoint Bob Ball as CRJC's representative of the MEF committee, with a second by Kapala – motion passed unanimously.

Ruppel reported that it is not certain that all relevant permit applications are being forwarded to Local River Subcommittees, and that there seem to be differences in which permits are received in Vermont versus New Hampshire. She stated Chris Company has volunteered to look into this on the Vermont side, and asked for a NH Commissioner to volunteer to do some research on NH permit applications and report back to the Executive Committee. Bamford noted that in NH, Subcommittees have statutory authority to review permits, but not in Vermont. Deen also noted that discharge permits in NH are issued by EPA, not by the State of NH. Drouin volunteered to research this issue on the NH side; Deen offered to provide assistance as well.

Ruppel provided background on the NH Geological Survey's capital request for statewide LiDAR acquisition, which would greatly improve the precision of elevation data and can be used for more accurate floodplain mapping. McKinnon asked if this will lead to updating the FEMA floodplain mapping. Gregory clarified that there is no guarantee of map modernization, but that better information will be available to complete a Letter of Map Amendment. Moore moved that the Chair write a letter of support for the LiDAR acquisition project. A vote was not taken.

Brown described a plan for outreach to riverfront towns for this fall – that Commissioners would volunteer to meet with Boards of Selectmen in towns that currently have no Subcommittee members. Christie recommended that it would also be helpful to have Subcommittee members stand up at town meeting and provide an update on what their Subcommittee is doing.

Ruppel provided an update on new member recruitment – on the NH side, three people have submitted paperwork to the Governor's Office. Vacancies remain for 4 at-large members in Vermont, and the agriculture, tourism and flood control seats in NH.

Michaela Stickney joined the meeting.

Ruppel discussed the meeting schedule with the Commissioners, with the conclusion that meetings will be held on the third Monday of odd-numbered months from 2-4 pm. The next meeting will be November 19<sup>th</sup>.

#### Commissioners' Comments:

Christie noted that when CRJC first started, it was focused on the mainstem but has since expanded its focus to the watershed. He moved to direct Ruppel to investigate all options for environmentally friendly meetings, especially teleconferencing, with a second by Ball. Discussion ensued. Bamford noted that electronic meetings are not permitted under NH's Right to Know Law. Prusik reported that UNH has a network for video conferencing. Brown stated that she was uncomfortable with assigning task to staff with limited time, but instead suggested that this be discussed at the next Executive Committee meeting. No vote was taken.

Whittaker stated that he is glad that a watershed approach is being taken. He informed the group that there is a trash problem at the mouth of the Nulhegan at the canoe access, and that CRJC's name is on a sign there with other state agencies and organizations. It is unclear who should be the responsible party for caretaking the site. The Executive Committee and Stickney will follow up on this.

#### Subcommittee Comments:

Walling reported that Riverbend had a quorum at their last meeting and held elections for a Chair and Vice Chair. He also noted that the fish refuge project is beginning construction today below Comerford Dam. Deen stated that the public wishing to visit the site must give advance notice. Walling also commented on the boating guide, stating that there is not enough promotion of this information.

McKinnon stated that he would like to reinforce the concept of preservation of natural beauty, that CRJC and its Subcommittees not take the beauty of the landscape for granted.

Whittaker reported that in the Headwaters region, there is a railroad bridge leaking creosote into the river and that Schomburg is bird-dogging the pending enforcement action.

Commissioners and guests recessed the meeting for lunch and reconvened after lunch.

Prusik made a presentation on the Upper Connecticut River Watershed Cooperative Invasive Species Management Area (UCISMA). He stated that NH and VT have active partners, but Quebec has not yet committed. The UCISMA received a National Fish and Wildlife Foundation Pulling Together Initiative grant. He provided excellent background on invasive species, noting that plants and insects are the main focus. This summer, two interns surveyed stated roads for invasives, and identified priority areas for treatment and monitoring.

Baker made a presentation on the North Country's response to the proposed Northern Pass project. His presentation notes are attached to these minutes.

Rappaport reported that the NH State Legislature established the 361 Commission (a result of SB 361) to study a state policy to require burial of all new transmission lines and require use of state transportation rights-of-way. He reported that there have been three meetings so far, and stated that there is precedent for underground transmission projects in New England, specifically the New Brunswick Electric Line from New Brunswick to New York City. He also noted that the state could generate a new source of revenue from leasing its rights-of-way.

Harrigan stated that he felt this is a private project for private gain, using New Hampshire as an extension cord. He questioned if this is a good use of the resource, and if there is a demonstrable benefit for local residents and communities.

Walling noted that CRJC's mission includes a provision to protect the visual integrity of the Connecticut River watershed.

Prusik asked what types of towers might be used, and if they would be similar to the towers on the existing transmission line in Vermont. Baker responded that the project sponsor has submitted several options to the federal government as part of the preliminary permit application.

Whittaker asked about the likelihood of a lawsuit over diminution of property values. Baker responded that to his knowledge, this is a unique situation and no precedent exists.

Drouin noted that this project pertains to the amount of power needed by a megalopolis. Baker responded that this project may raise an environmental justice issue, as the power is not needed here, but in southern New England.

Schomburg read from CRJC's January 2012 meeting minutes, where it stated that CRJC's first priority is to support Local River Subcommittees. He stated that the Headwaters Subcommittee has voted unanimously in opposition, and asked at the June meeting that CRJC take up this issue. He asked what CRJC will do next. Brown responded that this presentation was an opportunity for Commissioners to learn about the project and issues raised in the North Country, and that CRJC has invited Northern Pass to come give a presentation at their meeting. Northern Pass requested that they would give a presentation, once a route is announced.

Meeting adjourned at 3:00 pm.