

**Exeter River Committee**

**October 23, 2014**

**1. Convene the meeting**

Chairman Lionel Ingram called the meeting to order at 9:04 am in the Nowak Room of the Town Office building. Members present: Rod Bourdon, Frank Patterson, Roger Wakeman, Pete Richardson, Richard Huber and Virginia Raub. Also in attendance: Sally Soule of DES, Kevin Lucey of DES, Town Resource Planner Kristen Murphy, Pete Walker of Vanesse Hangen Brustlin (VHB), Jake St. Antonio (VHB) and Selectman Don Clement.

**2. Minutes of September 11, 2014 meeting**

Mr. Huber felt the cross-out of two words in a sentence under Other Business is appropriate and asked the words "on ocean rise" be removed from the sentence; more issues than just oceans rising. With that correction, Mr. Huber moved to accept the draft minutes of the September meeting; seconded by Mr. Patterson. Motion carried with Ms. Raub abstaining.

**3. Discussion of the status of Dam's removal and the River's restoration**

VHB consultant Peter Walker stated although he will stay on with the project, Mr. Jake St. Antonio, a water resources engineer, will be the lead engineer for the project and will also serve as project manager for VHB.

At this meeting he wished to review and update the status of grant awards and applications and the Section 106 review process. The Town received a \$75,000 grant from the NH Coastal Program that can be applied to the design and permitting phase. Mr. Lucey of the Coastal Program also indicated there may be additional funds available for post-removal monitoring and public outreach/ education.

On October 21, Mr. Walker, Mr. St. Antonio and Mr. Richardson met for a site walk with the State's Aquatic Resource Mitigation (ARM) Fund committee as a step in receiving a \$100,000 grant from the NH DES Wetlands Bureau. Also, an application for \$40,000 was submitted to the State Conservation Commission for the Moose Plate grant. Both grant requests are pending and hope for decisions in November.

After talking with personnel at NH Fish and Game Department, there may be up to \$50,000 available from the Fish Habitat Restoration funding program; additional information will be supplied to the Department. This is a rolling program so a decision could be received after submittal of information.

A national competition for funding from a substantial-sized grant has been announced by the US Department of Housing and Urban Development with the focus on resiliency and adaptation to climate change. Because the first phase of the grant process is not due until March of 2015, it may not fit into this project time frame but will apply anyway in early 2015.

Moving on to cultural resources and regulatory coordination, Mr. Walker noted there is great deal of interest on the historical impacts of the dam removal. To date, it has not been resolved which Federal agency will be the lead agency in the 106 process. VHB has been in contact with both agencies (NOAA and DHR) and they have no objection to how VHB is proceeding until this decision is made.

The consultants have exchanged updated information on inventory forms with DHR. A meeting is set for November 18 with the Town, VHB and DHR personnel including Nadine Peterson, and Edna Feighner. The consulting parties on this project are also invited to this meeting being held in Exeter to allow the consulting parties to attend. This is a working meeting on process 106 material; a public meeting is set for December.

VHB is working on the archeological survey. The survey done earlier determined the area near the dam was deemed to be an archeological sensitive area. An independent archeological consultant, Kathleen Wheeler from Portsmouth, was retained for additional work. She and her team did survey work recently around the dam site, Founder's Park and the west side of the river (near the Chocolatier). A written report of their findings is due shortly but it appears both sides of the river were disturbed to the extent there is no intact archeological site; mix of resources.

Referencing the time bar graph distributed to members, Mr. Walker stated it was a more detailed breakdown of the 106 process. Reviewing, the meeting with DHR was discussed, the work session coming up in November and the public information meeting set for December. During the winter, there will be discussion on a determination of effects (of dam removal) as the next step as outlined in the Section 106 process. There is almost universal agreement removal of the dam does represent an adverse effect to the dam itself which is eligible for listing.

Another public meeting is set for February to begin the discussion of mitigation and what we would be obligated to do to offset the adverse effect. Early spring will see the Section 106 Memorandum of Agreement (MOA) drafted; a formal document identifying the effects and all the mitigation proposed to address those issues.

Mr. Walker spoke of an upcoming meeting with the resource agencies dealing with the natural resources impacts; mainly the proposed sediment management strategy and some related sediment mitigation measures. The agencies attending would be DES Wetlands Bureau, Watershed Management Bureau of DES, Army Corp of Engineers, EPA, NH Fish and Game, NH Fish and Wildlife; all the resource agencies. He anticipated meeting would be in late November-early December. Again, not a public informational meeting but will most likely be held in Exeter to allow participants to view the site if needed.

In regards to the 106, the Chairman reported the Town is currently in process of forming a group that will be working on behalf of the Town on the historical aspect. Presently it is a committee of four with representation from the six consulting parties. The fifth member pending appointment (by BOS) is not a representative of a consulting party. They will report through the

River Study group but work independently. They will be the primary group VHB will be working with and any other groups on the mitigation process. He hopes the committee will be set so they may receive a briefing before the meeting with DHR on November 18. The Chair felt the guide book, *A Citizens Guide to the Section 106 Review* prepared the Advisory Council on Historic Preservation, an independent Federal agency, would be beneficial to the members of this Town committee to review before the 106 meetings get underway. It is available online at <http://www.achp.gov/docs/CitizenGuide.pdf>

Mr. St. Antonio provided an update on the engineering tasks completed in preparation for dam removal. A detailed survey of the dam impoundment, both upstream and downstream and surrounding areas, was completed including topography and planometric data. The work was coordinated with DPW and US Fish and Game to be done during the river draw down; DPW followed F&G requirements for that task. The drawdown allowed for more detailed sediment depths at dam site and a survey determined the location of the Town river intake. A possible dry hydrant off of Franklin St. was also located.

Also during the drawdown, the geotechnical subcontractor put a barge and drill rig out into the impoundment area for river borings and sediment probes. Land borings were also done at Founders Park and on the property of Mr. Peter Olney on the west side of river; report is expected shortly. Later, responding to a question from Selectman Clement, Mr. St. Antonio confirmed no borings were done above the bridge.

The data from the Mill intake study prepared by RDK on their cooling system was reviewed and VHB's comments forwarded to Mr. Vlasich at DPW and to the Mill. A meeting is set for the end of October with all parties to discuss steps moving forward.

The Chair returned to discussion of the Town designated Section 106 review committee; a representative of the Exeter Historical Society, the Exeter Heritage Commission, the Historic District Commission, a member from the River Study Committee and the fifth member independent of any consulting party. Again, will be working as the Town's agent in determining how and what the citizens want in mitigation. He allowed there is more involved but they will inform the River Committee of their work and if there are any concerns, Mr. Huber will be the point of contact for this Committee.

#### **4. Review of CAPE analysis and findings**

Mr. Paul Kirshen, representing the Climate Adaptation Plan for Exeter (CAPE) project, reported the most recent analyses revealed some inconsistencies in the results the project team was not comfortable with the findings. They went back and did some additional research and now feel they have a better data set; more confident of the results. The project deadline for completion is now June of 2015, but is confident the analysis will be ready in December. He would like to come to the November meeting to set a date for a briefing of this report to the members of this committee sometime in December.

He did confirm, the peer review group that discovered the inconsistencies will be the same peer group plus additional members viewing the latest models; important to get it right.

**5. Other business**

Mr. Kevin Lucey, stating he was the Restoration Coordinator for DES Coastal Program spoke of the \$75,000 grant from the Coastal Program recently awarded to the Town for use in the design and permitting phase. He advised Mr. Vlasich of additional funds available based on the need for monitoring and public outreach/education. Mr. Vlasich is working on potential projects that could be incorporated into the contract. As to these funds being part of the 106 process, Mr. Lucey said they might be but these tasks would begin before the MOA is drawn up. Referencing the September meeting when Mr. Eric Hutchins was present, Mr. Lucey explained Mr. Hutchins is with the Restoration Center (of NOAA) and the funds for this contract are from his office of Coastal Management; two sections within NOAA. The lead federal agency would most likely come from one of these two divisions; currently being determined.

As for post removal monitoring, these particular funds would not be available in that time period as they (the funds) expire in June 2016. He is however, speaking with Fish and Game on developing a monitoring plan measuring fish response to dam removal; hopes to be able to report more in November.

He verified at this time, he is not the point person for the 106 process until a lead agency is identified, but his role is that of contract manager for the funds offered to the Town and Coastal DES program.

Ms. Sally Soule from the Watershed Assistance section of DES stated although her division of DES does not have an active grant agreement with the Town at this time, she will be staying on to follow the project and to provide any links/resources her office may offer.

Mr. Walker returned to report on some personnel changes at the Dam Bureau of DES, Mr. Jim Webber will be the contact person with that Division; will be reviewing the engineering plans as they are developed.

**6. Next meeting: November 20, 2014 9:00 am**

Meeting adjourned at 9:50 am

Respectfully submitted,

Virginia Raub