

**River Advisory Committee**

**September 21, 2017**

**1. Convene the meeting**

Chairman Richard Huber convened the meeting at 9:05 am in the Nowak Room of the Exeter Town Office building. Other members present: Rod Bourdon, Jill Robinson, Lionel Ingram, Virginia Raub, Selectmen representative Don Clement. The Chair welcomed Peter Lennon representing the Water and Sewer Advisory Committee to the Committee.

Also present: Town Engineer Paul Vlasich and Natural Resource Planner Kristen Murphy

**2. Approval of minutes of August meeting**

Acknowledging there were grammatical corrections to be made, Mr. Ingram moved to accept the minutes of the August 16, 2017 meeting with corrections: seconded by Mr. Bourdon. Motion carried with Mr. Clement and Mr. Lennon abstaining as they were not present for the August meeting.

The Chair asked to advance to Agenda No. 5 to accommodate the presenter's schedule.

**3. Update on fish passage**

Mr. Michael Dionne from the Marine Division of NH Fish and Game, said yes, dam removal was a success but with qualifications. The engineers had designed a right and left channel anticipating the migrating fish would find their way upstream via these channels. However, under the high flow conditions of the past spring the fish most likely found the discharge between the two channels more than they could navigate. But they did find a fracture in the center ledge that zigged zagged upstream and was more accommodating. Unfortunately where this swim line entered into the main river was quite angular and many were perhaps washed back downstream. Others sought passage along and in back of shore-lined rocks but again, when they tried to reenter the main stream, the angle was too severe and may not have been successful.

In June, at the end of fish passage season, a number of involved personnel assembled at the river to discuss the adjustments needed for a more successful migration. Determining where adjustments were needed to the two side channels, Fish and Game personnel, working with the contractor SIMCO, moved and chiseled some rocks to facilitate fish re-entering the river and slowing the current. This new placement of the rocks was also intended to decrease the aeration/bubbles in the water that are not favorable for migrating river herring.

Not only were there strong flows in the spring, frequent rain events cooled the temperature of the water as river herring are very temperature sensitive, they may have stayed down in the tidal zone. With all these varying factors, Mr. Dionne felt he did not have an accurate number of fish that did make it upstream. Last year there was 200,000 in all the fish ladders combined; this year a guesstimate of 100,000. He hoped the fish counter installed at the Pickpocket Dam would give a more accurate count but that did not do so. This year there was a heavy migration of sea lamprey. A trait of migrating sea lamprey is their clumping and sticking together in groups and they clogged the fish ladders at the Dam site. Consequently, Mr. Dionne stated there were no numbers of value from that site.

Fish and Game plans on doing some modifications to the interior of the fish ladder this fall to help keep the eels from interfering with the river herring; hopefully should get a better number in 2018.

Mr. Dionne affirmed Fish and Game will be doing monitoring in perpetuity. They are actually mandated by the Federal Government to provide biological numbers and a count numbers on the Exeter River; just will be less intense at the dam site in future years.

Mr. Clement, summarizing Mr. Dionne's presentation, said then there is no way of knowing an actual count but the count was at least in the hundred's. Mr. Dionne agreed saying their count was derived from standing on the Great Bridge and observing from that vantage spot.

### **3. Updates on Various River Related Items**

Mr. Vlasich added the Town is also required to do monitoring for 5 years at several locations along the river; below former dam site, at dam site and upstream. They will be going out with surveyors the first of October to see how the river bottom is reacting to dam removal and verify that no erosion is occurring. As for fish numbers, the Town will be relying on Fish and Game for those figures.

- *FEMA analysis*

The preliminary analyses for changes to the flood plain as a result of the dam removal are being finalized by the VHB consultant and readied to send off to FEMA. FEMA has up to 90 days for review so most likely will not receive anything back before end of year. Again, if there are comments it will come back to Town for the additional information and then additional time added for their second review. He advised no information on findings be released until procedure is finalized.

Discussion followed on whether recent storm events will have any effect on FEMA's rulings. It was concluded that information will go into the data pool but will take a number of years before any changes are reflected in FEMA standards/decisions. Mr. Clement added there are standing rainfall amounts for the various year storms and are done by regions. What occurred in Texas would be reflected in Gulf standards. Mr. Huber added the warmer Gulf waters helped re-energize Hurricane Harvey and with our coastal waters warming, that might perhaps be reflected in how future storms impact the NH coast.

- *Cultural resources of Section 106 stipulations*

Fulfilling the requirements of the Section 106 stipulations is moving along. The wording of the outdoor sign was finalized and approved by the Heritage Commission and the NH Division of Historical Resources. But after receiving feedback, they are now looking at changes to the actual shape/design of signage so as to not resemble the State highway signage. No site for the sign has been determined; mostly likely placed close to the library.

As also required, photos of the dam will be placed in the library and those selected received approval from Heritage Commission. VHB is presently working on placing them onto presentation boards. Also in the library will be a viewing area looking out to the former dam site through etched glass panels that allow the viewer to super impose images of what the dam site looked like prior to removal.

- *Pickpocket Dam breach analysis*

Mr. Vlasich reviewed his previous remarks on the analysis being done to reflect the outcome if there was a failure of the Pickpocket Dam and the effects downstream. It was determined the need to verify the elevations of some structures downstream before submitting report to NH DES. Approximately 35 letters/notices have been sent out to the owners of the properties noting the need to complete this task on their property. VHB is carrying out the survey work.

### **4. The State's Response to the Sea Level Rise Issue and an update on C-RiSe and the Seacoast Commission on Clean Drinking Water**

Ms. Julie LaBranche from the Rockingham Planning Commission (RPC) was asked to come and provide updates on recently passed NH State bills. Senate Bill 185 was referenced in NH Senator David Watters' newsletter and discussed briefly at the Committee's August meeting but members felt more information was needed to fully understand its intent. Ms. LaBranche brought prepared copies of the Bill for the members.

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Basically the Bill extends the community revitalization tax relief program (79-E) to coastal properties subject to storm surge, sea level rise, and extreme precipitation. It allows towns to establish a coastal resilience incentive zone (CRIZ). The towns may use the storm surge, sea-level rise and extreme precipitation projections as presented in the 2016 report of the NH Coastal risk and Hazards Commission, "Preparing New Hampshire for Projected Storm Surge, Sea-Level Rise and Extreme Projections" and its successor projections to identify potentially impacted structures.

Ms. LaBranche outlined the steps any municipality wanting to adopt such a plan would need to take. Initially would be an inventory of existing structures in harm's way; other infrastructures may be impacted i.e. roads, salt marshes but not structures. To determine what is a qualifying structure, Section 203:2 of the Bill outlines the various entities deemed eligible. There are a range of activities that would qualify as eligible; building berms, extending the flood plain, relocating, elevating the structure. In exchange for property owners taking such action, they would be offered tax relief; any improvements made would not increase the tax on that property. If a modification was made to a structure, there might be the possibility of a decrease in cost of flood insurance.

There is also a provision to amend the RSA 79-E by inserting a provision to create a Coastal Resilience Zone (CRIZ) within the town. Projections outlined in the NH Coastal Risk and Hazards Commission report "Preparing NH for Projected Storm Surge, Sea Level Rise and Extreme Precipitation" may be applied to identify potentially impacted structures. Municipalities have the right to provide other relief to properties in this zone that are subject to repeated inundation.

In summary, Ms. LaBranche re-iterated SB 185 is not an insurance reduction program but provides taxable relief as an incentive for owners to flood- proof their property.

Replying to Mr. Huber's inquiry as to what this Committee can do to expedite the inventory process, Ms. LaBranche said there is a large amount of data already compiled i.e. sea rise maps, perhaps just compile all into one large map to facilitate identifying those structures/areas at risk.

As for who would do this assessment, Mr. Clement felt the Town was a long way away from implementing something like this; time needed to sort out existing data, compiling and identifying. It will most likely be a function of Planning Department. He was sure it will be included as an action plan in the Master Plan update currently underway.

Mr. Huber asked should this Committee explore the possibility of forming a subcommittee or seeking an outside consultant to seek out and analyze the existing data? Mr. Clement felt the question comes down to priorities especially if funds are required to do so. Committee may make a recommendation to the BOS for a course of action if this Committee feels it is required/desired. Mr. Clement added in actuality the risks in Exeter are far less than in the neighboring coastal towns.

Mr. Ingram felt we should wait for the FEMA maps, get a cursory inventory together from what data we do have and then talk about who and how should proceed. Ms. LaBranche added she is working with Town Engineer on a public workshop to be held early in 2018 on stormwater management and there might be some funds in that grant to help with this identification process. Mr. Ingram asked if she would pursue the availability of such funding to get a preliminary inventory put together, see what impacts would be on Town and to piggyback but work parallel with the upcoming workshop. The Chair concurred with the suggestion.

Mr. Lennon, speaking as an individual member of the Budget Recommendation Committee, felt that embarking on such a study might be premature as what figures we do have do not reflect revised FEMA maps, only two years of data with dam-out, and a master plan not yet complete. He is supportive of using

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available grant monies to get some of the preliminary work done but feels there are other items that need addressing in Exeter; the town is looking at pressing infrastructure projects.

Discussion continued on feasibility of moving forward with Mr. Ingram outlining his position that, with not an extensive amount of properties impacted, he would like Ms. LaBranche to proceed with what could be done and then have a way to prioritize. Ms. LaBranche stated with the grant running into 2018, there may be time to wait for FEMA maps to come back and then overlay with C-RiSe maps. But she would like to explore more what tasks would be required for Town to move forward. Not only structures that are impacted but existing natural conditions; what would be the time and costs to proceed.

Mr. Huber values Ms. LaBranche's judgement in reviewing the data and related material and reporting back to the Committee on the decisions to be made. But he did want to re-iterate precipitation events should not be discounted as they seem to be occurring more frequently. Mr. Ingram added we have revised data for 50 year storms determined by VHB in the dam removal process that the State accepted. In his view, if Ms. LaBranche could look at numbers and actions needed within the existing monies available and program activities he felt would be useful. He agreed it is not something that needs to be worked on right away but would give Town and this Committee an idea how to prioritize.

Referring back to the legislation, Ms. Robinson questioned the language in Section III (of 203:3) stating a town may acquire preservation or water control easements; unsure what that would look like and how it would work. Ms. LaBranche also was unsure exactly what that was but provided some possible scenarios; felt it was to preserve the natural drainage path of waters. Ms. LaBranche agreed to contact Senator Watters to gain a more definite idea of what the sponsors meant with these terms.

Also, acknowledging the legislation was new, did she know of other towns starting to look at this in terms of zoning, planning etc. Ms. LaBranche mentioned before this legislation Dover and Portsmouth were looking at establishing overlay districts especially in high risk (flooding) areas.

Ms. LaBranche was prepared to speak on NH HB 431 establishing the Seacoast Commission on Community Drinking Water with the intent to study the long term goals and requirements for drinking water in the seacoast area. It does not appear to have a clear charge for the group; bill seems to focus on structure and membership and meeting requirements for group. Most probably the issues surrounding the Coakley Land fill (in Greenland) were the impetus for creating this legislation. But other towns throughout the State are experiencing drinking water issues. There appears to be no funding provided and members are appointed by the local municipalities; Exeter will be a member of this Commission. The Bill does say an interim report is due November 1 and a final report in November 2018. Ms. LaBranche will pursue more details but it seems to be a fact gathering body; perhaps looking at a blueprint for further action/legislation.

When asked, Mr. LaBranche stated she had no further comments on the C-RiSe report but did say Exeter has 3 hard copies and it is on the RPC's website.

### **5. Next meeting**

To accommodate the schedules of several members the next meeting is set for **Tuesday, October 17, 2017 at 9:00 am**

With no further business, Mr. Ingram motion for meeting to adjourn; seconded by Mr. Lennon.  
Meeting adjourned at 10:40 am

Respectfully submitted,  
Virginia Raub