

Approved with grammatical corrections
At April 22, 2021 meeting
River Advisory Committee

March 18, 2021

Remote via Zoom

Call to Order: Chairman Richard Huber called the meeting to order at 3:00pm.

Reading of the meeting Preamble

Chairman Huber stated as Chair of the River Advisory Committee, I find that due to the State of emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 this public body is authorized to meet electronically.

Public notice of this meeting was posted on the Town website and on the bulletin board of the Town Office building at 10 Front Street. As provided in that public notice, the public may access the meeting online and via phone.

Please note that all votes taken during this meeting shall be done by roll call vote. He asked to start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting and who that person is (son, daughter spouse, etc.) which is required under the Right-To-Know law.

Mr. Huber started by introducing himself as the Chairman of the Committee. Niko Papakonstantis, Select Board representative, was present and stated he was alone. Rod Bourdon, Lionel Ingram, Dan Jones, Don Clement, Terrie Harman, Carl Wikstrom and Ginny Raub were present; all stated they were alone. Also present were Town Engineer Paul Vlasich and interim Town Manager Melissa Roy. Both stated they were alone. PEA representative Warren Biggins later joined the meeting.

Review of Minutes

Mr. Huber noted he still has not obtained the minutes for the September 17, 2020 meeting nor the November 19, 2020 meeting. He asked for a volunteer to go to the website and create the minutes for those meetings from the video recordings while they are still available.

Mr. Huber asked to delay the discussions of the January 21, 2021 minutes to allow Mr. Vlasich to give his report.

Update on River Issues

Referencing back to his report at the January meeting on the condition of the Squamscott River siphon tubes running beneath the river from the Mill side over to the Pump House at the Swasey Parkway, he noted there was much activity in looking for options and developing contingency plans. Recently DPW sent on to Water and Sewer Advisory Committee (WSA) the department's preferred alternatives for doing a portion of the project while waiting for additional funding. The WSA Chair has indicated he would meet with DPW to talk on the proposal.

Also at the January meeting, Director of Public Works, Jennifer Perry spoke in detail on the EPA's Great Bay Total Nitrogen Permit drafted to address the total nitrogen discharged into the Great Bay by towns with municipal wastewater treatment facilities. This new permit will replace the current permit that the wastewater treatment facility has been operating under. The details of the new permit were outlined and she was looking favorably to recommend that the Town sign on to the agreement. Since the meeting the application for accepting the updated permit was submitted to the Town for review and the Town did send in a notice to sign.

Mr. Vlasich then turned to the Pickpocket Dam (Dam) and the Letter of Deficiency (LOD) received by the Town from DES reclassifying the Dam to a High Hazard Dam (HHD) which will require updating both structural and operational requirements. Mr. Vlasich had asked Mr. Huber to send out to Committee members' correspondence received from the Town's legal representative listing the Town's legal rights with its ownership and operation of the Dam.

It states the Town has the necessary water and flowage rights to operate and alter the Dam. It also states the Town has the right to alter the water level in the impoundment between the natural river level and the artificial high-water mark created by the Dam so long as such operation is reasonable. However, there is no corresponding right for landowners abutting the river to require the Town to maintain the artificial level in the impoundment created by the Dam

Also included in the memo is a reference to the 1969 Fish Ladder Agreement with NH Fish and Game noting if the Dam is altered to respond to a Letter of Deficiency, the Town could take the position that Fish and Game is required to pay for any necessary changes to the location and design of the fish ladder.

He prefaced the next presentation by saying after the January River meeting DPW met with the Town Manager to discuss the next steps of how the Town would address the LOD and the new classification of a HHD. It was concluded the Town would not be able to provide any definitive steps on how the Town would address the deficiencies by the April 22, 2022 deadline. Before asking for an extension from NH Dam Bureau there had to be an effort for understanding the whole Dam situation. Approval was granted to use some of the \$110,000 funds previously approved in the CIP to do some investigative work. The previously collected data was reviewed in an effort to see what options might seem viable. They are focusing on how to limit the scope of what we were trying to do and to establish a baseline of what we had to do.

The second attachment displayed on the screen was a Cross Sectional View of the Pickpocket Dam. Also shown on the plan were the elevations for a 100 year storm and the 2.5 x 100 year storm. A requirement for a HHD is to accommodate a 2.5 x 100 year storm event with one foot free board as an acceptable discharge.

The project's consultants, VHB, did not extend the analysis out far enough at the higher elevations to accurately depict that section of the river; need to look at all the scenarios before moving forward

The next slide displayed was a Profile view in the vicinity of Pickpocket Dam, upstream and downstream. Again the features of the dam were identified but added into this diagram was the inclusion of Cross Road and the Cross Road Bridge. The flow rates of the 100 year storm event and a 2.5 x100 year storm event (design storm) were included. It was evident Cross Road and the Cross Road Bridge would be impacted in a design storm as the river flowed downstream; thus another factor to be considered in future analysis in Dam modifications.

He felt there would be more results from running the different scenarios available for perhaps at an April meeting.

The Chair then suggested the meeting be the fourth Thursday, April 22, 2021, to allow time for assembling the data.

Mr. Ingram asked when Fish and Game will be brought in to deal with fish weir. Mr. Vlasich felt it will be up to the Town and how it would be proceeding with fish passages.

Mr. Jones expressed his concern for the whole project. He had three questions for Mr. Vlasich. What would be the effect from water flow downstream on the Linden Street Bridge? Had any mapping been done on the environmental impacts from draining the wetlands upstream and downstream if Dam is removed and lastly will there be an analysis of the cost of any modifications so we can get rid of the HHD label that might be considerably cheaper than what was being talked about?

Mr. Clement provided some background on the Linden St. bridge and it had already been modified to handle storm events and cited the Mother's Day event, a 500 year storm event, which did not adversely affect the structure.

Mr. Vlasich said they will be having conversations with DES on the structures outlined in the breach analysis and how they may alter the HHD classifications. As for the wetlands, as the study moves along there will be information on any environmental impact.

Mr. Wikstrom asked about the communities upstream and were they being included in the loop? Was the Town of Brentwood being advised? There seemed to be a consensus there were no ongoing discussions at this time.

Mr. Jones felt Brentwood, as a courtesy, should be included in what is happening.

Mr. Bob Glowacky, Exeter TV coordinator and present in the control room, volunteered when he was a member of the Brentwood Conservation Commission they were advised. But as he is no longer a resident he is unsure of what is known.

After the question of how and who should initiate the discussions it was felt the Town Manager should contact the Brentwood officials. Mr. Ingram felt the discussions should start and Mr. Vlasich agreed to follow up.

Mr. Clement noted Exeter Squamscott River Local Advisory Committee has in past held public forums to pass on information. As more information becomes available perhaps some presentations could take place. It is a two-step program: engage municipal government and then the public.

Review of January 21, 2021 Minutes

Mr. Huber asked for comments on the January 21, 2021 minutes. With no comments, he offered some edits. Following which Mr. Ingram moved to approve with corrections; seconded by Mr. Bourdon. Voting to approve were Mr. Huber, Mr. Ingram, Mr. Bourdon, Mr. Jones and Mr. Papakonstantis. Mr. Wikstrom, Mr. Biggins and Ms. Harman abstained

Other Business

Mr. Huber displayed and recommended an article in the January 2021 issue of Scientific American. On page 22, superimposed on a photo image of fishes is the poem entitled **A Letter to 2050** penned by Allison Hawthorne Deming. Ms. Deming is a professor of Creative Writing at the University of Arizona. The piece references the Squamscott River, the removal of the Great Dam and events that followed the liberation. (Mr. Huber wondered “How did she find out about us?”)

With no further business, Mr. Ingram motioned to adjourn; seconded by Mr. Jones.

Reminder: Next meeting is April 22, 2021 at 3:00 pm.

Meeting adjourned at 4:27 pm.

Respectfully submitted,
Ginny Raub
Recording secretary for this meeting.