



## WARNER RIVER LOCAL ADVISORY COMMITTEE

### MINUTES

Wednesday, 22 January 2020

7:00 p.m.

Pillsbury Library, Main Street, Warner, N.H.

**Appointed WRLAC Representatives** present in **bold** (term ends):

**Bruce Edwards**, Bradford (10-8-2021)

Scott MacLean, Bradford (10-8-2021)

Carol Meise, Bradford (10-8-2021)

**Susan Roman**, Webster (10-12-2021)

**Ken Milender**, Warner (11-26-2021)

**Laura Russell**, Warner (11-26-2021)

**Christopher Spannweitz**, Warner (11-26-2021)

Doug Giles, Hopkinton (11-26-2021)

**Linden Rayton**, Hopkinton (11-26-2021)

**J. Michael Norris**, Hopkinton (11-26-2021)

David White, Hopkinton (11-26-2021)

**Robert Wright**, Sutton (05-22-2021)

**Andy Jeffrey**, Sutton (07-23-2021)

**Peter Savickas**, Sutton (08-19-2021)

**Dan Moran**, Webster (09-03-2022)

Invited Guests: None this month

#### *New and Continuing Business*

1. Meeting minutes (December). Approved.
2. Signage news. Ken presented for show the first Warner River signs procured from the state. They were generously funded by the Warner Conservation Committee (thanks, ConComm!!). This set of two signs (one sign facing each way) will be installed by Warner's Road Agent when the weather warms (Chair has the signs in storage until that time). The signs must be installed on state highways, and these will be installed on the Route 103 crossing over I-89 and Warner River near the Lower Warner Cemetery. Discussion then ensued about whether another set of signs that we could purchase for placing Route 103 would be located in Warner or in Sutton – the town boundaries are very close to the river crossings. Towns cannot pay for signs to be installed in another town.
  - a. Peter noted that Sutton has agreed to pay for this (second) set of signs.
  - b. The question is whether the best site for the signs is actually in Sutton.
  - c. Ken will call the Warner road agent, and Bob will call Sutton to find out.
3. Permit Applications – Update and close-out. Hopkinton, DES #2019-00437 (Deer Path). DES received the additional information that they (and WRLAC) had requested, and approved the permit.

4. Permit Applications - Update. Bradford, DES #2019-03299 (9 High Street). WRLAC does not object provided Applicant submits additional info requested by DES (WRLAC email response letter **attached**).
5. Permit Applications - New. Bradford Sunoco (NHDES UST Facility #0111748) 2201 Route 103, Bradford.
  - a. Discussion
    - i. The station wants to replace some feed lines between the underground storage tanks and the pumps. The excavation will not impact wetland, shoreland, or the water table. The station is up-to-date with its UST operating permits.
    - ii. It might be appropriate to suggest that the owners install typical soil erosion controls, such as silt fence and hay bales.
    - iii. Ken motioned that he draft and send a letter to the engineer and DES to the effect of "... based on our review, the engineer should include best management practices to prevent soil erosion as a result of the excavation."
    - iv. Committee voted to approve, Chair to send out our response letter (attached).

6. WVWD's Wastewater Infiltration System (proposed letter for WRLAC review). Discussion about how to re-state the Committee's concerns about the impact the project will have on the environment.

- a. Summary of the problem, as the WRLAC sees it.

*Warner's WWTF was opened in 1974 and has been operating in compliance with its NPDES permit since that time. A reduction in effluent limitations was imposed in the current NPDES permit during renewal in 2014. This renewal included a reduction in the allowable concentration of copper dissolved in the treated effluent being discharged to the Warner River. The District has been unable to reduce the levels of copper in the effluent and is currently out-of-compliance with the terms of the NPDES permit's effluent limitations.*

*The District has engaged the services of Horizons Engineering, Inc. to evaluate alternatives and to determine the most effective and efficient means by which the copper in the effluent can be reduced or eliminated, thereby bringing the discharge into compliance with the new permit conditions. Horizons has determined that the best course of action would be to discharge the treated effluent into a series of shallow rapid infiltration basins where the treated effluent would infiltrate to the groundwater. The effluent would be "treated" to remove or reduce the copper during passage through the sand and gravel deposits below the basins and the ground water, before its ultimate discharge to the Warner River. This design would halt the direct discharge of the treated effluent to the Warner River.*

*The new discharge would be regulated through the terms of a ground-water discharge permit issued by DES. The ground-water-discharge permit would require a network of monitoring wells, situated hydraulically downgradient of the infiltration basins, to be periodically sampled and the ground water analyzed to ensure that the concentrations of copper do not exceed the ambient ground-water quality standards. The ground-water discharge would create a ground-water management zone (largely below property that is occupied by Interstate Route I-89). The ground-water management zone would be a mapped area of the ground surface that would encompass the area where the ground water below could potentially contain concentrations of contaminants above the ambient ground-water quality standards.*

*WRLAC is concerned that the proposed system changes will "transfer" a surface-water discharge to a ground-water discharge without a significant change in the chemistry of the discharge. This will effectively transfer the discharge from one environmental medium (surface water) to another environmental medium (ground water) without reducing, or halting, the overall environmental impacts.*

*It is WRLAC's opinion that the resources being devoted to this effort would be better spent on reducing the amounts and/or concentrations of pollutants in the effluent in some other manner. We urge the*

*District and DES to adopt a more holistic approach to achieving compliance with their NPDES permit effluent limitations.*

- b. Discussion points
    - i. No other plan has been proposed in response to the WRLAC's questions, which were sent on May 16, 2019 to the Warner Village Water District commissioners and copied to Tracie Sales (RMPP) and Robin Johnson (EPA Region 1, Boston).
    - ii. There has been no known movement on the WVWD application and our earlier expressions of concern; Chair thinks we should re-open the discussion, especially in light of WRLAC retaining several new representatives since our last discussion on this subject.
    - iii. It seems important to address the *source* of the copper, as the solution might be more cost effective than the proposed plan. The copper could end up back in the river in some form.
    - iv. This Committee (the Chair) could write a letter to DES expressing our concerns and requesting a status report. The WVWD and the Warner Selectboard could be copied on the letter.
  - c. Editing the May 16, 2019 draft
    - i. Consolidate the Committee's questions (suggested: 4, 9, 10; 15,16)
    - ii. Ken will draft the letter and send to the WRLAC for approval and suggested edits.
    - iii. He will send the revised letter to the WVWD and copy Select Board (letter attached).
    - iv. He will send a separate letter to DES Wastewater Bureau to ask for a status report (letter attached).
  - d. Further discussion
    - i. Is an elevated level of copper all that harmful? According to a quick google search, copper in tap water (the source usually being copper pipes) can cause gastrointestinal problems in infants and children.
7. Warner River Corridor Management Plan. Survey update/closing end of month. Central NH Planning is working on the corridor management plan. Subcommittee Report.
- a. Survey was scheduled to close on 1/31/20. The Committee requested extending the close date to Feb 16. Chair will contact Joanne to make our request.
  - b. As of 1/21/20, there were 121 responses. Joanne has broken down the data, and Ken will forward her email with the information.
  - c. Joanne will begin her detailed analysis after the close date.
  - d. The mapping of the plan is supposed to be completed by the end of January.
  - e. Susan, as a member of the subcommittee that will serve as liaison with the [Warner River Watershed Conservation Project](#), reminded the Committee that we will want to stay in close communication with Trout Unlimited and NH Fish & Game on that project (George Embley and Ben Nugent). The Corridor Management Plan will need to indicate the nature of its relationship to the watershed group.
  - f. George and Ben would like to meet with the subcommittee (Dan, Bruce, Susan).
  - g. Discussion about what it means to have the towns' planning boards accept the Corridor Plan.
    - i. Susan and Ken will contact Tracie to clarify the Committee's responsibility to the planning boards. It is likely that the planning board would need to decide whether the Corridor Management Plan should be adopted into the towns' master plans.
8. Website: Andy update.
- a. Ken noted that on the survey, 71% of respondents would prefer to learn about the Warner River from a website.

- b. Andy provided results of his research of other LACs' websites. He had constructed a site map based on the [Cold River LAC's website](#).
  - c. Discussion
    - i. A website would probably be preferable to a Facebook page because not everyone uses FB.
    - ii. Ken has asked Chris Connors about the [Warner River Nomination website](#) hosted by WordPress.
    - iii. Cost: Andy noted that a [Weebly](#) platform would likely be free. He would be happy to get it started.
    - iv. Ken noted that he probably has saved much of what would be needed to populate the website. In addition, a lot of content can come from the Warner River Nomination website.
    - v. The website will need some kind of "version control" to keep track of documents that are outdated. Usually the older documents can be stored in a cloud-based archive and the updated documents ("magically") appear on the website that the public sees.
    - vi. Andy will assemble the documents and prepare a plan to best establish the website.
    - vii. Andy will update the committee at our February meeting.
9. [Rivers Management Advisory Committee \(17 January 2020\) meeting](#) summary. Ken and Peter report. By way of review, the RMAC is the statewide DES/public oversight committee and governing body whose primary duty is to advise the DES in implementing the Rivers Management and Protection Program (the Designated Rivers Program). Among its advisory duties, RMAC is responsible for reviewing nominations to designate rivers into the program and for recommending to accept/reject the nomination. RMAC also advises DES on the adoption of rules for the protection of instream flow, and reviews and makes recommendations on plans to dispose of State-owned property along rivers.
- a. Ken and Peter got some idea for sources of funding from Michelle Tremblay (Upper Merrimack River LAC).
    - i. To compete more successfully for grants, we need to get the Corridor Plan completed and adopted by the five riverfront towns.
    - ii. WRLAC is not now a non-profit 501(c3) organization. Our shifting toward this end is allowable under statute, but there are rules that we will have to adhere to. Peter will look into the costs and benefits of WRLAC becoming a non-profit. It would probably help us raise money if we could advertise ourselves as a non-profit.
    - iii. Upper Merrimack River LAC has established a sponsorship program, where a business can sponsor a specific reach of the river; \$250 is a typical sponsorship amount.
    - iv. LACs typically ask town Con Comms and planning boards for funding
  - b. Chair will include this fund-raising topic as an item in the Feb agenda.
10. New Business
- a. Ken wrote and sent annual reports to all town admins (and cc'ed each rep for their individual towns).
  - b. LAC workshop planned for Sat, April 11. See LAC website for reference to [2019 workshop](#).
  - c. The DES's [Instream flow program](#) has begun on the Warner River. Chair circulated the contract for the engineers who will conduct the program on the Warner River in 2021. Chair will email the contract to the full committee. Chair requested that all representatives review the scope-of-work so as to familiarize themselves with this project. The conduct of this study and its findings will consume much of the committee's energy late in 2020 and throughout 2021.
  - d. Our very own Linden Rayton has joined our Celebrity-of-the-Month Club for having her article published in the Winter 2020 SPNHF Forest Notes magazine! Committee awarded her a full round of applause for her accomplishment! Nicely done, Linden!

*Long-Term Monitoring (all quiet, for now . . .)*

FEMA Risk MAP Contoocook Basin  
WVWD's Wastewater Infiltration System  
WRLAC Review Guidelines

Concord-Lake Sunapee Rail Trail  
Route 127 (Davisville) Bridge Project  
Contoocook River (winter) Program

Next Meeting: Weds., 26 February 2020

Adjourn - 9:05 PM

Attachments

1. DES #2019-00437 DES approval letter/permit
2. DES #2019-03299 (9 High Street) Permit
3. 2201 Route 103 (Bradford Sunoco) WRLAC review letter
4. WRLACs (2) letter Re. Warner Village District's wastewater infiltration system