



**PUBLIC WATER ACCESS ADVISORY BOARD  
NOVEMBER 2, 2020 MEETING MINUTES**

THE BOARD MET BY TELECONFERENCE DUE TO THE GOVERNOR'S  
CORONAVIRUS MEETING ORDERS/RESTRICTIONS.

Members Present: Thomas Quarles, Esq., Chairman (general public interest); Scott Mason, Executive Director (NHFG); Representative Roger Dontonville; Jim Gallagher (DES); Capt. Timothy Dunleavy (DOS); Bill Gegas (DNCR); Rebecca Martin (DOT); Ken Gallagher (OSI); Gary Clark (general public interest); Richard Smith (fishing interest); Tom O'Brien (NHLAKES); Gene Porter (power boat interest); P. David Bryan (coastal/marine interest); Michele Tremblay (River Association interest); Garret Graaskamp (NHFG); Kris Harmon (Exec. Secretary)

Members Absent: Senator Ruth Ward; Paul Van Blarigan (Governor's Commission on Disability); Scott Biron (hunting interest)

Guest: Tracie Sales (DES Rivers and Lakes Program)

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**MEETING CONVENED**

The meeting was called to order by Chairman Quarles at 9:07 a.m. The Chairman explained this was the third meeting held under Covid protocols and the second meeting held via teleconference. As required by the Governor's 91-A Meeting Requirements, and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, Chairman Quarles confirmed the Board was:

- a) providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means utilizing a telephone conference call service for this electronic meeting. All members of the PWAAB have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone number: 1-866-678-6823 and password 4560899;
- b) providing public notice of the necessary information for accessing the meeting: The Board previously gave notice to the public of the meeting, including how to access the meeting

telephonically. Instructions have also been provided on the website of the PWAAB at: <https://www.wildlife.state.nh.us/access/meetings.html>;

c) providing a mechanism for the public to alert the public body during the meeting if there are problems with access, please call (603) 271-1740 or email at: [garret.graaskamp@wildlife.nh.gov](mailto:garret.graaskamp@wildlife.nh.gov);

d) adjourning the meeting if the public is unable to access the meeting: In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

The Chairman reminded all callers that every vote taken during this meeting shall be done by roll call vote. (*Please note: a **Vote Tally Sheet** showing the meeting date, name and attendance, quorum, vote descriptions and vote tallies is submitted with these Minutes.*)

Chairman Quarles then took a roll call for attendance. Each member stated their presence and whether anyone was with them during the meeting. This disclosure is required under the Right-to-Know Law. Fourteen voting members were in attendance, satisfying the quorum requirement of eleven. Three non-voting persons were also on the call (see Vote Tally Sheet).

## **AGENDA ITEMS – [Note: Text in bold denotes action items or motions.]**

### **Agenda Item 1: Approval of PWAAB Meeting Minutes – May 4, 2020**

The Board was asked if there were any corrections or concerns regarding the minutes of the last meeting. There were none. Gene Porter made the motion to accept the minutes as presented, and Capt. Tim Dunleavy seconded. Michelle Tremblay initially abstained but then withdrew the abstention when she realized it was the September field trip she had missed, not the May 20<sup>th</sup> meeting. Director Scott Mason abstained. **The motion was carried.**

### **Agenda Item 2: Approval of PWAAB Meeting Minutes – September 24 Field Trip**

The Chairman noted the field trip was very busy, but beautiful weather and foliage enhanced the day. The Chairman then asked if anyone had comments, or questions regarding the minutes of September 24 field trip. There were none. A motion to approve the minutes was moved by Jim Gallagher, seconded by Bill Gegas. **The motion carried with 13 votes to approve and one abstention.** Rep. Roger Dontonville abstained because he did not attend the field trip.

### **Agenda Item 3: New Fish and Game Executive Director – Scott Mason**

The Chairman welcomed Scott Mason and invited him to introduce himself to the Board. Mr. Mason explained he had been sworn in as Executive Director of the NH Fish and Game on August 15<sup>th</sup> and immediately was tasked with working up the budget for the Department. He also noted he was tasked with moving forward the Downing's Landing access project on Lake Winnepesaukee at Alton Bay. Mr. Mason anticipates the project will be completed in the summer of 2021. He then said he looked forward to working with the PWAAB. The Chairman thanked Executive Director Mason and said the Board looked forward to working with him as well.

### **Non-Agenda Item: New Member from the NH Lakes Association – Michelle Davis**

Chairman Quarles took a moment to introduce Kris Harmon, the new administrative support for the Board, and to announce Michelle Davis would be replacing Kelly Buchanan as representative for the NH LAKES on the PWAAB. Mr. Tom O'Brien, Executive Director of NH LAKES, spoke regarding Ms. Davis's background and recent appointment as Advocacy Program Coordinator for the NH Lakes Association in September.

#### **Agenda Item 4: 2019 Annual Reports**

Chairman Quarles reminded members the Board was still waiting for annual reports from a number of state agencies and stressed he would like any outstanding reports submitted before the next meeting.

NH Marine Patrol – Capt. Timothy Dunleavy - The Chairman then moved to the 2019 Annual Report from the NH Marine Patrol and asked Captain Dunleavy what “courtesy boat inspections” entailed, as only five inspections were listed in the statistics. Capt. Dunleavy explained these are no-cost, penalty free inspections of safety equipment and boat documents requested by (usually new) boat owners to ensure all requirements are met. Any deficiencies found can be corrected without penalty and a Safety Decal is then issued to the owners. He noted inspections are also routinely done whenever officers stop someone. However these inspections are not considered “courtesy” and while a decal will be issued if the boat meets all requirements, deficiencies can result in fines to the boat owner.

Regarding accidents, injuries and fatalities, the Chairman recalled the double boating fatalities of about a year ago on Winnepesaukee. He asked if any additional information could be provided. Captain Dunleavy confirmed that investigation was closed. He explained a family residing on Bear Island while heading to the mainland had a collision with another boat returning to the island just outside the no-wake area in the vicinity of the mail dock. He advised it was a clear night but cold and both operators were under the canvas looking through the windshield. Capt. Dunleavy said the Marine Patrol cannot explain why the operators couldn't see each other but it was determined they hit 14” off center with each other. Despite the scope and tragedy of this incident, Capt. Dunleavy advised it was a relatively safe boating season on NH waters.

Chairman Quarles then referred to the “Water Event Permits” section of the Annual Report regarding fireworks displays over water. He asked for clarification regarding town issued permits and those issued by the Marine Patrol. Capt. Dunleavy explained any land-based commercial firework displays would fall under the purview of the local Fire Chief or Fire Marshall's office. When commercial vendors use a barge to launch their displays, Marine Patrol administers the permit.

Garret Graaskamp of NH Fish & Game asked if it was illegal for a private citizen to launch fireworks from their boat. Capt. Dunleavy said it was not illegal per se, however Marine Patrol would look at the incident to determine if a hazard is presented, which he estimated fireworks would in almost any situation. Lighting fireworks with others on-board would almost certainly create a hazard the Marine Patrol would stop. Other statutes also allow his officers to stop dangerous behavior generally.

Chairman Quarles then referred to the Moorings Program part of the report and noted 11 mooring applications were denied. The Chair asked if there were any typical grounds for denial. Capt. Dunleavy said Marine Patrol evaluates the application based on prerequisites for needing a mooring. Most often a denied application does not demonstrate a need for a mooring, or the

site is not appropriate for a mooring. The Captain noted there are occasions when a mooring will simply interfere with boat traffic and there is no alternative location. The Chairman asked if there was still a mooring appeals board. Capt. Dunleavy noted there is always the opportunity to go to the Appeals Board of the Department of Safety, just as you might for a suspension of license.

Chairman Quarles moved to the section of the report referring to Joint Enforcement efforts. Captain Dunleavy explained all law enforcement agencies have struggled to recruit officers. Because Marine Patrol is seasonal work without benefits, it has been more of a struggle to keep staff numbers up. The State Police Colonel recognized this and authorized Marine Patrol to budget for 12 state police officers to do cross training and earn overtime. It was a popular plan that worked well and was due to be expanded to 24 officers this year. Unfortunately due to COVID and the Governor's hiring freeze, the Troopers were needed on the highways. It is hoped that once COVID is over the program can start up again.

The Chairman thanked the Captain and asked for a motion to approve the report. It was so moved by Michelle Tremblay and seconded by Jim Gallagher. **The motion was approved unanimously.**

#### NHDOT – Rebecca Martin (DOT)

The Chairman noted he didn't have any questions on the report, but wanted to point out that DOT assistance has been very helpful on a number of projects as outlined in the report. **In the September 24 field trip minutes, it was noted DOT had been requested to install a universal boat access sign at Lower Baker Pond to clarify the official status to the gravel area. Ms. Martin advised she would send a request to the Bureau of Traffic.**

The DOT report notes the replacement of the Prospect Street launch site on the Connecticut River in Hinsdale. The project was tentatively going out to bid early in 2021. **Ms. Martin will confirm that time line and report back to the Board.** The Chairman explained for new members that this project was a great opportunity for upgrading public access since DOT is incorporating the project into its mitigation work for the replacement of a bridge from Hinsdale to Brattleboro, VT on Route 119. The old bridge has been on an island which had a Road to Public Waters site. In mitigation, DOT is building a new section on Prospect Street which will provide direct access to the Connecticut River where the present site forces boats to go under an old railroad bed and bridge that can be problematic when the water level and the size of the boat are not right.

The Chairman then asked if anyone had any questions or comments on the DOT Report and there were none. Gene Porter made the motion to accept the report, Captain Dunleavy made the second. **The roll call vote approved the motion unanimously.**

#### **Agenda Item 5: Proposed Legislation Tracking Lists**

The PWAAB participating agencies are customarily requested to review their proposed legislation tracking lists prior to the legislative season to report any items of interest to the PWAAB. The Chairman noted the Wake Boat Study Commission finished its work and asked Captain Dunleavy and/or Mr. O'Brien if there were any proposals for legislation. Captain Dunleavy reported he believed Representative Smith would be submitting an LSR for safety issues with regard to wake surfing to require life preservers, a spotter, and limit the activity to

daylight hours. The Captain noted that was the one item he had personal knowledge of, but additional items may have been added. Mr. O'Brien concurred, noting his group was involved in the collection of statistics nationally to get better data on wake/wave impacts and could then provide meaningful suggestions, but safety was the only item under discussion thus far. The Chairman then asked Capt. Dunleavy for clarification of existing safety rules and whether the rules for skis did not apply for knee boards, wake boards and similar devices. Captain Dunleavy said the existing rules did apply if the individual was being towed. These individuals are initially towed, but once separated from the boat, were unencumbered by safety regulations.

Rebecca Martin (DOT) noted she is waiting for a response from her agency's person involved with tracking legislation. Chairman Quarles noted Representative MacDonald is bringing forward his bill regarding authority over swim float or raft placement under Marine Patrol (similar to existing mooring regulations). Capt. Dunleavy confirmed the proposed legislation stopped short of creating a permitting process for inflatable or floating rafts or platforms, but it would confirm authority for placement under the Marine Patrol to avoid hazards to navigation or any impingement on the rights of abutting property owners or the recreational users of public waters.

There were no other reports on pending legislation.

#### **Agenda Item 6: Roads to Public Waters – Orphaned Sites Project**

The PWAAB considers any RTPW site that has not been brought into the Fish and Game access site program an "orphaned RTPW site." The Chairman noted that recent Board field trips have visited Roads To Public Water sites in Henniker, Concord, and Grafton County. RTPW sites were created by legislation repealed in 1993. The towns are responsible for maintenance of RTPW sites, but some have been neglected. The PWAAB is evaluating the RTPW sites across New Hampshire to determine and confirm their status and availability to the general public. The Chairman noted over the summer two questionable sites were addressed as follows:

Rocky Pond, Hollis - was initiated for consideration under the RTPW program but layout was never approved. The town owns the site and has opted to keep it for use by town residents only.

Pennichuck Pond, Hollis - a similar situation. Gene Porter (power boat interests) is investigating this property for the PWAAB. There are land ownership considerations but file information indicates the RTPW process was not finalized to create RTPW access on this waterbody.

#### **Agenda Item 7: Site Crowding and Individual Problems in Summer 2020**

The Chairman noted this year has seen a huge increase in public use of natural resources due to the pandemic.

Dublin Lake, Dublin – This site was discussed in the May 4th meeting. The landowner who had begun posting the site as closed to the public reversed his position in response to our legal analysis that he had no right to do so and due to public pressure. More info is available in those Minutes.

Frost Pond, Jaffrey – a property owner abutting the site had been vocal about alleged over use and misuse of the public waters next to his house. At his insistence, the Town put up signage prohibiting non-resident use for about two weeks. The Chairman and Garret Graaskamp were

able to educate the town and the signage was removed. The Chairman noted that because the Town was not aware of the Road to Public Waters system, the legal requirements and regulations regarding public access had to be reiterated. This is true almost universally, the Chairman noted. Because these sites do not restrict any valid viatic use, boating, swimming, shore-bank fishing are all permitted within the Road to Public Water sites. Use can be restricted within reason based on the safety parameters of a particular site.

Mirror Lake, Woodstock – The Chairman noted this was well covered in the September Field Trip minutes.

Silver Lake, Harrisville – A Selectman contacted the Board and felt usage of the site had been growing and wanted to see if it could be restricted to resident use only, which it could not. She also asked if parking could be restricted. She was informed traffic control is possible, but site conditions would determine parameters. **Chairman Quarles asked Bill Gegas (DNCR) to see if the Town used the Land and Water Conservation Fund for the development of its property.** Because the Town suggested the lake's carrying capacity may have been reached, the Chairman noted the process to restrict access cannot be discriminatory – i.e., limiting the capacity to residents or shorefront owners over the general public.

Sky Pond, New Hampton – this is not a Road to Public Water site. It is a NH Fish and Game site. Residents were complaining of misuse by non-residents due to the pandemic. A “No Swimming” sign was posted at the site. Unlike the Road to Public Waters program, Garret noted this property falls under federal funding guidance and restrictions, and site activities cannot interfere with public boat launching.

#### **Non Agenda Item: Watson Park, Merrimack**

The Chairman noted Watson Park is in Merrimack, near where the Souhegan River joins the Merrimack, below Wildcat Falls. According to a series of articles in the Union Leader newspaper Chairman Quarles had read, the Selectmen deemed the park “overwhelmed” by Massachusetts residents due to strict Covid restrictions in Massachusetts. The dramatic increase in pressure necessitated Selectmen using fencing to close access. The article indicated it was a temporary closure, but the Chairman wanted to recognize the pressures such sites are under, and will be facing, during the COVID pandemic. Bill Gegas (DNCR) noted the park is actually an open field area by the DW Highway and was a LWCF funded area. DNCR was interested in an area above the bridge which could potentially provide frontage to the river. An existing LWCF protection area did raise some questions as to compliance issues when the Selectmen closed the park. The area was part of the land and water protection area. He was aware there were some complications regarding river access in an area closer to the bridge due to rough water in the area. **The Chairman asked that Watson Park be added to the January meeting's agenda. Bill Gegas advised he would discuss this further with his supervisor for more details and current status.**

Michelle Tremblay (River Association Interest) reported some similar abuses to the Baker River in Rumney (near the DOT site in the next agenda item) where human waste and trash and other incidents were elevated as at Watson Park. She noted the town did not have the resources to deal with abuses they were seeing.

#### **Agenda Item 8: Baker River, Rumney and DOT Surplus Rest Area**

Chairman Quarles noted DOT wants to surplus non-interstate rest areas around the state. In particular he is aware of rest sites in Antrim on Route 9, and another in Epsom along Route 4. He noted there was considerable discussion in previous March and May minutes regarding this site on Route 25 in Rumney because there is a large existing parking area. He noted it is a short walk to the Baker River for fishing or car top boat use. The area is also popular for snowmobiles in the winter because of its access to the Rail Trail on the other side of Route 25. When DOT announced it wanted to surplus the area, the Town of Rumney wanted to acquire the site for a Police Department office. The PWAAB got involved drafting a deed restriction to preserve public access with the town maintaining the property. Since then, the town changed its mind and abandoned their plans, which sent the property back to state agency review, before it could be offered for sale to the public. NH Fish and Game reviewed the situation for car top access. The site was declined because water levels are not consistent through the season compared to other access opportunities and; is not within the constraints of available funding. The Chairman then spoke to Bill Gegas and asked if DNCR would take the site on since it was so close to the Rail Trail. Mr. Gegas advised the Board that the Director of DNCR has declined the property. For DNCR's Parks and Recreation division, a self-funded organization, the numbers did not make it feasible to maintain the property. The Trails Bureau does have funding sources, but Chief Gamache left the Bureau about that time, and Mr. Gegas was not sure how deeply that had been discussed within the Bureau. Their interest would really only be for snowmobiles – and park operations would be covering the maintenance expenses the rest of the year.

The Chairman stated he believed this site to be important more so for the trail access than for water access. He believed the area has been utilized for fishing or water access without expectation for services for a very long time. **He noted the Board's mission to try and protect water access and asked Mr. Gegas to delve deeper into the Trails Bureau interest or lack thereof, and stated he would like this item added to the January meeting agenda. Mr. Gegas noted he would like to see if DOT has the time to perhaps investigate subdividing the property. If the Town was interested only in the building, funding might be found for maintaining the rest of the area.** Captain Dunleavy noted the Trails Bureau has a larger area about two miles up the road on the Dorchester Road, right on the trail and near the Baker River Snowmobile Clubhouse, so the State is already providing Trail access in that area. The Chairman thanked the Captain and noted it is still an important access area that could be lost. **He then asked Rebecca Martin (DOT) to find out more about the Town's decision and perhaps LWCF funding can be incorporated into an alternate plan for the area around the building. Mr. Gegas noted the Town would have to take the whole property for the LWCF funding, and he further noted that if federal funds had been involved with the property initially, LWCF funding would probably not be available.**

Michelle Tremblay (River Assoc.) asked Rebeca Martin if DOT could consider a donation to a municipality. **Ms. Martin noted that if federal funds had been involved with the property then payment back to the federal government at fair market value is mandatory. She can ask and report back.** Garret Graaskamp (NHFG) noted his discussion with Sandra Newman at DOT who contacted him to ask what F&G was doing regarding this property. Garret asked her if DOT would consider holding the Rumney and Epsom properties for mitigation purposes for those occasions when wetlands are lost in projects. She told Mr. Graaskamp that was not an option. She advised DOT is seeking \$157,000 for the site. **The Chairman summarized that this issue would be on the January meeting agenda, and Ms. Martin will update on DOT**

**questions, while Bill Gegas would update on the Trails Bureau and DNCR funding avenues.**

**Non-Agenda Item: Vote Correction, Agenda Item 1.**

Representative Roger Dontonville asked that his abstention on the vote to accept the Minutes of May 4<sup>th</sup> (Agenda Item 1. today) be changed to a “yes”. The discussion of hygiene/trash issues on the Baker River made him realize he had been in attendance on May 4 because he brought up similar issues at that meeting. Chairman Quarles so noted the correction.

**Agenda Item 9: Merrimack River Update – G. Porter**

Gene Porter (Power Boat Interest) had prepared a PowerPoint presentation. He noted the lower Merrimack River, above the Massachusetts border, is one of the larger navigable waterways in NH. Until recently, it has never had adequate access for trailer boats or car top boats.

Greeley Park, Nashua – Mr. Porter noted this Board identified the area as the highest priority for a trailer boat launch a number of years ago which led the City of Nashua to apply for a State/Federal Land & Water Conservation Fund grant, and a ramp was put in last month. The project includes a single lane concrete ramp, increased paved parking capacity and an upgraded access road. An ADA compliant loading platform has not been completed yet. Overall, he notes the the facility is functioning well.

Sagamore Bridge, Hudson – The area south and east of this bridge is a 36 hole golf course right now, and a proposal to turn it into a 3 million square foot distribution center for Amazon is before the Town for consideration. The proposal includes a roadway to the river and a boat ramp that the developer intended for use by the Hudson Fire Department. There has been some discussion to upgrade the plan to a 2-boat ramp. Given the road is in the plans already, and a shoreline trail is also proposed, Mr. Porter stated upgrades to the proposal to include a public boat ramp should be considered.

There is an existing golf cart trail along the river which the developers have agreed to make a recreational trail as part of the project. The public’s stake in that trail is not clear since the town does not have a budget for easements or boat launches, etc. How the riverfront and trail could be accessed or where is not clear at this time.

The Chairman asked if the Heritage Trail was located across the river on the Nashua side. Mr. Porter noted the only piece of the Heritage trail is on a former railroad bed along the Nashua River in downtown Nashua. He noted the city is working hard to extend the Heritage Trail towards the Merrimack River, but the railroad owns much of the property along the Merrimack River. Mr. Porter noted the State has a plan for a Heritage Trail from Franconia Notch all the way down to the lower Merrimack River and to the border with Massachusetts.

The Chairman asked Bill Gegas (DNCR), if the Town of Hudson was willing, could the Amazon property be eligible for funding from LWCF for the trail along the river and/or for the proposed boat ramp. Mr. Gegas noted either LWCF through Community Rec, or the Recreational Trails Program (RTP) through the DNCR Trails Bureau, are federal funds requiring public access in either scenario. The RTP option could allow the property to remain in Amazon’s ownership. The LWCF could allow Amazon to own the property, but would require the town to own the trail corridor itself or own a controlling easement for maintenance and development in perpetuity.

Either would be an eligible funding source. The Chairman asked for clarification of the RTP through the Trails Bureau. Mr. Gegas noted under program rules, technically, the states' DOT offices are the administering agencies for these federal funds; but there is an option to defer to the natural resource agency, which is the case in New Hampshire.

Mr. Porter noted the Lower Merrimack River Advisory Committee made a formal recommendation to the Town of Hudson that when this project is permitted, the developer be required to grant an easement along the shoreline to the Hudson Conservation Commission for future recreational development. Mr. Porter has no knowledge what the Town is doing with that recommendation. He advised the Town is still collecting recommendations at this point and have not had any negotiations on peripheral subjects like the boat launch or trail.

Michelle Tremblay (River Assoc.) stated she had been contacted by a citizens group about this project and offered to get Mr. Porter in touch with the group, for which Mr. Porter was most grateful.

Chairman Quarles felt the cleanest and easiest way to get a boat access and trail open to the public at this location would be to require it of the developer as mitigation for the wetlands impacts a project of this size would inevitably entail. The problem is the current DES statutes do not allow for recreational facilities to be counted as mitigation. **The Chairman asked the Board to consider having legislative representatives propose a statutory amendment to effectuate that. This is a long term proposal as DES would have to buy into the proposal, so this will be on the agenda for January's meeting.**

Mr. Porter noted the Amazon site requires roughly a million dollars' worth of mitigation funding. If the mitigation cannot happen on this property, it would represent a million dollars of mitigation elsewhere in New Hampshire through the Aquatic Resource Mitigation fund (ARM). Rebecca Martin (DOT) noted that with ARM most often involves federal requirements covered through the US Army Corps of Engineers.

Machinery Pond Project, Nashua – This is city property located on the west side of the Merrimack River. It is a former industrial building and site adjacent to the confluence of Salmon Brook. This is a very historic area which includes river access near a 100 year old railroad stone archway. Mr. Porter feels this would be a great location for a kayak/canoe launch for folks to get on to the Merrimack River from downtown. The Chairman asked if it would be good for trailered motor boats, and Mr. Porter said it would not. Mr. Porter pointed out the new Greeley Park trailer launch about 2 miles north, but it does not make for a good launch for canoe and kayak folks due to its steepness and rocky condition. He also noted there are considerable tax considerations with the sale of the property. **A Conservation Commission meeting scheduled the evening of November 3<sup>rd</sup> would provide him more information he could bring back to the Board.**

Riverside Heritage Trail Prospects – This was discussed under the Amazon Logistics Center proposal, earlier. There is no money for easements available at this time, but there are avenues to pursue further.

Pawtucket Dam Boott Hydro FERC Relicensing – Mr. Porter pointed out this lower section of the Merrimack River provides the head pond for the Pawtucket Dam in Lowell, MA. They are in the Federal Energy Regulatory Commission (FERC) hydro-electric re-licensing process. That procedure includes an extensive study of recreational uses of the waters effected by the project.

Mr. Porter researched and cannot discern any mechanism to force the dam owners to subsidize recreational development in New Hampshire. A similar licensure procedure on the Nashua River turned out to be a voluntary consideration by dam owners.

Multiple Regional Merrimack River “Committees” - Mr. Porter outlined a number of committees and organizations with interests on the Merrimack River. He noted the Merrimack River District Commission is a Massachusetts funded study plan which is in its early stages. The hope is that cooperation of many NH and MA agencies can lead to some solid data collection, such as sampling, along the river’s numerous communities and interest groups.

**Agenda Item 10: NH Fish & Game Site Development Matrix** – Mr. Graaskamp noted the department was concentrating on the Downing’s Landing Project on Lake Winnepesaukee.

Merrill Park, Hudson - The Merrill Park project on the Merrimack River is not far from the proposed Amazon facility. It is upstream of the Amazon site. Asbestos waste has been found on the property from disposal activities in the 1980s and 1990s. Work is planned by the Town of Hudson to find the extent and location of these waste areas. COVID has slowed that work to a halt. There has been preliminary discussion with the Town regarding a boat access facility in partnership with NHFG on this nine acre property. There has been discussion with the USFWS regarding the potential impacts from asbestos. At this time, the USFWS remains open to fund development of the site as a boat ramp.

Rust Pond, Wolfeboro – Earlier in 2020 a long standing canoe access on private land abutting Route 28 was closed. Another possible opportunity near the dam on the lake may be available, however the property is owned by a lake association which is not interested in anything other than a kayak access. Mr. Graaskamp was not permitted access to see the property, but his understanding is the shape is not conducive to adequate parking.

Success Pond, Success – is primarily a difficult cost issue. The private access road is an 11 mile long former railroad bed, about 1 pickup truck wide, leading to a one+ acre shorefront property. It is a substantial lake (over 200 acres). There are 13 culverts along the road in need of maintenance. There is a lot of activity among numerous organizations with interests in various aspects of the overall surrounding 19,000 acre area who use the road. The Chairman asked if the road was sufficient that he could access the pond with his 4-wheel drive SUV, and if there were gates or other impediments to keep him from the lake. Mr. Graaskamp advised there were no impediments, and he could get his SUV to the location. The Chairman asked if it were accurate that the State of NH owns railroad beds. The rail road has been gone for a long time and the easements on the property have considered the road timber company land.

Ashley Ferry Ramp, Claremont – This refurbishment project on the Connecticut River is on hold until the Downing’s Landing project is completed.

Bill Gegas (DNCR) noted the City of Claremont is the owner of the property and asked that in his conversations with the city, if Mr. Graaskamp could keep him informed on any changes the City should make. Mr. Graaskamp said he would be happy to keep Mr. Gegas in the loop himself, but he had no authority to enforce the City’s compliance with DNCR. Mr. Gegas thanked him and noted the city has compliance responsibility with the grant’s funding, so it was important for the City to make sure his department was kept in the loop.

Great Bay/Glenn Cove, Greenland – This site is a 29 acre recent acquisition by the NHFG Department as a donation from a lifetime trust. There are multiple objectives for the property, including construction of a high tide ramp over the next few years. This will be a long term project once there is funding available.

Turee Pond, Bow – There is damage to the ramp from ice-floes years ago. A refurbishment plan to reduce ice floe impacts was proposed about ten years ago, but was turned down by DES due to wetlands issues. Some of those wetlands issues may have changed. This is not currently a high priority, but will be revisited as finances allow.

Downing's Landing, Alton Bay – A new double lane concrete plank ramp was completed this summer and the public has made use of it for about a month and a half. **Work continues on the Phase II plans to go out to bid for a retaining wall on the shore and upgrading the parking lot. Approval from the Fiscal Committee and the Governor and Executive Council later this month is required.**

Subject to Governor and Executive Council approval of the Phase II bid process and costs, Phase II work will restart in the spring as soon as is possible. For at least a couple months' time during construction, the site will be closed.

The Chairman asked for any other questions or comments from the Board. There were none. He then noted the tentative date for the next meeting would be January 4, 2021.

**Chairman Quarles made a motion to adjourn**, seconded by B. David Bryan (Coastal/Marine Interests). Without objection the motion carried unanimously. Chairman Quarles asked if anyone had items or comments for the January 4<sup>th</sup> meeting to please contact either the Chairman or Garret Graaskamp. The meeting adjourned at 12:05 p.m.

Respectfully Submitted,

Kristin Harmon  
Executive Secretary

<b>PUBLIC WATER ACCESS ADVISORY BOARD</b>									
Date: <b>November 02, 2020</b>		Quorum: 11							
Voting Members:		Present, Absent, or Advised in Advance Unable to Attend	VOTE 1 Yes / No	VOTE 2 Yes / No	VOTE 3 Yes / No	VOTE 4 Yes / No	VOTE 5 Yes / No	VOTE 6 Yes / No	VOTE 7 Yes / No
1	Thomas Quarles, Esq., Chair, General Public Interest	Present	Y	Y	Y	Y			
2	Scott R. Mason, NH Fish and Game	Present	Abstain	Y					
3	Senator Tom Sherman	Absent							
4	Senator Ruth Ward	Unable to Attend							
5	Representative Roger Dontonville	Present	Y	Y	Y	Y			
6	Representative Chuck Grassie	Absent							
7	Jim Gallagher, NH DES	Present	Y	Y	Y	Y			
8	Capt. Timothy Dunleavy, NH DOS	Present	Y	Y	Y	Y			
9	Vasilios (Bill) Gegas, NH DNCR	Present	Y	Y	Y	Y			
10	Rebecca Martin, NH DOT	Present	Y	Y	Y	Y			
11	Ken Gallager, NH OSI	Present	Y	Y	Y	Y			
12	Paul Van Blarigan, Governor's Commis. On Disability	Unable to Attend							
13	Gary Clark, General Public Interest	Present	Y	Y	Y	Y			
14	R. Andrew Robertson, Non-motorized Boating	Absent							
15	Richard Smith, Fishing Interest	Present	Y	Y	Y	Y			
16	Tom O'Brien, Lake Association Interest	Present	Y	Y	Y	Y			
17	Gene Porter, Power Boat Interest	Present	Y	Y	Y	Y			
18	B. David Bryan, Coastal / Marine Interest	Present	Y	Y	Y	Y			
19	Michele Tremblay, River Association Interest	Present	Y	Abstain	Y	Y			
20	Scott Biron, Hunting Interest	Absent							
	Garret Graaskamp (NHFG Alternate designee)	Present							
	Kris Harmon, Executive Secretary	Present							
	Public 1: Tracie Sales, DES, Rivers & Lakes Program	Present	<b>Vote #:</b>	<b>Vote description / reference</b>					
	Public 2		Vote 1:	May 4th Meeting Minutes: approved					
	Public 3		Vote 2:	September 24th Field Trip Minutes: approved					
	Public 4		Vote 3:	NH Marine Patrol Annual Report: approved					
	Public 5		Vote 4:	NH DOT Annual Report: approved					
	Public 6		Vote 5:						
	Public 7		Vote 6:						
	Public 8		Vote 7:						