

OASC Meeting
November 13, 2009
10am-12pm
Ossipee Main Street Office
Ossipee, NH
Minutes

Present:

Tara Schroeder, GMCG
Kamal Nath, Effingham CC
Al Levesque, Effingham CC
Roger ter Kuile, Ossipee PB
John Shipman, OWC
Bob Morency, RCAP Solutions
Erica Anderson, LRPC
Candace Daigle, Belmont PB
David Little, Tamworth PB
Willie Farnum, Tamworth BOS
Theresa Swanick, Effingham

The meeting started with a recap by Tara of the previous meeting, synopsis of the Road Salt BMPs workshop, the November 4th BMP demo project on Province Lake, and an update on BMP project nominations from towns. She passed around the Ossipee Recreation Department's application for assistance with erosion mitigation on Duncan Lake next year and encouraged members of the group to submit other potential water quality improvement project nominations in their towns.

She went over survey results from participants at the Road Salt BMPs workshop on November 5th. The workshop had about 30 people, including town officials, some road agents, and representatives from NH DES, RCAP Solutions, and LRPC. It was apparent from the surveys that most participants learned more about alternatives such as salt brine, and that education and training is the most effective means by which to lower salt use and become more efficient at anti-icing. Participants stated that another training session would be beneficial in the future to include contractors, road agents, and town officials, possibly for continuing education credits with UNH T2 program as partners. Since certification will eventually be required of anyone applying salt once new legislation is passed, this kind of training would be beneficial to have for Ossipee Watershed salt applicators. NH DOT's Caleb Dobbins invited these individuals to come to any of his trainings as well.

Tara continued to describe the first BMP demo project completed on Grace Barter's property in Effingham, which had erosion problems next to Province Lake. GMCG worked with volunteers, the Effingham Conservation Commission, and the Acton Wakefield Watershed Alliance to obtain a DES Wetlands Permit and implement the project over the past six months. The project required live staking and coir logs (coconut husk), in addition to some vegetative buffer strip planting and stone filter steps. Kamal described that the project was a success, and the group is interested in seeing how it fares over the next year with the live staking. He also recommended

that GMCG and this committee work on getting Adam Shoukamis from AWWA back again to do another BMP presentation like the one he did in August at the Remick Museum.

Kamal also expressed interest in doing some monitoring on the Ossipee River in Effingham for road salt impacts as he feels the current monitoring locations do not catch any impacts that Route 25 and Route 153 could be having on the Ossipee River, and he needs data to show impacts before projects such as (porous pavement or) decreased salting are proposed to NH DOT. Tara suggested the ECC use GMCG's meter to measure conductivity downstream of the Route 25 bridge as a surrogate measurement for salt. Kamal suggested that Al could do this since he is a trained volunteer already. John Shipman was interested in getting the well data with salt to pass on to road agents, BOS and contractors so they can understand the salt issue and sensitive areas. Another suggestion was to email/send a wrap-up of the Road Salt BMPs workshop presentation in layman's terms to the towns so they could be apprised of what went on. Tara said she would do this, and send along with a DVD of the entire workshop to all six watershed towns. Noreen Downs has agreed to make copies of her filming of the event and donate them.

The group then heard from Candace Daigle of the Belmont Planning Board. Candace described her town's success story of getting an aquifer ordinance passed at town meeting in 2008. She said the process took six years, from 2001 to 2007, working with her town of 7,200 residents and 302 square miles of land, one third of which is over the aquifer. The original ordinance prohibited what she called the "six deadly DES sins" (or activities that pose the greatest threat to water quality). The PB was initially preoccupied with affordable housing and other activities, so the aquifer was at first not a priority, but there was lots of public interest in protecting drinking water in general. Three ordinance drafts put together outside the PB were put on the ballot, but the PB didn't get behind them, initially.

Then, in 2007, the PB began to look at the aquifer ordinance in earnest, reviewing a lot of sample ordinances, and speaking with stakeholders about competing needs, economic development, etc. They thought seriously about what steps to take after the ordinance would be in place, and determined that the best model to work with was the state's model. The PB is traditionally very cautious about any regulations they propose, and so they conferred with UNH, NRCS, DES, and LRPC to look at their draft. The PB had to determine if they would go with a large list of prohibited uses or enforce BMPs managing activities over the aquifer as an alternative. All of their salt sheds, roads, commercial and industrial activities are on the aquifer already, so they chose the BMP version of the ordinance. This meant that they have to keep track of PCSs (Potential Contamination Sources, such as gas stations, auto body shops, dry cleaners, etc.). The voters adopted the BMP version of the ordinance with a convincing margin. Erica stated that Northfield and Tilton did not do the BMP version of the ordinance; they have the more restrictive ordinance with the option to do BMP ordinance. Tilton had a hearing two weeks ago about it, and no one came. Belmont has sand and gravel pits and Northfield does not have a lot of businesses on the aquifer, while Tilton has a lot of businesses situated by the river.

Since ordinance adoption, the PB has updated site plan regulations to include some stipulations about gravel mining/earth moving since they have a lot of this type of activity going on in their watershed that can impact the aquifer. They have an aquifer sheet attached to every building

permit application, with a question on the front of the application about whether or not the applicant property is over the aquifer. Candace said that most applicants still check “no” and have no idea that their property is over the aquifer. Kamal suggested that maybe it would be helpful to have a town aquifer map attached with every application. The Ossipee Aquifer committee has determined in past meetings that it will be essential to have tax map overlays over the aquifer for stakeholders to understand how they may be impacted by the ordinance. John asked what has happened in Belmont when a property owner has challenged the line/aquifer boundary. Erica responded that the burden is on the property owner to prove that they’re not in the aquifer zone. She stated that a normal homeowner is not impacted by the ordinance.

Candace described how the Belmont Conservation Commission has purchased 350 acres over the aquifer, hosted Household Hazardous Waste disposal day, and updates the PCS map continuously. They are working with the Tilton/Northfield municipal water company to amend the ordinance to incorporate wellhead protection areas since these overlap town boundaries. Their code enforcement officer is the inspector of PCSs.

In terms of outreach, she said the PB did a significant amount of work, including direct mailings, a brochure, quarterly newsletters, press releases, and public meetings. She emphasized the importance of working with local schools and getting aquifer education into them in order to support their drinking water protection efforts and successful ordinance adoption. She said their fact sheets and news articles highlighted the fact that businesses/PCSs are already regulated by the state of NH, but that the PB was bringing it at the local level and offering a free service (BMP inspections) to “make sure you don’t get in trouble”. John stated that there were concerns about more regulations being imposed on small businesses and Candace replied that these folks come to the PB and code enforcement officer for advice on BMPs, and that’s the message they have been successful in getting out to folks.

Candace stated that the PB was careful to make sure stakeholders know the PB was not there to put someone out of business but build close personal connections with the businesses. The PB has’t had to call NH DES on any violations at this point, and Belmont salvage yards are even working towards becoming Green Yards at this time. The PB has a three strike enforcement process, and after the third strike with any PCS violation, the PB would call NH DES. Bob commented that the aquifer ordinance brings enforcement responsibility to the town vs. the state. Some felt the state had been absent in enforcing things like junkyards in the Ossipee Watershed.

Candace stated that the BMP letters and checklist that they give to businesses are on the town website, if this committee wished to view them: http://www.belmontnh.org/data_forms.asp. The Belmont PB does mailings about BMPs to 98 PCS establishments two times each year, in April and November. Four series of letters have been sent to date, and the town has inspected 71% of these PCS sites to date. In November, they are sending an “intent to enforce” letter, requiring inspections of those PCS establishments who have not responded. Under their ordinance, no PCSs are grandfathered. The PB is very aware of the political fallout of inspections, so they send thank you letters, updates, maps, a business index, etc. to PCS establishments, signing all correspondence from the PB. They send a copy of the ordinance and map that relates to the aquifer, encourage PCS establishments to use this free service to prepare

for when NH DES “comes knocking at your door”. They have seen a few problems with lack of labeling, and have had a harder time with larger businesses such as Fairpoint. However, there is no PCS with significant concerns at this time as far as BMPs go.

Candace stated that it was important to incorporate feedback into the ordinance being prepared from anyone with comments or suggestions. John asked whether or not it is realistic to incorporate wellhead protection areas (WHPAs) into the Ossipee Watershed town ordinances. Erica responded that this watershed doesn't have that many, so it might be easy to do. This committee seemed to agree that the group is heading towards including all PCSs in the ordinance, and not grandfathering any. Erica and Candace both mentioned that the Belmont ordinance is tied to a health statute in that it protects public health, and that provides authority to the town to enforce it. Erica recommended working on one basic template and tweaking it for each town.

The group briefly discussed the upcoming work on town displays. David Little volunteered to help put together digital tax maps (all towns have them digitized except for Freedom, although Katie Callahan may be able to assist with this) overlay of the Ossipee aquifer for the town displays. Erica then offered to help produce these maps if it is within LRPC's ability. The group also went over which local businesses were to be included on the map; Kate and Paul's brewery, PWS Lost Valley, Indian Mound, and summer camps were mentioned as folks who would be willing at this point to get involved. Bob mentioned that the EPA has a WaterSense program, <http://www.epa.gov/WaterSense/> similar to Energy Star, for businesses who practice BMPs in water conservation and quality-protection. He said he would be willing to do a presentation on this topic at the next meeting, and the group agreed to invite businesses from the watershed to attend and learn about it. Willie suggested going to all of the coffee shops, since most people get coffee/water there, and doing public outreach about the importance of clean drinking water at these locations as a way to reach the public and raise awareness. Tara said that she would work on a template for displays for the committee members to take to towns and use for presentations – a traveling road show- to start the process of raising awareness. She also stated that the good news is that GMCG was just notified of some funding to work on water education in local schools to help support water protection efforts.

The next meeting is scheduled for January 8th from 10am-12pm at the Ossipee Main Street Office.