



**Town of  
BROOKLINE, NEW HAMPSHIRE**

***Conservation Commission***

P. O. Box 360  
Brookline, NH 03033

Telephone (603) 673-8855 - Fax (603) 673-8136  
[Kristen@brookline.nh.us](mailto:Kristen@brookline.nh.us) [www.brookline.nh.us](http://www.brookline.nh.us)

**Minutes  
Tuesday, February 09, 2016  
Conservation Commission  
7:00pm**

**Present:** Francis (Buddy) Dougherty, Chairman  
Jay Chrystal, Vice-Chairman (arrived at 6:35pm)  
Brendan Denehy, Selectboard Representative (left at 7:45pm)  
Jordan Bailey, Member  
Tom Rogers, Member  
Drew Kellner, Alternate

**Absent:** Eric DiVirgilio, Alternate

**Membership**

**Buddy** said term expiring in 2016 are Brendan, Jay, and Tom. Just something to think about before next meeting they will need to vote to have them stay on for another term if they choose to do so.

**Al Futterman – Nashua River Watershed Association – Wild & Scenic Rivers Program**

**Al Futterman** presented a slide show presentation Partnership Wild and Scenic Rivers – US National Parks Service. **Al** said this will take about three years they have had three meetings so far. They approached the Towns of Hollis and Brookline about three years ago when they first looked into doing this and Hollis wasn't interested. They have started the work in Massachusetts and figured that later on they would try to approach Hollis again. 75% of the river that goes through Hollis is protected by the Nissitissit River land Trust already so only 25% of the river in Hollis needs protecting. **Drew** said he would like to find out why Hollis wasn't interested he will inquire and get back to **Al**. **Jordan** has offered to be on any committee that may need a Brookline Representative. **Al** said to continue into New Hampshire they will need permission from Hollis then Brookline. This is why they have started in Mass. **Drew** said he would ask around to find out why Hollis wasn't interested when they were first approached.

**Lelia Mellen– National Park Services**

**Drew** said they had a meeting last week with DES to see what they may require for this river rail trail project behind the Sunoco Station on Route 13. They have stated they would like to trail to be 20 ft. from the river with a couple of places for vantage points to get closer to the water. **Drew** said he had filled out the grant application for Lelia's time on this project. **Lelia** said she agreed the meeting with DES did go well. The meeting with DES did go well. Her next step is to find someone who could take a trail map and blow it up and make a poster and some flyers to promote this project. This

should be a nice short term project. **Drew** said they can add this information to the Brookline Conservation Commission Facebook page and website also. **Jordan** suggested it also go into the local newspaper as well. **Buddy** said the Kiosk at the Transfer Station would be a great place for a flyer also. **Drew** said DES has requested that the trail be 10 feet wide. They were also directed to contact Fish and Game the Access Division. They will need to apply for a Wetlands Permit this permit is good for 5 years. **Buddy** said this path was going to allow people access to fish the river. **Drew** said there will be access points that will be closer than the 20 feet. That's where people will be able to fish the river. **Lelia** said she will need the Commission to start filling out the wetland permit application. She will find someone to make the flyers pro bono ideally and start a vision plan. **Drew** said he will also reach out to the owner of Sunoco.

#### **Trial Use North End – Evan Gerekos**

**Evan** said at the last meeting you had asked for the distance of the trail that is on BCC land. There are five 3 mile loops. Only a mile of these trails are located on BCC land. Next week they plan on posting cameras and signs on Mr. Deneaults property. Last week an entire kitchen was dumped off on his property and he has since put his property on the market. People just trash the place and were hoping the camera will help with this issue. He also spoke with Chief Quigley with the Brookline Police Department and Todd Szewczyk with Fish and Game and they both said they will enforce the club rules. **Jordan** said this trail does lead into Milford how are you going to keep people from traveling into Milford. **Evan** said there will be signs. Milford doesn't have a lot of trails and their attempt to do this was not successful. **Buddy** said as a private club not allowing everyone to use the trails you as a club are assuming liability if anything happens. **Evan** said there is an RSA that covers inherent danger and that covers the insurance for this. **Evan** said they will look into permission slips for private land owners. **Drew** said they will need the insurance information clarified before they decide on this. **Jordan** asked if the Club had a use policy. **Evan** said they do they just need to type it up. **Evan** said if they need to get insurance through the State they will do that. **Jay** said they will need to know exactly what lots will be used for this. **Tom** said just to clarify this does not include permission for Melendy Pond Property. **Evan** said no it does not. If this works and there are no issues they would come back to request permission for the Melendy Property at a future date.

#### **Milfoil Article 2016**

**Drew** said at the Selectboard meeting they had approve the grant for the Milfoil treatment But when it came time to vote on the recommendation for the Warrant Article for town meeting to fund the milfoil project they voted against it. All Selectboard members voted not in favor for the Warrant Article with the exception of Brendan. **Jordan** said she will try to attend the next Selectboard meeting to as why they had not supported this. **Jay** said he will be there also. **Buddy** said he will also attend.

**Jay** said he will also speak with the Town Administrator and see if they could ask Town Counsel how they could add this expense into the Budget.

#### **Trail Discussion**

**Tom** asked if the Conservation Commission had a say in when the trails are open or closed for snowmobiles. Once there is snow they are out riding and not allowing a lot to accumulate. **Jordan** said maybe one of them should attend an IceBreakers Meeting and ask if that was possible. **Tom** said he would speak with the Club.

#### **BCC Policies**

**Jordan** handed out a rough draft of the Commission policies and asked the Board to review so they could add the information to the website. **Tom** suggested they also add wording about adopting a trail

program. **Drew** said if they are going to allow people to use it then someone will need to inspect the property before it is used and after it is used.

**Town Beautification Fund**

**Jordan** said they should find out what this money can be spent on.

**Minutes**

**Jay** made a motion to approve both the public and non-public minutes of the January 12<sup>th</sup>, 2016 Conservation Commission meeting as written. **Tom** seconded. Vote yes 4-0.

**Moose Plate Grant**

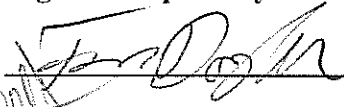
**Buddy** said the Silva property has some drainage issues and he would like to apply for the Moose Plate Grant to fix this issue. They will need a letter of intent sent out by Friday. The Board agreed. **Buddy** said he will call the Town Administrator in the morning and have him put together a letter and send it in.

**Non-Public**

**Buddy** made a motion to go into non-public session under RSA 91 A: II (d) for the discussion of possible land acquisition and immediately adjourn the meeting. **Jay** seconded. Roll call vote **Buddy**, **Jay**, **Tom**, and **Jordan** all voted yes.

**Jordan** made a motion to come out of non-public session and seal the minutes. **Jay** seconded. Roll call vote **Buddy**, **Jay**, **Tom**, and **Jordan** all voted yes.

**Tom** made a motion to adjourn the meeting at 9:55 pm. **Jay** seconded. Vote yes 4-0.

**Francis (Buddy) Dougherty**, Chairman, 

**Jay Chrystal**, Vice-Chairman, 

**Brendan Denehy**, Selectboard Rep., 

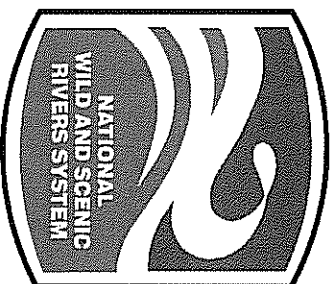
**Jordan Bailey**, Member, 

**Tom Rogers**, Member, 

Minutes submitted by **Kristen Austin**.  
Next meeting will be held on March 8, 2016.



# **Partnership Wild and Scenic Rivers – US National Park Service**



Proposed for Segments of the Nashua,  
Nissitissit & Squannacook Rivers  
in the towns of:

Ayer, Devens, Dunstable, Groton, Harvard,  
Lancaster, Shirley, Townsend, & Pepperell, MA

**Presentation** requesting support for initial Study  
Before Passage

**Tonight: We are seeking a  
letter of support  
in light of Congresswoman Tsongas's  
pending legislation to initiate a Study  
to evaluate possible designation of  
these river segments as **Partnership  
Wild and Scenic Rivers****

- *“The town Board of Selectmen votes to endorse the commencement of a Nashua, Nissitissit and Squannacook Partnership Wild and Scenic Rivers Study.”*

## **What is a Wild and Scenic River Study?**

- A congressionally authorized study to determine whether a particular river segment is eligible and suitable for designation as a nationally recognized Wild and Scenic River.

- The Study is based on the Wild and Scenic Rivers Act passed by Congress in 1968 to provide a mechanism to protect and restore the nation's best rivers for the benefit and enjoyment of present and future generations. Presently, 140 rivers have been designated in 33 states, 14 of these are "Partnership" Rivers.

# What Parts of the Rivers are Being Considered for

## Wild and Scenic Designation in the Study?

- River Segment 1:

**Nashua River *Mainstem*:** from the Confluence of the North and South Nashua Rivers in Lancaster, MA, north to the MA/NH state line at Pepperell/ Dunstable, MA.

- River Segment 2:

**Squannacook River:** from Ash Swamp at the headwaters of the Squannacook in West Townsend south/ southeast to its confluence with the Nashua River *Mainstem* in Shirley/ Ayer, MA.

- River Segment 3:

**Nissitissit River:** from MA-NH state-line southeast to its confluence with the Nashua River *Mainstem* in Pepperell.



## **What Would a Study for the Nashua, Nissitissit & Squannacook Rivers Entail?**

- A River Study would probably take 3 years to finish.
- It would be conducted by a Study Committee of town representatives as well as local stakeholders including the NRWA, state and regional experts, and would be supported by staff and funding from the National Park Service.
- The study would focus on the natural, ecological, cultural, historic, scenic, and/or recreational assets of the rivers.
- It could be used to develop a river management plan and create a locally determined vision of the riparian area including strategies to ensure protection and restoration of the outstanding resources of the rivers.

# What Would Wild and Scenic Designation Achieve?

- Designation would be granted if and only if the Study demonstrates both outstanding resources and a local commitment to protect them. These river segments would be recognized among the nation's best.
- A river management plan developed during the Study establishes a locally-based coordinating council to oversee its implementation.
- In addition to existing protection at the local and state level, designation would add critical federal protection which could ensure any future federally-funded or permitted water resource project would not adversely impact these river segments. It could help protect water quality and prohibit new federally licensed dams and harmful diversions.
- Designation would qualify these river segments for federal funds on an annual basis to support projects and activities that protect and enhance the river's outstanding values.
- Designation would *not lead* to establishment of a federal park nor any federal acquisition of additional land ownership.

## **Why is the Wild and Scenic River Study Itself so Valuable?**

- The Study provides an opportunity for towns to work together at a regional-scale.
- The Study is a vehicle for providing communities with the incentive, structure, expertise and **funding** needed to collectively identify the issues and goals they have for their shared resource, and to set forth the means for achieving those goals.
- The process is entirely voluntary and in the hands of the local communities to determine.

## **How would designation further support our current conservation goals?**

- Many unique resources including recreational opportunities, scenic landscapes, historical features are neither well understood nor well protected and could be lost over time, such as floodplains and fragmentation of riparian corridors.
- Stormwater and other non-point pollutants are placing increased sediment loads into the rivers, negatively affecting habitat and water quality.
- Water quality is affected by road runoff, sediments, nutrients and pathogens. Much is already being done to address these issues, and designation could lend support to these efforts.

## **What is so special about these Rivers?**

### **What do People Care about?**

#### *Outstanding Remarkable Values*

- Scenic natural and agricultural landscapes.
- Recreation including boating, trout stocking, bass fishing tournaments & the Nashua River Rail Trail.
- Ecological values including biodiversity & habitat.
- Long industrial & cultural history (e.g. early American sites, Mill Ponds, etc.)

# What are the Basic Steps of the Study and Designation Processes?

- Prepare a Wild and Scenic Study Report. Address the question of ***suitability*** - is there enough local support for protection and designation to warrant becoming a wild and scenic river?
- During the period of the study, prohibitions against federal permits and projects that would harm the river – e.g. new dams – are temporarily effective, giving the towns a three year “test run” .
- Identify the “outstandingly remarkable values” of the rivers considering its ecological attributes as well as its recreational use, scenery, geology, and cultural features.
- Determine the eligibility of the rivers. Free-flowing rivers (or segments of rivers) with at least one “outstandingly remarkable value” are ***eligible*** for designation.

- Identify the issues and threats to the rivers and watershed.
- Gather community input and establish goals and broad objectives for the rivers and watershed within each town and for all towns together.
- Evaluate all existing means of resource protection and determine gaps between existing local protection desired and protection needed.
- Town Meeting votes on whether to request designation or not.
- If both eligible and suitable, a bill can be introduced into Congress for a Wild and Scenic River designation.

# **What the Study and Designation**

## **DO NOT DO:**

- The Study and designation do not put land under federal control, require public access to private land, or force any changes in the local process of land-use decision-making that the local communities themselves don't elect to do. No new permits or regulations are associated with designation.
- The Study and designation do not change any existing land uses. In order to qualify for designation, towns may need to strengthen locally-implemented protection but it is entirely up to the local communities as to how they wish to do so. Hunting and fishing laws are unaffected by a designation and access to the rivers is not restricted.



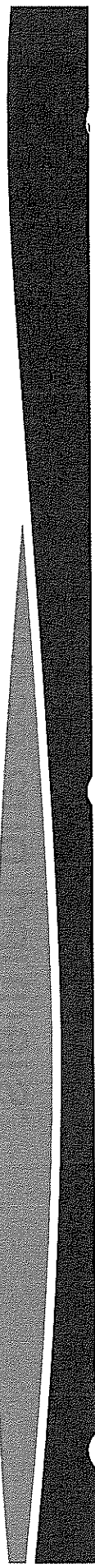
# **If designated, how will these river segments be managed?**

- If designated, the segments will be managed in accordance with a mutually-agreed upon River Stewardship Plan and its priorities implemented as determined by a River Stewardship Council. (See SuAsCo plan online.)
- If designated, established Partnership Wild and Scenic Rivers receive *annual appropriations* from Congress to assist in implementing their plans. (TBD; perhaps ~ \$30,000/year). Wild and Scenic status has also proven an effective vehicle for leveraging additional funds through other sources and partners.

## **Next Steps**

- Board of Selectmen considers sending letter of support.
- If the Study is supported by the Board of Selectmen of the involved towns, legislation to authorize the Study will be submitted by Congresswoman Tsongas. If legislation is authorized a Study Committee will hold many public meetings and will actively seek input into the process to gain the widest possible expression of community views. Board of Selectmen may appoint one or more members from the community at large to the Study Committee. The legislation will take ~ 6 months to move through Congress. The NRWA will let the BOS know if the Study is authorized.
- Assistance will be needed to educate the wider community on the purposes, scope and process of the Study (e.g.: local boards, agricultural community, recreation & user groups, riverfront landowners, etc.

**NASHUA RIVER  
WATER SHED**  
ASSOCIATION



## **CONTACT US**

At Nashua River Watershed Association (NRWA)

- Al Futterman, Land Programs and Outreach Director,  
or Mark Archambault, Smart Growth Circuit Rider  
(978) 448-0299

At National Park Service

- Jamie Fosburgh, Northeast Region Rivers Program  
New England Team Leader  
(617) 223-5191

