

LAC News– December 2017



Right-to-Know Law

Post Meeting Notices and Minutes on Your Website

On January 1, 2018, House Bill 170, relative to posting notice and minutes of public meeting on the public body’s website, will go into effect. This bill impacts those Local Advisory Committees (LACs) that use a website to post meeting notices or minutes.

The text of the bill is available at http://www.gencourt.state.nh.us/bill_Status/billText.aspx?sy=2017&id=265&txtFormat=html, but in simple terms, the law now requires that if you have a website, or contract with a third party for use of a website, you must post your meeting notices and minutes on it in a consistent manner and in a logical location on the site. If you have a website but are not able to post notices and minutes to it easily, you may instead add a note to the site as to where or how the notices and minutes can be accessed. If your LAC does not use a website, this change in the law does not affect you.

Websites are, however, a great way to share information within the LAC, with the towns along the river, with other LACs, and with the general public. If you have thoughts of developing a website but do not know where to begin, or you need a place to post meeting notices and minutes, Rivers Program staff can give you some ideas on how to start.

LACs: No “Voting” by Email

As a reminder, under the Right-to-Know Law, [RSA 91-A](#), LACs may not “vote” by email. You may distribute information or set meeting times via email, but decisions must be made in a public meeting where a quorum of the LAC is present. Additional members may attend via teleconference or webinar.



NHDES understands that this constraint can sometimes make it difficult to meet permit review deadlines. For these situations, we have three suggestions:

1. Contact the permit reviewer to determine if the original deadline is still in effect. Sometimes NHDES issues a *request for more information*, which effectively extends the permit review deadline.
2. Develop and approve standing responses for common situations that are expected to have minimal impact on the river. For example, you might decide that if the LAC receives a Shoreland permit application to build a house along a certain stretch of river which has no river management issues, and that if the Chair and your lead permit reviewer on the LAC decide that the project will have little impact on the river, the LAC Chair can respond to NHDES stating that the LAC has no concerns. You can even add recommendations that your LAC likes to see on all projects, such as the use of wildlife-friendly erosion control netting.
3. If no other option is available, submit a draft comment letter to NHDES, clearly indicating that the draft has not been approved by the full committee. This will at least alert the NHDES permit reviewer of your concerns, and the draft letter can be approved by the LAC at the next meeting.

Rivers Program Activities

Legislature Considering the Designation of the Warner River

By now you have probably all heard that a group of local citizens in Warner, Bradford, Sutton, Webster and Hopkinton have proposed to add the Warner River as the 19th river protected under the Rivers Management and Protection Program. Their river nomination has been accepted by NHDES and forwarded

to the New Hampshire Legislature. The Senate will be considering the bill first in January and February, then passing it over to the House of Representatives for their evaluation in March and April. The bill, which has not yet been assigned a number, is one we will be watching closely, and you can track its progress via our Rivers and Lakes Legislative Tracking Spreadsheet located at https://www4.des.state.nh.us/blogs/rmac/?page_id=624. The spreadsheet is updated weekly through the legislative season.

If there is a bill that your LAC would like to support or oppose, you are always welcome to submit a letter of testimony to the legislature. Kathy and I are happy to assist if you are unsure about the process. Just give us a call or send an email.

Instream Flow Management: Coming to a River Near You (eventually!)

In 2016 the New Hampshire legislature approved the application of the instream flow program to all designated rivers. In preparation for that effort, the Instream Flow Program Coordinator, Wayne Ives, is drafting revised rules for the Program, overseeing the development of Target Fish Communities for all of the rivers, and working with researchers to estimate historical flows on rivers without stream gages. Keep your eye out for emails about public meetings and hearings associated with these efforts.

Information, Ideas & Inspiration

Do You Tweet? Check Out #watershed



The Rivers Program has started Tweeting information, notifications and fun facts through the NHDES Twitter feed. Have something you would like to Tweet through NHDES? Send it to us, we are always looking for ways to share the great things LACs do!

Electronic File Sharing: It's getting cloudy out there!

As electronic communications become more and more common, many of you are beginning to receive and distribute permit applications electronically. One of the challenges with these has always been that the files are huge, and thus hard to email out to LAC members.

One solution to this is use of a cloud data storage system such as Dropbox. Many of these sites are free for smaller amounts of data, but are big enough for several permit applications as well as the LAC's electronic documents.



LAC Member List Posted on LAC Blog

Wondering when your membership term expires? Not sure how many representatives your town has on the LAC? Rivers Program staff have posted member terms and town representation by LAC on the LAC blog at https://www4.des.state.nh.us/blogs/rivers/?page_id=81, with updates to be made quarterly.

Annual and Biennial Reports

Tell Your Towns What Your LAC Has Been Up To in 2017!

It is time to begin assembling your annual report to your river corridor towns. Let them know how hard you have been working to protect the river! Please copy [Rivers Program staff](#) when you send it out.

Rivers Program Biennial Report Published

Ever wonder what we do with the reports you send us? The information gets incorporated into the Rivers Management and Protection Program Biennial Report, which is sent to NHDES leadership and the legislature. The report is available at <https://www4.des.state.nh.us/blogs/rmac/wpcontent/uploads/FY2016-17-RMPP-Biennial-Report.pdf>.