

Franconia Conservation Commission (FCC) - draft

Meeting: April 2, 2024, 3 pm at Town Hall.

Members present: Chris Nicodemus (Chair), Ginny Jeffryes, Jill Brewer, Julie Weisman, Art Daily, Mark Ober, Mary Grote

Guests: Janel Lawton, Bill Whelan, Joe Harrison (NEMBA); Conor McCourt and Sharon Penney of ACT.

Minutes: Art moves to approve March 5, 2024 minutes as written. Jill seconds. Unanimously approved.

New FCC member: Open position because Red resigned. Chris nominates Julie Weisman. Jill seconds. All present vote in favor.

Lawrence Forest potential new trail update: Bill Whelan (NEMBA) reports that they were told on 2/29 Northern Borders Regional Commission (NBRC) is requiring an in-person independent wetlands delineation be done for the proposed trail. Trail is planned to be mostly upland and doesn't cross wetlands. It parallels and sometimes joins skidder tracks from last decade's logging. In answer to questions, he says that they used UNH/F&G's Trails for People and Wildlife guidelines for trail design – regarding being along habitat edges, and keeping trails not visible from another trail during leaf-out. It will be 3 feet wide. And approx 30 yards from Tucker's Trail in places, variable. It will be single trail, and the circle-back route will use parts of existing Pebble Beach and Tucker's Trail without modifications. Ginny mentions that we haven't yet voted on the trail yet. Bill is aware.

Bill says on 3/19 Northern Forest communicated with Hoyle Tanner (NRBC's environmental consultant) to hire an independent wetlands consultant to do the wetlands delineation in early April, weather dependent such that hydrophytes and soils can be evaluated. When Joe Fox of Northern Forest lets him know date, he will pass along to Chris. We are invited. Multiple goals for the trail: inclusion for adaptive community, and access-based education to sensitize people to conservation, also. Ginny asks questions about October's draft NEPA assessment doc which said trail width was 5 feet, and 40 parking spaces. Bill says width is an error. They combined all the parking spaces which can access the forest: Old County Rd, Hillwinds, Franconia Inn, Fox Hill lot. Presbys gave them permission to park in Hillwinds parking lot. Bill says they don't anticipate having that amount of traffic. They think it will be mainly a locals-only trail. Ginny points out that Lawrence Forest easement says no motorized recreation, and e-bikes are motorized. FCC hasn't finished discussing that issue, and she thinks that if we do think e-bikes are ok, it will be the class 1 only – not class 2 or 3. Bill says the definition of motorized isn't clear – he, Janel, Chris recently attended a conference with WMNF and others about this. Conor says ACT lawyer is currently looking at this too. Ginny thinks it's a slippery slope because ATVs are going electric, so where's the line. She also mentions that she was dismayed by how many errors were in that draft NEPA assessment done by the Montpelier company. She knows that inaccuracy isn't a reflection on NEMBA, but the consultant's errors were significant, and we only got it after the fact by happenstance. Bill agrees that the many handoffs in the process were difficult, and he also didn't see it until after the fact. Discussion within the group about whether the errors in the official document remained in final version, or whether they were corrected. None of us know. We never saw a final. Bill will be sure to communicate with Chris and will cc Conor on communications. Conor requests .shp file of the proposed trail from NEMBA. Conor will send pdf of current easement to Bill Whelan. [Guests depart.]

Process of NRI update by Elise: Chris – re communication with landowners: She requires written permission from any private landowners which Elise enters. He simplified the cover letter based on feedback. Still not sure where she will go, but options are Meadowbrook, Coppermine Br. Wiseman Br area, Grote property stream, the upper Ham Branch. She's thinking field work will be late April to late

June. Discussion of process and places: Art prefers to verbally talk to his neighbors and then give just permission slip. Ginny thinks she may or may not give the cover letter. Chris hopes we get written permission of the listed people. They need to be returned to town hall, or to the FCC email electronically. Chris requests a motion to move forward with the cover letter and permission slips. Ginny moves that we approve Chris' cover letter as written to the landowner contacts identified in order to obtain written permission for Elise to do her NRI on properties of her choice. Julie seconds. All vote in favor. There's only a small chance she'll be on these people's properties due to the limited field work time we've paid for. Chris points out that if we want something specific in mind for her to look at we need to mention it. Ginny wants to be sure Elise looks for rare plants, wood turtles, and other at-risk species. She requests forwarding of all Chris' communications with Elise between meetings. He will.

Wetlands application for Easton Rd Presby propane fueling facility: Just received. A big wetlands impact project, so Chris contacted DES and got the consideration period extended to 40 days, because it wasn't received by Carol till 3/25, but comments were due 3/27. It's the same site they applied for 2 or 3 years ago, which we objected to then, and Presbys withdrew it. Just downriver from the transfer station town property, and immediately upriver from their landscaping and metal scrap facility – formerly Hunt's junkyard. Presby Energy hired Sean Sweeney to do a full wetlands assessment for this one, unlike last time. Chris read it a couple days ago. He wrote a quick list of 8 comments for us to review. Application is 150+ pages, which are not available online on DES site. One copy in town office. Maps reviewed. Plan involves 2 driveways for one way traffic of propane trucks, involves filling in significant wetlands. Mitigation they proposed is monetary, based on the square feet of the driveways' elimination of wetlands. Ginny says that choosing monetary mitigation is legal per recent DES rules. Lengthy discussion: why not use the commercially zoned uplands they own across Easton Road? Or their industrial site in Whitefield? High value of the wetlands and floodplains in the proposed site, especially with increased frequency and extent of Ham Branch flooding recent years, worsening climate change. Chris isn't sure what date the comment clock ends. Ginny likes his list, and thinks we should send the objections to DES, but reorder so that flood plain is emphasized, and remove the zoning discussion and culvert issue, which isn't DES' concern. Discussion of flood plains, adjacent toxic sites, risk of spills so close to the Ham Br, the ecological role of wetlands and riparian areas, mitigation issues. General agreement. Discussion of how to best write the letter soon so can send it prior to May meeting. Ginny moves that we authorize Chris to complete and send to DES an objection comment letter with Ginny to review prior to sending the final version. Julie seconds. Unanimous vote in favor. (Note: Jill left at 4 pm just prior to this vote.)

PSU student water resources project – Chris says May 2nd at 6 pm is when that the students will present their water resources project. Linda Hansen will be working on publicizing it with ACT.

WMNF talk by Dave Govatski cosponsored with Easton: Deferred due to weather. Will be rescheduled probably for May.

Annual monitoring of McKenzie easement: Chris, Ginny, Julie walked the west easement boundary on 3/13/2024, joined by Art for part. Small amount of trash removed; two replacement conservation placard needs identified. Delaneys are contemplating some forestry work due to big blowdowns. They need to submit a plan to us. Chris staying in contact.

Next meeting: Tuesday, May 7, 2024, 3 pm.

Minutes by Ginny Jeffryes