

Nash Stream Citizen Advisory Committee

Meeting Minutes

August 22, 2001

Present: Dave Tellman, Peter Benson, Mary Sloat, Dayton Goudie, Rita Goumillout, Dave Goulet, Scott Mason.

Staff: Tom Miner, Robert MacGregor, Dave Falkenham, Susan Francher, and Will Staats.

1. Meeting Opening

Chairman Tellman welcomed members to the meeting and introduced new member Rita Goumillout.

2. Old Business

Minutes of the May 31 meeting were reviewed. A quorum of committee members was not present so approval of the minutes was tabled until the next meeting.

3. Review of Committee Strategy Survey – Tom Miner

Chair Tellman acknowledged the work of Tom and Susan in pulling together the review information. Sloat also thanked Tom for the Nash Stream property summary and members of the committee for their work on the strategy review

Tom Miner reviewed the assigned task, which was to review the strategies to determine a) those which remain valid, b) those which should be a focus for the next 5 years, c) those which may be invalid, and c) those needing further clarification. The Miner and Francher then compiled the responses and included committee member comments associated with each strategy.

Miner stated that the reason for the review was to a) understand the importance of the plan, b) validate strategies c) establish work priorities for the next five years, and d) begin the process of identifying issues that may indicate a need for change in the plan.

Invalid Strategies

Miner began the review with those receiving the most responses.

#23 – Gravel Rights

This is perhaps the only truly invalid strategy as the gravel rights have expired. The committee agreed.

#68 – Heritage Trail

Miner stated that this strategy might be questionable because the NH Heritage Trail Committee no longer exists and asked if the Cohos Trail fulfills the intended purpose of this strategy. Sloat suggested it does not because the Heritage Trail was intended to be a “low level” trail for people who couldn’t hike more demanding trails. She also added that it is the responsibility of the

Towns to complete their portion of the (Heritage) trail. She also stated that she thought the Heritage Trail committee had become a subcommittee of the Statewide Trail Committee. The committee agreed that this strategy remains valid but asked that Miner verify whether the Heritage Trail Committee has become a subcommittee of the Statewide Trails Committee.

#66 – Backcountry Camping

It may be important to keep this strategy in order to maintain backcountry camping as an option. Currently the barrier to backcountry camping on Nash Stream is a department policy that applies to all state land forbidding camping in all but developed camping areas. Changes in that policy is beyond the scope of the plan.

#45 – Annual accomplishment report for review by the CAC

The comment made about this strategy was that it seemed to be an unnecessary bureaucratic step. This sort of review is part of the charge of the CAC and therefore the strategy remains valid. The division will work with the CAC to streamline the process in order to make it more efficient.

#81 – Transfer or purchase of private camps

The disposition of the private camp leases was raised as an issue in the strategy review and will be discussed later in the agenda. Rita commented that she too had concerns about the camp lease policy.

Miner stated that most of the remaining items on the list are not invalid but need minor wording changes to update them. For example #59 has been established however the action requires ongoing enforcement and monitoring.

Miner was asked how modifications would be made. He stated that an addendum could be added to the plan, updating the wording of the strategies to reflect their current status as long as the intent of the strategies is not altered.

Goulet asked what was done with the lease revenue. Miner explained that receipts from timber harvests, leases, and fines go into a Forest Management & Protection Fund. Each year the 1st \$150,000 generated is returned to the General Fund. The balance is for use by the agency for a variety of forest management and protection needs. Nash Stream receives more dollars annually from that fund than from the recreation leases.

Mason asked if the Committee has the authority to reverse the decision regarding camp leases. Miner stated that as an advisory body the committee does not have that authority. Tom also addressed the inconsistencies between the existing department policy on disposition of camps and the Nash Stream policy, and added that elimination of the private camp leases may also be inconsistent with the Vision.

Goulet asked about the strategies concerning enhancement of fish habitat. Tom stated that many of them appeared on the 5-year focus summary and appear to be important strategies to concentrate on over the next few years.

Benson suggested that strategy 15 be modified to include the monitoring of water quality as well as chemistry.

Discussion Strategies

Miner stated that there were 6 pages of strategies identified as needing clarification or further discussion. What that says from an agency standpoint is that the division needs to do a better job of explaining these strategies. Review of these strategies is likely to take an entire meeting. Miner and MacGregor will prepare a briefing paper, in consultation with other agencies/individuals, to address these strategies and have this as a topic for a future meeting.

Miner asked that this meeting's discussions focus on the first 6 identified strategies.

#32 – Consolidation of boundary lines.

Miner explained what was meant by boundary line consolidation and the similarities with the purchase of inholdings.

#50 & 51 – Cultural Resource surveys

Miner explained that a short-range (sensitivity) survey is conducted as part of a planned management project to investigate whether any cultural resources would be impacted. A long-range survey is a broad-spectrum survey covering the entire property and is done keeping in mind any ecologically sensitive plant species or communities that may be impacted.

Mason asked if every campsite or cellar hole is a no-cut zone. MacGregor stated that they are no-disturb zones. MacGregor added that there are very few instances of cultural resources in Nash Stream as it has been used predominantly for timber production.

#24 – Restoration of Gravel Sites

Miner explained that a state law, RSA 155-E now exists which governs restoration of gravel sites. This law supersedes any department policy or standard referred to in this strategy.

#114 – Creel and recreational fisheries survey.

Will Staats explained how the surveys are conducted and suggested Diane Emerson of the F&G North Region office be contacted for any update on the status of what has been accomplished.

Five-year Focus

Miner thanked the CAC for their input and stated that the identification of 5-year focus strategies would help the agency focus energy and assign priorities. He added that the 5-year focus strategies are also valuable in the identification of issues that may indicate the need for change in the management plan. Will Staats suggested that strategies could be organized into similar grouping and suggested that smaller groups or subcommittees could efficiently work on recommendations for implementation.

The strategies that got the most responses identified 2 issues that may indicate a potential change in the Management Plan.

The issues are **ATV use** and the **status of the private recreation camp leases**.

Based on comments submitted by Committee members, the following major elements associated with each issue are:

ATV use

1. Public pressure to open Nash Stream Forest to ATV's
2. Designation, development and policing of ATV use
3. Impact of motorized recreation, including snowmobiling, on non-motorized recreation
4. A separate policy for Nash Stream Forest (since ATV's are prohibited both summer and winter which is inconsistent with other DRED lands where ATV's are allowed on snow covered snowmobile trails)
5. Revision or development of ATV trail standards
6. Addressing ATV use to ensure compatibility with other goals of the Plan
7. Management opportunities and potential impacts associated with enhanced motorized access
8. Increased road and trail maintenance costs and work load
9. Monitoring ATV use to ensure compliance to ATV standards and guidelines
10. Parking for ATV users
11. Ensuring that management activities and public use provides for the conservation of biodiversity

Status of Private Recreation Camp Leases

1. Camps are a good source of revenue
2. Private recreation camp leases are a traditional use and part of the local economy

Peter Benson suggested that the Forest Service be consulted regarding whether the federal easement allows ATV use on the property. Other members of the committee felt that review by the CAC and Forests & Lands staff would be adequate.

Tom stated that the biggest stumbling block to ATV use is the wording of the Vision, which may need to be revised to allow ATV's. Susan Francher suggested that the discussion was leading to the next agenda topic so the committee moved on to the next agenda item.

4. Draft Forest Planning Process – Susan Francher

Francher presented the **draft forest plan revision and amendment process** requested by Commissioner Bald at the Committee's May 31, 2001 meeting. The process includes two phases: amendment and revision with total planning timeframe ranging from 9 to 11.5 months respectively. Plan amendment addresses new issues not addressed in the original plan. Plan revision is a change to items addressed in the Plan.

There are seven (7) steps in the process however there can be overlap, for example elements of the plan can be drafted (step 3) while some assessment (step 2) is going on.

Tellman asked if the committee is looking at a plan revision 11.5-month timeframe since the two issues identified are in the Plan. Francher answered yes.

Benson asked if the 11.5 months included a Federal response to the question of whether ATV use on the Nash Stream Forest is prohibited by the Federal Conservation Easement. Francher answered yes.

Goulet asked what is needed from this Committee to get the plan revision process started and if that required something in writing from the Committee. Francher responded that we now have two issues on the table that the Committee helped identify and before the next meeting of this Committee Miner and Francher will develop a schedule of public meetings and other outreach efforts.

Goulet asked if more issues are identified could that lengthen the process. Tellman suggested there may be other issues the committee is not aware of that could extend the timeline. Francher stated that it is not our intention to go beyond the intended schedule.

Goulet asked if the Nash Stream Plan is a 5 or 10 year Plan. What happens when another issues comes along will we open the plan to revision again? Francher said that should be addressed in the Plan revision.

Mason asked what the role of the Committee was, to identify issues and provide advice. Francher responded yes. Mason asked if the Committee should just be a member of the public at the public meetings. Francher responded that the Committee's role is to help with the public comment process.

Mason asked how members get on this Committee. Miner responded that this Committee is a working group and sub-committee of the New Hampshire Forest Advisory Board (FAB). Director Philip Bryce appoints members by authority of RSA 227.

Francher stated that help is needed from this Committee with the public comment process and help with the language of the revision. Sloat added that the Committee should go over the strategies that were identified as needing further discussion so that the Committee can be of help with the plan revision process.

Tellman said we need to have our next meeting soon and suggested the following agenda items for the next meeting:

1. Committee approval of the planning process by the Committee (need to have a quorum for that)
2. Go through the discussion strategies
3. Discuss the role of the Committee in the plan revision process

Goulet asked if a draft plan revision should go to the public first. Francher responded no, we would identify issues first, do an assessment of the issues, then draft the revision. Goulet then asked how we get to the planning process from this meeting. Francher responded that Miner and Francher would come to the next meeting with a planned schedule of public meetings and outreach.

Tellman asked the Committee if they could give a consensus or assurance that the Committee members present agree with the process. Benson said he was ok with the process but was concerned that the stated timeline was ambitious.

Mason said we don't want the book (Plan) to be constantly revised. There needs to be some order to this to establish a revision process. Mason proposed that for an issue to get off the ground it has to have the approval of this Committee. Tellman responded no, we are an advisory committee; our charter does not give us veto power.

Sloat suggested that since there is no stated revision schedule in the Plan that that is perhaps another issue.

Tellman stated we cannot accept the vote of the Committee at this meeting without a quorum and suggested a motion that the Committee members present are in favor of the proposed plan revision process but there is concern about the time schedule. All present agreed with the motion as stated.

5. Roundtable

Due to the lateness of the hour the Roundtable is postponed until the next meeting.

6. Public Input

Tellman opened up the floor to public comments.

Richard Goudarzi – Executive Director Granite State ATV Association – Gave an update on HB717 establishing an ATV study committee. Goudarzi stated that the committee is made up of members of the house and senate, and is chaired by Rep. Alger. The committee met on Tuesday and heard presentations by Rich McLeod, Paul Grey, and Philip Bryce. When asked what DRED's concerns are regarding ATVs Paul Grey sited a process for trail location & available land. When asked about Nash Stream Mr. Goudarzi stated that Bryce's response sited ecological impact, monitoring, enforcement, and conflicts of use. Mr. Goudarzi also reported the Bryce stated he is not adverse to ATV use on properly laid out and maintained trails. When asked again about Nash Stream Goudarzi reported that Bryce stated there is not a mechanism (in the Nash Stream Plan) to address the issue. The study committee report deadline is Nov. 1, 2002. Also, reciprocity between Maine & New Hampshire is still in place.

Additional comments by Goudarzi – Chronology of this issue: First raised Sept. 1998, proposals were developed and presented to CAC December 1998, Statewide Trails Advisory Board support April 1999. May 1999 Commissioner Bald asks the NS CAC to consider the issue. Mr. Goudarzi also cited a letter from Donna Hepp outlining the use of ATV's on the White Mountain National Forest. Goudarzi stated the issue is statewide, not just Nash Stream & it comes down to local concern.

Ted Burns – Asked what the mechanism is for addressing backcountry camping. Tom responded that strategy #66 directs us to consider opportunities for backcountry camping however that is in conflict with department policy. Any changes will require a change in dept.

policy not a change in the plan. Burns stated that the snafu with the plan regarding ATV's is that when the plan was created there were only a thousand or so ATV's in the state and very few of them were registered. Now there are many more users and all are charged \$50 by the State to register their vehicles but they aren't allowed on state land. Mr. Burns produced a document with 1800+ signatures supporting development of ATV trails on state land. He believes the timeline for plan revision is too long and will only continue to allow for "bad" users. Burns also questions whether the state is in compliance with ADA.

Bill Jackson – He and his wife are both handicapped and he can't understand why they are not allowed on Nash Stream. He stated he believes there is more erosion from hikers than ATV'ers, adding that the state is "us", why should he be denied access. Jackson stated that ATV's might be the only way some people with a handicap can enjoy the outdoors.

Ted Burns asked what the mechanism was for gaining access if disabled. Miner explained the handicapped policy at Nash Stream is the same as it is on all state lands, adding that people should contact Bob MacGregor for further information.

Kenneth Adair – In regard to the locked gates, asked what happens if there is a forest fire on the property. MacGregor stated that all fire departments have keys to the gates. Adair stated that a fire truck and other heavy fire-fighting equipment will do more damage to those roads in a couple of hours than ATV's will do in years.

Dave Tellman – Last words to the CAC were to remind them that they are advisory and the ultimate decision regarding this issue rests with the agency.

Next Meeting: September 18, 3:00 pm – 5:00 pm. Lancaster Office.

Adjourned: 6:15 pm.