

**Exotic Aquatic Weeds and Species Committee
Meeting of 08 August 2011, LOB 308, 10:30 AM
Minutes of Proceedings**

Members present: Rep. Chris Christensen (Chair), Rep. Mike Kappler, Rep. Laurie Pettengill, Rep. David Russell (Vice Chair); Public Members Don Foudriat, Bob Reynolds (Clerk), and Ken Warren

Members Excused: Rep. Dick Drisko, Sen. Jeb Bradley

Guests present: Joel Anderson (NH House staff), Jacquie Colburn and Amy Smagula (DES)

Chairman Christensen called the meeting to order at 10:32 AM. Members and guests introduced themselves.

Minutes of the June 20 meeting were discussed, and no revisions were suggested. Mr. Reynolds moved that the minutes be approved as written. Rep. Kappler seconded. The motion passed 6-0-1 (Rep. Pettengill abstained as she was not present at the June 20 meeting).

Ms. Jacquie Colburn, NH DES Rivers Coordinator and Lakes Coordinator, presented an overview of the NH Rivers Management and Protection Program (RMPP) and the Lakes Management and Protection Program (LMPP). The RMPP was started in 1988 with the passage of the Rivers Management and Protection Act (RSA 483) to protect New Hampshire's river resources for present and future generations. There are now 18 "state designated" rivers in the RMPP, each protected by River Corridor Management Plans implemented by Local Advisory Committees. The RMPP also provides technical assistance, public education, and outreach services; and reviews and comments on pending legislation and disposal of state surplus land.

Rep. Kappler highlighted some of the intricacies of the river designation process in the legislature, organizational issues surrounding Local Advisory Committees, and other operational aspects of river management and protection.

The LMPP was started in 1990 with the passage of RSA 483-A, which also established the Lakes Management Advisory Committee (LMAC) that advises the DES Commissioner on fulfilling the requirements of RSA 483-A.

It provides municipalities and lake associations with guidance on developing and implementing Lake Management and Watershed Management Plans.

Ms. Colburn emphasized that she interacts frequently with Ms. Smagula and the Exotic Species Program, and expressed a desire to coordinate more closely with the Committee, and Chairman Christensen instructed that Ms. Colburn be included on the distribution list for Committee meeting minutes. Internet links to the RMPP and LMPP are:

- <http://des.nh.gov/organization/divisions/water/wmb/rivers/>
- <http://des.nh.gov/organization/divisions/water/wmb/lakes/>

Ms. Amy Smagula, NH DES Exotic Species Program Coordinator, presented information about all of the exotic aquatic species (in addition to variable milfoil) that are of concern in NH rivers, lakes, and ponds. She said there are now 76 NH water bodies (11 river systems and 65 lakes/ponds) that have 85 infestations of 9 exotic aquatic species (thus, some are infested with multiple species). She distributed a pamphlet showing the “Frightful Fourteen” exotic aquatic plants prohibited in NH, including 9 species already infesting NH water bodies (Variable Milfoil, Fanwort, Eurasian Milfoil, Brazilian Elodea, Curly-Leaf Pondweed, European Naiad, Water Chestnut, Purple Loosestrife, and Common Reed) and 5 species not yet in NH but infesting water bodies in adjacent states (Parrot Feather, Yellow Floating Heart, Hydrilla, Flowering Rush, and European Frogbit). She also distributed slides showing information on 15 new invasive aquatic plants that are of concern to NH water bodies (Swamp Stone Crop, Great Willow Herb, East Indian Hygrophila, Reed Sweet Grass, Giant Sagittaria, Double Flowering Arrowhead, Water Fern, Water Forget-Me-Not, Water Spinach, Ambulia, Cattail, Dwarf Cattail, Yellow Iris, African Oxygen Weed, and Miniature Cattail).

Chairman Christensen distributed materials about HB439, co-sponsored by Representatives Drisko, Christensen, and Russell; that would prohibit invasive species from being claimed as habitats for endangered species. After passage by the House on the consent calendar, the bill was discussed during a public hearing in the Senate. In response to criticisms of the bill, amendment #2011-2188h, 06/03 was submitted, adding a new paragraph stating that no provision of RSA 212-A nor rule adopted under this chapter shall claim milfoil, an invasive species, as a habitat for an endangered species. After discussion by the Committee, Ms. Smagula

recommended that the amendment be revised to specify that it's only an aquatic plant that is also exotic (non-native) and invasive (bad for the environment), and it refers to the entire list DES keeps in rule. The Committee recommends that the amendment be revised as follows: *“No provision of RSA 212-A nor rule adopted under this chapter shall claim an exotic species, like milfoil or fanwort, or other species listed under Env-Wq 1303.02, as habitat for an endangered species.”*

Ms. Smagula also presented information on financial and activity reports on the DES Exotic Species Program. To date in 2011, there was one new milfoil infestation discovered in Rocky Pond in Hollis. She reported that she and a DES diver were able to get to the site promptly and remove the milfoil. She believes the pond is now clear. Part of the success of this “save” was the quick reporting of infestation by a Conservation Officer from the Fish and Game Dept. Sixteen herbicide treatments in May and June, 11 milfoil control projects performed by DES divers and DASH units, one prevention grant was awarded to the NH Lakes Association for the Lake Host Program, and one research grant was awarded to evaluate the effectiveness of a new milfoil herbicide. There are now more than 800 acres of milfoil infestations on Lake Winnepesaukee (milfoil was first discovered in New Hampshire in 1965 in Moultonboro Bay).

Financially, the DES Exotic Species Program receives funding via \$7.50 per boat registered in NH (\$4.00 for prevention and research; \$3.00 for administration, supplies, education, and control; and \$0.50 for the Clean Lakes Program). The budget includes two full-time staff and two seasonal interns. Due to fewer-than-expected boat registrations this year, the Program's funding is approximately \$100,000 less than expected.

Running short of time, Chairman Christensen asked the members how they would like to address the four topics listed in the agenda regarding the specific goals and priorities of the Committee. It was suggested that perhaps the Committee should discuss one of the four topics at each of the next meetings. It was also suggested that the topic “Relations with Lake and River Associations” should be discussed during the next meeting. There was general agreement on this selection.

Based on requests made during the June 10 meeting, Ms. Smagula and Mr. Reynolds will make a presentation on the toxicology and environmental effects of 2,4-D (the herbicide used to control variable milfoil) during the next meeting.

Based on the schedule approved during the previous meeting, the next two meetings will be held at 10:30 AM on October 10 and December 12, 2011 in Room 308 of the Legislative Office Building.

Rep. Russell moved to adjourn the meeting at 12:07 PM. Rep. Pettengill seconded. The motion passed unanimously.

Respectfully submitted,
Bob Reynolds, Clerk