

Franconia Conservation Commission (FCC) - draft

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

Members present: Chris Nicodemus (Chair), Ginny Jeffryes, Jill Brewer, Julie Weisman

New member: Julie was sworn in as new member just prior to today's meeting. Welcomed.

Minutes 12/5/2023 reviewed. Jill moves to approve. Julie seconds. All voted in favor.

FCC Annual Report: Chris wrote a draft 2023 Annual Report which he sent to FCC members on 12/30. He got a suggestion to add that we addressed a number of trail and property issues impacting local residents. All agree, and agree the draft report is well done. He will submit it.

Budget: Jill submitted our request for \$2000.

Ore Hill erosion and water flow onto Mountain View Road: Chris: The storm thaw of 12/18 caused significant Mountain View Road water and mud damage from Sabados land across the Lange property. Franconia highway department needed to repair Mountain View Road. Red reports that this is related to the unpermitted Sabados' [Sugar Hill] property alteration of terrain, which obliterated the previous drainage flow northward to a Lafayette Road ditch and culvert. DES enforcement division sent a letter to Sabados' in Dec 2022, but is moving slowly on enforcing their request for remedy. Red drafted a letter to DES which he wants the Select Board to consider sending to DES to request expeditious corrective action. The letter is on the agenda for the SB meeting tonight. Julie asks who is responsible for restoring drainage. Chris says Sabados. It impacts the Town. Ginny mentions this is informational, not an FCC issue. Chris says that it is a water and mud issue, and it's the SB that needs to address.

Hydrology subcommittee report: Chris has been reading a report by Flanagan on the glacial geologic history of the hydrology of the whole valley. He ran across information that a tributary to the Gale River goes close by the landfill in Bethlehem before it enters the Gale towards Route 3. The Hydrology committee has been trying to provide more sophisticated materials for Elise for the NRI update, but this adds an extra concern of potential for aquifer contamination. The aquifer flows tend to follow the direction of the surface waters. Most surface drainage immediately around the landfill is towards the Ammonoosuc in Bethlehem, but this stream goes to the Gale. Also: the subcommittee has been looking to understand the DES ongoing monitoring programs of known contaminated test wells. Appears that levels of contamination in the test wells by Easton Road have peaked and slowly are going down. Michelle is interested in learning GIS mapping. Ginny mentions that UNH Extension has inexpensive online workshops for learning GIS mapping. Currently Michelle is looking into the depth of bedrock based on old well data. Every domestic well has records of where they hit bedrock, and she has created a spreadsheet referenced to tax lots. But the hydrology of fractured bedrock aquifers has never been studied. USGS did studies decades ago of stratified drift aquifer water supply, but the deep water aquifer is unknown. We have good stratified drift aquifer water supply. Protecting the stratified drift aquifers from contamination is important education. Subcommittee continues working.

Lawrence Forest NEMBA Trail NEPA process. Chris: He received an email from Northern Forest (NF) 12/29 apologizing for not giving us an overview of the NEPA steps. Copy of that email which details the process was distributed to FCC members present today. Chris says that he was told verbally that the mix-ups that Ginny pointed out when she discovered the comment period was already underway were due to NF's inexperience with the process. Chris asks if Ginny's comments on the draft EA went in to them. Ginny replies: She forwarded to FCC today her email comments of 11/17/23 on the draft NEPA

to the Clark Group (Montpelier). It was personal comments after reading the draft EA – she was not representing FCC. She hasn't sent a second email with any remaining concerns. The concerns she mentioned 11/17/23 were that the map of the new trail out and back loop on the landscape doesn't show the 4 other existing trails on the property (perhaps 8500 linear feet approximately of existing trails on the 80 acres that aren't wet), and she told them that she thinks their map is misleading – it appears incorrectly that it's a new trail in a wooded area with no trails. She mentioned the wildlife corridors are impacted and need to be assessed first. She commented to Clark Group that the bird assessment was incomplete, and mentioned having seen a black-backed woodpecker there, for example. She commented that their statement of "The parking at the trailhead has space for 40 cars" - it's about 4 cars. And, she disputed the draft EA comment that the water quality in Meadowbrook was poor and unlikely to support much aquatic life, which doesn't match the Trout Unlimited /F&G assessment in about 2015 which found the threatened red-bellied dace, a clean cold water fish. She also pointed out that the public process was opaque, and she hasn't been able to find the document she was sent on request by Clark Group anywhere online. She also listed her objection to constructing a trail in June – that's nesting and amphibian/reptile reproductive season. She mentioned that the end of the trail is too close to Meadowbrook to be wildlife friendly. She mentioned in the email comment that their perception that the FCC had approved the trail is incorrect.

Ginny says that today she was trying to find an accurate map of the existing trails to send to them with a suggestion to superimpose the new proposed trail on top of the existing trail map. But the ACT trail map of the Lawrence Forest is 2017, before Pebble Beach Trail was moved onto the Lawrence Forest from adjacent private property, and same with other trail maps she found by various groups online. Ginny suggests we send the draft NEPA EA to Elise Lawson to see if she has any comments prior to the extended comment period 1/5. Chris says not possible because she's on vacation until 1/6.

Julie asks if the point of this new trail that it's going to be handicapped accessible, and how to get to it. Ginny says they're going to put down ledge-pack and make it flat, removing roots and rocks. So it will be adaptive sports' friendly but not wheelchair accessible. She remembers that in their March presentation NEMBA said that the out-and-back loop is because they think it's more fun to have a loop, and the NBRC grant doesn't permit expanding any existing trails. Ginny says the whole "non-motorized recreation" clause in the ACT conservation easement hasn't been settled related to e-bikes. Jill thinks we need to allow e-bikes. Chris thinks that we don't actually know what the route is. Chris disagrees that it's supposed to be a loop. He thinks the [parallel] red lines on the EA map is a general corridor for a single trail, not a loop. Discussion of how they plan to get to the new accessible trail because some of the access is on private land. Chris says unknown – that would be discussions with landowners. Chris thinks it's a single trail that will connect back to Ronnie's Ramble. Julie says Ronnie's Ramble has a lot of rocks. Ginny says expanding and flattening Ronnie's Ramble hasn't been mentioned to us. Chris thinks we don't know. Chris says he got a message from Maura Adams saying they're going to wait for whatever their next steps are in January. Chris suggested to them that when they get information back they need to come and update us. Ginny thinks we should communicate with Adaptive Sports that we are still discussing whether and which e-bikes are permitted, so that they aren't making assumptions that it's been decided. Jill suggests an exemption for them. Discussion about class 1 bikes, and various other trails and other conservation groups' trail policies, and potential future technologies relating to "motorized".

Ginny suggests forwarding the draft EA to Elise for her information and perusal, even though it won't be in time for her to advise us on commenting. Jill wonders if we would need to pay her. Chris and Ginny think not - it would be for reference. Ginny thinks we should ask NF/NEMBA to clarify if that's an out and back loop or one single trail since we have different perceptions. And she thinks the map shows "the route". Chris is pretty sure it's showing an approximate single trail location and it's not absolute.

He says they need to come back to us when they have gotten their instructions from NBRC. Says we need to wait and see.

NRI update: Chris anticipates hearing from PSU about their student project around the end of January.

Easton CC sponsoring an April talk about National Forests: Chris: They're asking us and Sugar Hill CC to contribute to their total speaker-requested fee of \$75. Agreed unanimously that we will contribute.

Adjourned 3:55 pm.

Next meeting: Tuesday Feb 6 at 3 pm.

Minutes by Ginny Jeffryes

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**From:** Joe Fox <jfox@northernforest.org>  
**Sent:** Friday, December 29, 2023 3:59 PM  
**To:** Christopher Nicodemus <cnicodemus@aitrx.com>  
**Cc:** Bill Whelan <nwoods4me@gmail.com>; Tim Clough <tclough@nemba.org>; Maura Adams <madams@northernforest.org>  
**Subject:** Franconia Trail Process Updates

Hi Chris,

My apologies for not writing sooner with an overview of the next steps for the NBRC grant, as we understand them. Here is a summary of our process and expectations:

1. We received a grant from the Northern Border Regional Commission. Before giving us a full Notice to Proceed, they required us to hire a consultant to conduct a NEPA Environmental Assessment. [This guidance document](#) explains their EA requirements. This is the first time we've been directly involved with an EA, so we are learning as we go.
2. We inquired with several environmental consulting firms and decided to hire [Hoyle Tanner](#) to conduct the work. Funds for the assessment are from the grant. Hoyle Tanner's work was then reviewed by NBRC's own environmental consultant, the [Clark Group](#). The draft EA concluded "No Significant Impact" from either of the proposed trails (Franconia and Gorham).
3. Per NEPA/NBRC requirements, we posted a 30-day notice for public comment. There was a mistake on the posted comment period, so we re-issued the notice and re-started the 30-day period.
4. NBRC and the Clark Group will review public comments and give us instruction on the next steps sometime in January. We don't know what to expect. They may grant us a Notice to Proceed with conditions such as avoiding trail construction during certain periods to avoid harming an endangered or threatened species. They may tell us that the trail must be re-routed.
5. When we do get a Notice to Proceed, we will put out an RFP for trail construction service. This RFP will include any conditions that NBRC has stipulated – or that the FCC wishes to include. We will also ensure that FA NEMBA obtains any necessary DES permits.
6. The Center will contract with the trail builder and ensure that the work is carried out according to all environmental stipulations.

As an organization committed to sound forest stewardship, we are just as concerned as the FCC about ensuring that this trail is built and maintained in an environmentally responsible manner. Our team welcomes input from the FCC and would be happy to attend a meeting to discuss this further.

Thank you, and happy New Year!  
Joe

**Joe Fox, Outdoor Recreation Manager**

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