

**Southeast Watershed Alliance (SWA)  
Planning Committee Meeting No. 2  
Dover Community Services Building  
271 Mast Road  
Dover, NH**

**Minutes**

January 19, 2010 @ 2:00 PM

**Members Present**

Wally Fries, Danville	Michael Perfit, Stratham
Peter Rice, Portsmouth	Tom Willis, Rochester
George Rief, Durham	Richard Snow, Candia
Michael Trainque, Chester	Alison Watts, Newfields
Dean Peschel, Dover	Jim Irish, Madbury
Candace Dolan, Hampton Falls	

**Guests Present**

Cathy Colleti, DES	Ted Diers, DES
Allen Brooks, New Hampshire Attorney General's Office	

**Introductions**

Meeting was called to order at 2:00 PM with Peter Rice, Walter Fries, and Michael Perfit as co-chairs. Introduced Allen Brooks from the Attorney General's office.

**Approve Minutes**

Minutes were approved with the following changes: Change spelling to NEIWPPC and Poltak for Ron Poltak and include the list of attendees.

**Old Business**

**Action 1.1-1** Ted Diers will find out if Brentwood location is available for next full SWA meeting.

**Resolved:** The Brentwood facility has been reserved.

**Action 1.2-1** Wally Fries will send a letter to Attorney General's office asking for a participation in the planning process.

**Resolved:** A participant from the Attorney General's office will participate in SWA Planning Committee meetings. Allen Brooks was the attendee for the 19<sup>th</sup> and may or may not be the representative in the future.

**Action 1.3-1** Planning Committee members to write up organizational and operational questions for the January 19 Planning Committee meeting.

**Open:** Peter Rice said that the questions need to be prepared by the Planning Committee in advance of the full SWA meeting on Feb. 17.

**Action 1.4-1** George Rief to prepare draft mission statement for SWA consideration.

**Open:** George passed around photo copies of the draft mission statement. He will e-mail the Planning Group the mission statement for feedback. George also volunteered to be the continuing editor.

**Action 1.8-1** Ted Diers is going to find out what needs to be incorporated into an interstate organization to protect ability to get funds to NH? What are obligations/requirements to set up interstate organization? Perhaps an agreement between two organizations, not states. How legally to include Maine and Mass.

**Open:** Allen Brooks from the Attorney General's office provided his thoughts on the incorporation of Massachusetts and Maine into SWA. He interprets the statute as only including New Hampshire's coastal watershed, noting that the group could keep inviting the other states though they wouldn't be officially incorporated in the group. Another avenue would be to amend the state statute. Other states do contemplate interstate agreements, but not the SWA's legislation. Allen said that he didn't believe that the SWA could use the format of the organization to trump the legislation.

Allen advised the group to tread carefully with interstate compacts because states can't come together and be more powerful than they would be individually. He suggested that Ron Poltak of NEIWPC's talk would be good for the group to hear.

Ted said that there is a great deal of agreement in Maine on common goals.

**Action 1.8-3** George Rief mentioned the Maine Wastewater Association's newsletter, and will forward a link to the Planning Committee.

**Action 1.8-2** DES agreed to talk with Ron Poltak of NEIWPC for information about his regional organization.

**Resolved:** Ron said that he'd be happy to come speak to the group about how this kind of thing works. He was not aware specific examples of interstate compacts.

**Action 1.10-1** Dick Snow will put together a time and mileage form for everyone to fill in.

**Open:** Dick is working on it.

**Action 1.10-2** Alison and Ted will put together a list of grant opportunities including state of Maine.

**Open:** Alison and Ted are working on it. Ted has begun to compile funding opportunities that he has received in his email. He will send them to Alison.

Alison has also begun to hunt for funding sources and found a few small grants coming up in the spring. She believes the group could come up with \$20m in volunteer match time. She also noted that funding for organizational capacity is different than funding on-the-ground restoration efforts.

Candace wondered what information on the individual communities' needs was available to help inform the grant writing process.

Ted mentioned the survey of stormwater infrastructure needs done by DES. In addition, the Regional Planning Commissions and Ted have access to the data from Metcalf and Eddy.

**Action 1.10-5** Ted will have a conversation with people at DES about putting aside money for the SWA. In the meantime, it would make sense to put in a grant application to the Coastal Program's competitive grant program.

**Action 1.10-3** Dick Snow will prepare a proposal to the Coastal Program by February 1. Dick will also prepare a proposal to the EPA CARE grants.

**Action 1.10-4** Letters of recommendation from the communities will be submitted to Dick by the Planning Committee. This needs to happen before February 1.

**Action 1.11-1** Michael Perfit to purchase some suitable domain names.

**Resolved:** Michael purchased the domains [southeastwatershedalliance.org](http://southeastwatershedalliance.org) and [coastalwatershedalliance.org](http://coastalwatershedalliance.org). A basic framework is online now at [southeastwatershedalliance.org](http://southeastwatershedalliance.org).

## **New Business**

### **2.1 Housekeeping**

Peter would like everyone to print out their own meeting agendas and minutes. In addition, please email the group any materials for the meetings to be printed out in advance of the meeting, or bring copies for the group.

### **2.2 Organizational structure models**

Dick said that it needs to be made clear at the next full SWA meeting that only member communities' SWA representatives may vote. Peter made a motion to

allow only one vote per town. Only the member community designee can vote. Dick seconded. All were in favor. It was noted that this topic needs to be addressed in the bylaws. Jennifer Perry said that there should be a short period of time for public comment somewhere in the full SWA meeting.

**Action 2.2-1** Cathy and Ted will post Micheal Perfit's draft bylaws work on a google docs site for review by the Planning Committee. The Committee will identify what is missing and what needs to be expanded upon. Peter said that by the next Planning Committee, the group needs to have some rough ideas for the bylaws and articles of incorporation. Wally noted that the goal is to get the concepts laid out, not word smithing.

**Action 2.2-2** Ted and Cathy will post examples of by-laws from Regional Planning Commissions and others on the DES FTP site for review by the end of this week. The bylaws subcommittee group will review and decide which to post on the google docs site for further review by the Planning Committee by the middle of next week. Peter noted that anyone can be involved in the bylaws subcommittee.

**Action 2.2-3** Michael will e-mail a copy of the bylaws out to the Planning Committee.

### **2.3 Legal Review**

It was noted that some communities have legal counsel while others don't. Peter is happy to share the view of the city of Portsmouth with the group if desired.

The group discussed the requirements of 91A and intends to continue in compliance. In addition, the group will take a closer scrutiny of 91A and find out if missing any details.

Peter noted that the SWA doesn't need to incorporate because the enabling legislation does that for it. Allen said that SWA may want to incorporate similarly to a regional planning commission or NEWIPCC.

Allen noted that when the AG's office reviews the SWA's bylaws, it will be looking at: how municipalities will participate, how it will work, a list of things that SWA wants to do, and a list of goals.

**Action 2.3-1** Peter noted that language needs to be added to the bylaws on the non-binding aspect of the SWA. Additional inter-municipal agreements would be necessary for implementation.

### **2.4 Additional content for web site**

**Action 2.4-1** The group will start thinking about additional content for the website. The intention is for the SWA blog to transition to the website [www.southeastwatershedalliance.org](http://www.southeastwatershedalliance.org). Cathy and Micheal will work together on populating website content.

## **2.5 Report to Alliance**

The priority is to put together an agenda for the full meeting on the 17<sup>th</sup>.

The preliminary agenda is as follows:

- Introduction/Status
- Frequently Asked Questions Review
- Mission Statement
- Float the idea of an educational presentation, perhaps by NEWIPCC at a future meeting
- DES presentation on input on waste load and load allocations

**Action 2.5-1** The agenda will be worked on at the next Planning Committee meeting.

## **2.6 Other Issues of Concern**

Co-operate with DES on Watershed Nitrogen Loading Model: Ted gave an overview on the nutrient criteria being developed by DES and the waste load allocation and load allocations being developed. DES would like to have a conversation with the communities about the science behind the numbers. DES wants a group of stakeholders to run assumptions and models by. Ultimately, EPA will be the decision maker. The stakeholder group will likely be a subset of the full SWA.

91A compliance procedures: The SWA will continue in the spirit of 91-A.

**Action 2.6-1** Cathy Coletti will email the Planning Committee the document for their review.

## **2.7 Next Meeting Date**

Next meeting scheduled for 1:30 PM on February 2, 2010 at the DES Pease Field Office on 50 International Drive in Portsmouth.

The meeting adjourned at 4:00 PM.