

HB 495 Seacoast Drinking Water Commission Meeting Minutes, 11 Mar 22

Commission members present: Representative Jaci Grote, Representative Mike Edgar, Senator Tom Sherman, Representative Dennis Malloy, Brandon Kernan, Pat Bickford, John Storer, Art Ditto, Anne Lightbody, Brian Goetz, David Ciccalone, Carl McMorrin, and Pat Bushway

Guests: Erin Holmes, DES; Amy Hudnor, DES

The meeting came to order at 2PM, and Chair Grote notified the members that the April meeting would be held in-person, and that the minutes from the January, February, and March meetings would be voted on at the April meeting.

Erin Holmes, the Administrator of the Drinking Water and Groundwater Trust Fund (DWGTF) presented a briefing on the trust fund and its role in ensuring drinking water quality and quantity throughout the state for the long term. She began her presentation with a discussion of Drinking Water Program Funding that provides funding for source water protection, wellhead protection areas, protection of large surface water supply sources, and infrastructure. The funding is provided as either grants or loans and is intended to leverage funding from other sources. Trust fund funding is generally provided after all other funding sources are exhausted.

Ms Holmes continued with a discussion of the process of determining which projects receive funding from the trust fund (TF) making the point that projects that address contamination or are in response to a time critical hardship are favorably considered. To qualify for grant funds, a project must be designed to meet a verified need and there must be demonstrated support from the stakeholders in addition to funding from other sources. The Special Projects Assistance Program is available when the circumstances for the application include 1) contamination, or 2) time criticality, or 3) hardship, or 4) economic development. The decision to fund a project after careful consideration is made by the Drinking Water and Groundwater Advisory Commission, and projects addressing contamination will be given priority. Still, source water protection projects will not solve problems such as drought, man-made contaminants and naturally occurring contaminants. Many issues need to be addressed through infrastructures upgrades.

Ms Holmes used several examples to illustrate how DES works with municipalities to optimize their chances of getting funding from the TF. She explained working with Antrim, Londonderry, and Portsmouth to address their issues. The Londonderry example demonstrated the requirement to obtain funding for a project involving PFAS contamination from the “potentially responsible party”. The Portsmouth project qualified for a DWGTF grant covering 50% of the cost to obtain a conservation easement for land that is 100% within the hydrologic area of concern for the Bellamy Reservoir in Madbury, a water source for Portsmouth.

There was further discussion of the high level of effectiveness with which the TF recognizes the unique needs of water systems throughout the state. The point was reiterated that each project is assessed on its own merits and not in comparison to other projects. The process supports a fair evaluation of each project as well as providing technical and administrative support for each application. The involvement and vetting by the TF ensure that an application is valid and “ready” in terms of meeting all the requirements when it is considered for funding.

In response to a question about applying for funding for a land purchase, Ms Holmes said the TF would review eligibility of the purchase and the funding that has been identified from all and any other sources. The Advisory Committee must be assured of the funding plan, and that the applicant is seeking the remaining required funding from the TF. In response to a question about affordability, Ms Holmes said that the community must calculate affordability and consider the impact on community rate payers. All applications are due in June to be considered in the fall.

Ms Holmes continued with a discussion of DES Initiatives which are programs intended to propel the state forward or address a need that isn’t being met. The Consolidation Study Assistance Program is small grants for small water systems that may have an exceedance of a drinking water MCL or a water shortage. These are non-transient/non-community systems owned by a non-profit like a school. The maximum grant is \$10K and is provided on a first come, first served basis. The grant can be used for efforts like a feasibility study of a connectivity project.

The Low-Income Drought Assistance Program supports low-income private well owners including water treatment for arsenic and water shortages. 100 projects

totaling 1.5M have been supported to date, mainly in the northern counties. Applications have slowed as drought conditions have eased. WAND, an inactive program, aids low-income private well owners who have suffered irreversible water quality or quantity damage due to extreme weather or natural hazards.

Ms Holmes went to address specific projects in the seacoast such as the Portsmouth - Dover Interconnection Preliminary Design Engineering effort to support the inclusion of an emergency water pipe as part of the construction of a new DOT bridge. She also discussed the Private Well Initiative to raise awareness of harmful levels of arsenic through free testing and guidance, and free filter pitchers for qualifying homeowners.

Senator Sherman noted the great work that Ms Holmes is doing as the TF administrator saying that she is passionate about the work she does for the people of NH. He went on to say that the program will be the mechanism for distribution of any funds received from ongoing litigation regarding water quality. Ms Holmes made the point that Senator Sherman is essential to making the system work.

Senator Sherman continued the discussion about the Portsmouth - Dover bridge pipe project and how important it will be in case of outages, requirements surges, and as a back-up system. He mentioned that the commission has supported it and that the project can help with future efforts in regionalization and interconnectivity. Representative Edgar reiterated that the plan is to install the pipe in conjunction with the construction of the bridge, and he later stated that the bridge is in the 10-year construction plan for 2024-2026. Ms Holmes and Brian Goetz (Portsmouth) added that the design should be complete in April 2023 and that federal or regional funding could be available for the project. Mr. Goetz also stated that there is funding for an underwater pipe that is separate from the bridge pipe. Ms Holmes stated that Mr. Goetz and John Storer (Dover) have been great advocates for getting the project going. They've worked with stakeholders in various communities to get support and to leverage available funding. Mr. Kernan made that point that it may be possible to leverage federal funds provided by the American Recovery Act Plan.

Next Amy Hudnor presented an update on the Seacoast Private Well Initiative. She said that the members of the Project Advisory Committee (PAC) have been

identified and the first meeting will be on March 23rd. One of the first items the PAC will focus on is getting the local coordinators from participating communities identified so that they can begin planning for workshops and testing. DES will facilitate the PAC meetings, and continue to prepare for the Initiative by planning, assembling materials and disseminating information. The members of the PAC are as follows:

Amy Hudnor
Pat Bickford
Dennis Malloy
Jaci Grote
David Moore
Danna Truslow
Jim Marchese
Paul Susca
Robert Thistle

The last item on the agenda was a discussion of commission tasks going forward and Chair Grote asked for input over the next few weeks in preparation for further discussion at the April meeting. Mr. Kernan suggested that a briefing from the Southern Maine Water Council would be beneficial to get a better understanding of their efforts in support of regionalization. Additionally, given the proximity to the NH seacoast of the ME towns involved, it's possible that there could be collaboration between the state regions in the future. The Council will be contacted to see if a representative is available to speak to the commission in either April or May.

The meeting adjourned at 3:40.