

HB 495 Seacoast Drinking Water Commission Meeting Minutes, 13 May

Commission members present: Representative Jaci Grote, Representative Mike Edgar, Representative David Meuse, Representative Tracy Emerick, Brandon Kernen, Danna Truslow, Mindi Messmer, Peggy Lamson, Pat Bickford, John Storer, Art Ditto, Anne Lightbody, Kathy Hollister, David Cicalone, Joe Ayotte, and Pat Bushway

The meeting was called to order at 2PM by Chair Grote. As a quorum was present, the minutes of the April meeting were voted on and approved with one abstention. There were no comments on the presentation from the April meeting. Commission member Joe Ayotte, United States Geologic Survey (USGS) presented an overview of his organization with a focus on water-related efforts.

Mr. Ayotte began his presentation by making the point that USGS is a “science agency to the nation” in that they work for all federal agencies in a non-advocacy capacity which gives them technical defensibility. The organization’s 8,000 employees provide inter-disciplinary science, monitoring, assessment, and research in fields such as biology, hydrology, and geography across seven mission areas that include Environmental Health and Water. Mr. Ayotte works at the New England Water Science Center which focuses on hydrologic science.

In response to a question from Representative Grote about who assigns tasks, Mr. Ayotte said their tasks come from federal agencies/entities as well as states. For example, they’ve been tasked by Congress to assess PFAS contaminants.

Mr. Ayotte also discussed work being done for the Centers for Disease Control to better understand arsenic levels in private wells across the country. Initial results show that approximately 2.6 million people are using water from wells with arsenic levels that are too high. When the impact of drought is factored into that assessment that number increases to 4.1 million people indicating that drought negatively effects water quality as well as quantity. This is particularly concerning because arsenic exposure appears to contribute to low birth weights throughout the country. Mr. Ayotte also discussed ongoing work on other metals in private wells such as uranium, and that a study of that work is forthcoming.

Another area of interest is PFAS compounds in soils and biosolids in NH. An effort is underway to determine and characterize PFAS concentrations in NH soils as

well as the values being leached. In response to a question from Danna Truslow, Mr. Ayotte said that the first PFAS study will be out in a few weeks and the leaching studies will be available later this year. Research being done at Cape Cod is looking at ground water interaction and may help with being able to determine chemicals in the water. The possibility of nitrate in water due to its use in blasting for roads is also being researched.

Research is also being conducted into the hydrologic response to climate change. Modeling is being done to better understand responses to different conditions because the hydrologic response to climate change varies across the state.

Another area of interest is alternatives for wells with arsenic and the possibility that shallow wells could result in arsenic and bacteria free water.

Representative Edgar asked if the USGS does analysis of where to drill for water and Mr. Ayotte said that they tend to take a broader view and focus on research on the availability of water.

Representative Grote asked about the increase in arsenic levels in drought conditions and Brandon Kernan, DES, replied that DES can monitor that and maintains a data set to correlate drought with arsenic levels. He said that there's also a trend of PFAS increases with drought conditions, and that other metals can also leach into the point of changing concentration levels during a drought. Mr. Ayotte said in addition to metal concentrations changing in droughts, the levels change over time and with the seasons. This has been observed with arsenic and with water being captured from bedrock wells, that water may have to be treated for increased arsenic levels.

Representative Emerick asked about HB 1547 which includes funding for PFAS research and if that work would duplicate what is currently being done by USGS. Mr. Kernan said that the bill is different because while it does include \$6M for the USGS study, it also includes \$25M for PFAS remediation.

The next topic of discussion was commission tasks, and Art Ditto, Rye, made the point that the previous commission had a task to look at mutual aid for fire fighting and that that has been done and the task is completed. Mr. Ditto that consideration should be given to allowing the county commissions for Rockingham and Strafford counties to take the lead on some issues, but that they

would need additional funding to do so. He asked about the report of the previous commission and Representative Grote said that she's working to get the websites of the previous and current commissions combined. Representative Edgar will update the original spreadsheet that he made that aligned the tasks of this commission with those of the previous commission to enable tracking of progress on completing the tasks.

Representative Grote asked if the seacoast region should consider a regional master plan like that of the Southern Maine Regional Water Council. She said that we should look further into the Saco River as a back-up source for water and she asked John Storer of Dover to come up with some ideas about regionalization. Representative Grote went on to say that our review of seacoast water systems has given us the building blocks we need to further consider regionalization. Mr. Kernan said the Seacoast Water District has been established in law and that it could provide the framework for an effort like that of Southern Maine Water Council. Representative Emerick asked if DES is using any ARPA funding for county and regional work and Mr. Kernan said that some programs have been set up. He went on to say that there is also funding available in the infrastructure bill and that engineering work would be required to do regional master plan. He also said that he would provide a list of ARPA funded projects in the seacoast.

Danna Truslow began the update on the Seacoast Private Well Initiative by saying that the group met and decided that Madbury will be the initial study location. She said the group discussed adding PFAS to the testing initiative, but that funding isn't available to do that at this point.

Regarding the Private Well Initiative, Mr. Kernan said that DES has determined that there is a testing limitation using the NH public health lab. DES has budgeted for 50% of the participating wells to be tested for standard items, but that that could exceed the lab's capacity. That's particularly a problem for nitrate and bacteria that have to be tested within 24 hours of sampling. There are private labs available that have the capacity but at twice the cost and an RFP for more labs is likely to be a 4–5-month process. The other alternative is to test approximately 30 homes per week for 15 months. Another possibility is to eliminate testing for nitrate and bacteria, but that's not advisable. Representative Grote asked about starting with a small number of homes while the RFP goes

forward and should we consider breaking the seacoast into quadrants for testing. Danna Truslow said that it would be better to test by community and Pat Bickford made the point that inviting participants would defeat the purpose of having the workshops which are to encourage participation. Mr. Kernen said that the problem with testing capacity may require additional funding from the Drinking Water/Ground Water Trust Fund, but that could be problematic as they prefer infrastructure projects. There's a meeting on May 18th to discuss the way ahead.

Representative Grote asked about the Portsmouth Water Forum that was held in early May. Representative Meuse said a small number attended in person as well as online. The fact that there are no pressing issues with the water system probably contributed to the low number of participants.

Representatives Grote and Edgar reiterated that the commission must look now at bills that could be submitted to the legislature in the fall. Submissions are due in September so we should have them ready in August.

John Storer updated the commission on the situation in Dover as they consider the impact of growth in the city. There are also concerns about drought, PFAS in wells, and manganese as a result of the newly established limits. The letter requesting federal funding for the interconnection emergency pipe project was submitted and is being monitored. He said that the city is also looking at how to deal with the problem of getting rid of contaminated biosolids.

Representative Grote and Mr. Ditto addressed the problems faced by Rye in trying to locate a replacement well. Manganese and PFAS are problematic, and they may find that it's more cost-effective to treat the existing well rather than continue looking for an area for a new one. That also brings up the problem there of disposing of the waste from remediation. Representative Grote also made the point that all communities can benefit from emphasis on water conservation and promoting forums to encourage and increase conservation efforts.

For the next meeting, Representative Grote asked for a Private Well Initiative Update, information on the Saco River as a water source from John Storer, a list of infrastructure projects from Brandon Kernen and an update on RPS from Representative Emerick.

The meeting adjourned at 3:45PM.