

HB 495 Seacoast Drinking Water Commission Meeting, 12 August

Commission members present: Representative Jaci Grote, Representative David Meuse, Representative Dennis Malloy, Brandon Kernen, Pat Bickford, Joe Ayotte, Carl McMorrان, David Moore, John Storer, Kathy Hollister, and Pat Bushway. The following members participated remotely: Senator Rebecca Perkins-Kwoka, Representative Mike Edgar, Amy Hudnor, Danna Truslow

Guests: Representative Debra Altschiller, Mark Connors

The meeting was called to order at 2PM by Chair Grote. As a quorum was not present in the room at that time, the minutes of the May and June meetings were not voted on. Requirements for a quorum were met after the meeting started.

Brandon Kernen, DES, provided an update on drought conditions throughout the state and in the seacoast region specifically. While conditions have improved in the northern part of the state, they continue to be problematic in this area. However, even with the below average rainfall, the area water systems are managing with some adjustments. Portsmouth has enacted water restrictions and Rye has banned outdoor watering. John Storer said that Dover is doing well with voluntary conservation measures and will go to mandatory restrictions if necessary. Carl McMorrان said that towns supplied by Aquarion are doing well with recommended limits on watering with the exception of Exeter which does not allow outdoor watering at this time.

With regard to the drought, Joe Ayotte made the point that we should not lose sight of the impact of drought on water quality as well as quantity. He said that a study conducted in Seabrook in 2016 showed that arsenic levels can increase during drought conditions and that could be attributed to accessing more bedrock water sources. He made the point that it can happen in private wells as well as in public water systems. David Moore said that Stratham would be interested in participating if USGS does similar studies in the future.

Brandon Kernen mentioned the Water Assistance for Natural Disasters (WAND) program that aids private well owners. This is a state program that essentially replaces the drought assistance program. More information is available on the DES website.

The discussion of drought conditions continued with Representative Grote saying that in addition to restricting usage, Rye is looking for new water sources. Carl McMorran said that systems can enact policies pertaining to usage, but enforcement can be difficult. Brandon Kernan said that New Hampshire is the only state that allows municipalities to set their own policies regarding water usage. Others discussed the challenge of enforcing restrictions with some resorting to asking law enforcement to assist and others imposing fines, but communities may be reluctant to use either of those options. Carl McMorran made the point that it's beneficial to try to educate people on water conservation in all conditions.

Brandon Kernan explained the PFAS Rebate Program which includes \$5M for private wells. Of that funding, up to \$5K can be available for remediation in cases where the source can't be identified, and up to \$10K to tie into a public water system.

Chair Grote referred to the letter sent to Senator Shaheen requesting support for the Portsmouth-Dover Interconnectivity Project, and the point was made that there is a possibility that \$3.8M will be provided of the total cost of the project which is approximately \$9M.

Amy Hudnor, DES, provided an update on the Private Well Initiative. She said that the steering committee met in July to discuss the first town meeting in Madbury. She also said that the media kit has been prepared. Pat Bickford of Madbury is planning the workshop and three days are scheduled for test kit drop off. The committee will meet on August 17th and again after the Madbury experience to review. The committee will have to decide between using the public lab for testing or contracting with a private firm to get quicker results. The next town scheduled for the program is Exeter. Pat Bickford added that the town of Madbury is advertising the program through fliers and email that will ramp up after Labor Day and will have a display at Madbury Day on September 10th.

Brandon Kernan led the discussion on the impact HB 1421 that lowers the exceedance level for lead in drinking water in daycare centers and K-12 public and private schools to 5 parts per billion. The bill requires that all water service lines be evaluated for compliance. The state is providing some assistance with this, but the fact that it requires looking at each individual fixture makes this a very large

undertaking. Some schools are opting to shut off fixtures that don't meet the requirement. Carl McMorran asked if there's an effort to identify the responsible party and Joe Ayotte made the point that the source could be the fixtures themselves or the service lines. Brandon Kernen reiterated that manganese is an issue as well and is a particular threat to infants.

Chair Grote asked if there were any ideas for possible legislation to be introduced in the next legislative session. One suggestion was more authority for municipalities to manage their systems in drought conditions. Carl McMorran made the point that we should consider conservation of both water and energy. Danna Truslow mentioned the Portsmouth-Dover interconnectivity project and other DES programs for drought management but emphasized that it's not a short-term problem and we need to look at long-term solutions for controlling water usage during droughts. Chair Grote made the point that municipalities do have authority in statute to enforce compliance through means such as fines, but there's probably little appetite for towns to do that. A suggestion was made that sending police cruisers to visit violators would get peoples' attention.

John Storer brought up the issue of PFAS in rainwater. He said that the city of Dover is building a new PFAS treatment facility, but how do we stay one step ahead if it's literally falling with the rain? The statute on allowable levels in wastewater can be helpful. Brandon Kernen made the point that the challenge is that the acceptable levels continue to change based on evolving science. He added that there continues to be much focus on PFAS but there are other threats such as arsenic that shouldn't be ignored. Joe Ayotte commented that even the wind brings in contaminants and John Storer added that seeing PFAS in wastewater streams is concerning. Another huge problem is contaminated sludge that is impacting many communities.

The meeting adjourned at 3:20.