



State of New Hampshire

GENERAL COURT

CONCORD

MEMORANDUM

DATE: November 1, 2022

TO: Honorable Sherman Packard, Speaker of the House
Honorable Chuck Morse, President of the Senate
Honorable Paul C. Smith, House Clerk
Honorable Tammy L. Wright, Senate Clerk
Honorable Chris Sununu, Governor
Michael York, State Librarian

FROM: Representative Jaci Grote, Chairman

SUBJECT: Interim Report of the Annual Report of the Long-Term Seacoast
Commission on Drinking Water. RSA 485-F:6

Pursuant to RSA 485-F:6, enclosed please find the Annual Report of the Long-Term Seacoast Commission on Drinking Water.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

Very Respectfully,
Representative Jaci Grote, Chairman

CC: Commission members

INTERIM REPORT

SEACOAST COMMISSION ON LONG-TERM GOALS AND REQUIREMENTS FOR DRINKING WATER

November 1, 2022

I. Commission Charge:

Pursuant to RSA 485-F:6, the Commission shall:

Continue the work of the RSA 485-F:5 seacoast Commission on long-term goals and requirements for drinking water which was repealed on November 1, 2018

Utilize and expand upon existing studies to plan for seasonal or drought supply issues

Prepare and discuss mutual aid between seacoast towns for firefighting

Prepare and discuss mutual aid agreements for emergency or replacement drinking water supply where contaminated

Encourage coordination between towns and cities Establish working subgroups as needed

Monitor and review the work of state agencies regarding possible new emerging contaminant threats

II. Members:

Rep. Jaci Grote (Chair)	Town of Rye
Rep. Mike Edgar (Vice Chair)	Town of Hampton
Sen. Tom Sherman	Senate District 24
Sen. Rebecca Perkins-Kwoka	Senate District 21
Sen. Martha Fuller Clark	City of Portsmouth
Rep. Tracy Emerick	NH House of Representatives
Rep. David Meuse	NH House of Representatives
Rep. Dennis Malloy	Greenland, NH
Tim Roache	Rockingham Planning Commission
Jen Czysz	Strafford Planning Commission
Brandon Kernen	NH Dept of Environmental Services
Brian Goetz	City of Portsmouth, NH
John Storer	City of Dover, NH
George Eaton	Town of Seabrook, NH
Arthur Ditto	Rye Water District, Rye, NH
David Moore	Town of Stratham, NH
Patricia Bushway	Town of Hampton
David Ciccalone	Town of North Hampton, NH
Patricia Bickford	Town of Madbury, NH
Bob Kelly	Town of Exeter, NH
Margaret Lamson	Town of Newington, NH & Senate District 21
Kathy Hollister	Town of New Castle, NH
Danna Truslow	Senate District 24
Mindi Messmer	Senate District 24
Dabra Seiken	Senate District 24

Carl McMorran
Ann Lightbody
Cameron Wake
Joseph Ayotte

Aquarion Water Company
University of NH
University of NH
United States Geological Survey

III. Introduction:

The Long-Term Seacoast Commission on Drinking Water completed its third year of considering issues pertaining to drinking water in communities in the Seacoast area. The Commission met monthly from January through June, did not meet in the month of July, and resumed monthly meetings in August.

The following changes to the commission membership occurred over the past year:

Resigned from the commission: Representative Aboul Khan and Representative Aiden Ankarberg, both appointed by the Speaker of the NH House of Representatives

Appointed to the commission: Representative Tracy Emerick, appointed by the Speaker of NH House of Representatives; Dr Kathy Hollister, representing the town of New Castle; Joseph Ayotte, representing the United States Geological Survey.

IV. Progress to Date:

The following is a summary of the major events of the commission in 2022. In all cases, additional detail about a specific topic may be found in the meeting minutes on the commission's webpage.

As the Commission has done since its inception, the members received regular updates on drought conditions provided by commission member Brandon Kernen of the New Hampshire Department of Environmental Services (NHDES). These briefings provided the members an opportunity to discuss issues and share ideas about dealing with drought conditions.

In November of 2021, as the commission continued its inventory of member community water systems, Mr. David Ciccalone presented an overview of the North Hampton water system which is a combination of services provided by Aquarion Water Company and private wells. Mr. Ciccalone's presentation focused on the need to deal with naturally occurring contaminants as well as PFAS from at least two sources, and infrastructure challenges in North Hampton such as the absence of a sewer system along the route 1 corridor. The issue of salt on the roads in the winter was raised, and Mr. Kernen made the point that impact of road salt on drinking water is a statewide issue.

In December, 2021, the commission discussed a number of topics including relevant legislation that would be considered in 2022, the establishment of a drinking water standard for manganese, lead levels in drinking water in schools and childcare centers, the possibility of new PFAS compounds for which the toxicity levels have not yet been determined, the possibility of analyzing levels of total organic fluorine, funding provided via the American Rescue Act Plan, and the way ahead for the commission.

In January, Mr. Paul Susca and Ms. Amy Hudnor, both of NHDES presented a briefing on the Seacoast Private Well Initiative (PWI). Mr. Susca explained that the purpose of this new initiative is to reduce exposure to contaminants for qualifying private well users, and to promote well testing and treatment. NHDES will also evaluate the effectiveness of this approach for consideration of wider application across the state. Mr. Susca and Ms. Hudnor discussed the details of implementing the program to include community participation, identifying qualifying participants, the collection and testing of water samples, distribution of materials to mitigate contaminants, and the overall budget for the project.

Madbury was identified as the first town that would participate in the program, and Madbury representative to the commission, Patricia Bickford is overseeing the effort. Ms. Bickford coordinated the various steps in Madbury conducted through the summer and fall. Results will be tracked and reported to determine the feasibility of expanding the program to other parts of the state.

In February, Mr. Carl McMorran of the Aquarion Water Company provided an overview of the services Aquarion provides to towns in the region, specifically Hampton, North Hampton, and Rye, completing the commission's inventory of water systems throughout the region. Mr. McMorran's presentation gave the commission an opportunity to learn in more detail about a privately owned water provider as opposed to a municipal system. He explained that Aquarion is governed by rules established by NHDES and that the rates are set by the Public Utilities Commission (PUC). Mr. McMorran led a detailed discussion about water quality, water availability, and drought and conservation measures by Aquarion.

In March, Ms Erin Holmes, the Administrator of the Drinking Water and Ground Water Trust Fund (DWGTF) provided an overview of the trust fund and its role in ensuring drinking water quality and quantity throughout the state for the long term. Ms. Holmes discussed the process of determining which projects receive funding from the trust fund, and that projects that address contamination or are in response to a time critical hardship are favorably considered. She discussed the Special Projects Assistance Program which is available when the circumstances for the application include 1) contamination, or 2) time criticality, or 3) hardship, or 4) economic development. She also discussed the role of the Drinking Water and Groundwater Advisory Commission in determining which projects to fund. Ms. Holmes also discussed projects in the seacoast which have received funding, specifically the Dover-Portsmouth Interconnection Project.

Also, in March Amy Hudnor provided an update on the Private Well Initiative and she announced the names of the Project Advisory Committee.

In April, the commission received a briefing from Mr. Keith Levasseur, president of the Southern Maine Regional Water Council. The purpose of the briefing was to provide information about a regional cooperative organization so that the commission members could consider the feasibility of such an organization for the seacoast region. The areas of focus for the council include cooperation among member communities, enhanced communications for emergency preparedness, improving water resiliency, opportunities to reduce costs, and planning for future water needs. The discussion covered a number of topics including regional master planning and water availability and sources given the proximity of Maine and New Hampshire communities.

Also in April, the commission sent a letter to Senator Jean Shaheen requesting a grant from Congressionally Directed Funding assistance to support the proposed regional water system interconnection project between Portsmouth and Dover.

In May, commission member Joe Ayotte, United States Geologic Survey (USGS) presented an overview of his organization with a focus on water-related efforts. Mr. Ayotte works at the New England Water Science Center which focuses on hydrologic science, and he stressed that USGS works for all federal agencies in a non-advocacy capacity giving them technical defensibility. Mr. Ayotte discussed a range of topics including drought impacts on water quality as well as quantity, PFAS compounds in soils and biosolids, and the hydrologic response to climate change. Also in May, commission member Danna Truslow provided an update on the Private Well Initiative to include testing limitations using the NH public health laboratories and funding

limitations which may preclude the inclusion of PFAS in the testing. Program updates will be provided at future meetings.

In June, Mr. Brandon Kernan, DES, provided an update on the interim lifetime health advisory for PFAS exposure which is likely to be released in the near future. The advisory is likely to include guidance that calls for PFAS levels which will cause no harm. However, the maximum contaminant level (MCL) is not likely to be set at the level of causing no harm because the cost of achieving that is prohibitive.

Additionally in June, State Representative David Meuse of Portsmouth provided an extensive update on the status of legislation considered in the legislative session just concluded. He identified 20 bills relevant to water and noted that 6 had made it to the governor for signature. In August, the commission had a in depth discussion of drought conditions and how communities were dealing with the impact. Members shared the measures being taken in their communities and means of ensuring compliance with guidance. Mr. Kernan discussed 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.

The members also discussed the impact HB 1421 that lowers the exceedance level for lead in drinking water in daycare centers and K-12 public and private schools. The discussion focused on the magnitude of the problem and the cost of compliance.

In September, in addition to a drought update, Mr. Kernan presented a briefing that he had given at a national Environmental Protection Agency conference entitled “The Implementation of State PFAS MCLs in New Hampshire”. The in-depth presentation provided detailed information that led to an extensive discussion about the nature of the PFAS problem in NH as well as the need for a comprehensive approach to remediation.

Additionally in September, Ms. Bickford provided an update on the next steps for implementing the Private Well Initiative in Madbury. She discussed the information that will be provided to participating well owners as well as the efforts to promote the program to maximize participation.

In October, Amy Hudnor and Pat Bickford discussed the progress made on the Private Well Initiative and emphasized that it was well received in Madbury. Boyd Smith, President and CEO of The New Hampshire Water Works Association presented a briefing on what his organization does and what their priorities are for water resources throughout the state. The Commission members discussed the possibility of submitting legislative proposals for the legislative session beginning in January 2023.

V. The Way Ahead:

The Commission will continue to address the Commission Charges outlined in Section I. It is anticipated that new guidelines by EPA and NHDES will have to be addressed this coming year. Additionally, the Private Well Initiative will continue to be expanded to more municipalities. Efforts will be made to ensure commission members are appointed that will attend and support the efforts of the commission.

Representative Jaci Grote

Chair, Seacoast Commission on Long-Term Goals and Requirements for Drinking Water