

New Hampshire Coastal Marine Natural Resources and Environment Commission

Attended via Zoom Remote Conference

October 26, 2020
9:00 AM to 11:00 AM

Introduction and Announcements

Members in attendance:

Erik Chapman, Chair (NH Sea Grant), Sen. David Watters (District 4), Sen. Tom Sherman (District 24), Steve Couture (NH Department of Environmental Services), Melissa Paly (Conservation Law Foundation), Cheri Patterson (NH Fish and Game Department), Jennifer Dijkstra (UNH School of Marine Science and Ocean Engineering), Sabrina Stanwood (NH Department of Natural and Cultural Resources), Brian Gennaco (Virgin Oyster Company), Rep. Mike Edgar (District 21), Erik Anderson (NH Commercial Fishermen's Association)

Others in attendance:

Sue Lambert (NH Department of Environmental Services)

Erik Chapman opened the meeting. He read the Emergency Order Script and took roll-call.

Announcements

- A note was made by Rep. Mike Edgar that he is replacing Rep. Renny Cushing on the Commission.
- Erik Anderson asked Sen. Watters if he could give the Commission an update on the omnibus bill, HB1245, in reference to offshore wind and energy. Sen. Watters stated that the Commission to Study Offshore Wind and Port Development has been constituted and is meeting monthly. They have had two meetings so far. The first meeting dealt with organizational issues and an overview of the industry, and the second meeting looked more closely at the potential impacts and issues surrounding offshore wind in New Hampshire. Sen. Watters was elected chair of the Committee, Michael Behrmann was elected vice-Chair and Mark Laliberte as elected as clerk, and along with Matt Mailloux at the Office of Strategic Initiatives (OSI), they will serve as a steering committee that will develop meeting agendas. They will make sure all constituents have a seat at the table, and are heard. There should be some clarity after the election as to what is going to happen with offshore wind. As folks may know, the president is opposed to offshore wind, and the head of NOAA that he has appointed, along with the Department of Interior, are also not supportive. They are waiting to see if other projects in New England, which have been stalled by this fact, can move forward to gain a clearer picture of what the state of the industry is going to look like after the election. The Commission will have a website that will contain meeting information such as the meeting minutes, presentation reports and slide shows.

Erik Anderson asked Sen. Watters if the seats on the Commission have been filled. Sen. Watters answered by stating that he has not yet heard about the addition of a second fishing industry representative to the Commission, but he will check into it.

Erik Chapman asked if this Commission is one of the four advisory boards that the governor established by Executive Order in December 2019. Sen. Watters answered that it is not, but they are very similarly

constituted and intend to coordinate with them, which is something that Matt Mailloux from OSI will help to coordinate.

Review and approval of the notes from the September 21, 2020 meeting

- Erik Chapman shared his screen to review the draft notes from the last meeting.
- Sen. Watters said that the Commission can move to approve the last meeting notes, but asked that the meeting notes be changed to reference legislative titles throughout.
- Jen Dijkstra requested that her name be spelled correctly.

Sen. Watters made a motion to approve the draft notes from the last meeting, with amendments. Sabrina Stanwood seconded.

Erik Chapman took roll call to vote to approve the meeting notes.

All in favor. Two abstentions. The notes were approved with the changes that were brought forth.

Review of the draft Summary of Findings and Recommendations

Key points from discussion regarding ocean acidification recommendations were as follows:

- Steve Couture mentioned that the Piscataqua Region Estuaries Partnership (PREP) is considering ocean acidification as part of their overall monitoring plan development, that Kalle Matso is leading. He asked if there has been any effort at UNH to address this research?
- Jen Dijkstra stated that there are researchers that are addressing questions surrounding ocean acidification, but not necessarily focused in New Hampshire. There was a recent study that is showing a correlation between ocean acidification and long term decline of shellfish in Maine with a variety of species; their shell thickness is essentially thinning over time. Jen added that there is a lot of research that is being done, but she is not aware of anyone at UNH who is directly addressing this.
- Steve Couture pointed out that as we present these recommendations, there should be a working knowledge of the activities that have occurred to address these issues. Even if it wasn't a specific focused effort out of UNH, we should be aware of other efforts in the region.
- Erik Chapman agreed that the commission needs to be looking at anything that has been done that is relevant to these recommendations.
- Melissa Paly added that revisiting recommendations that were made two and three years ago, given the limited capacity of the Commission, will be challenging and will further delay the release of the report.
- Sen. Watters added that the report is a vehicle to bring together the work of the commission over the last three years, and through the printed reports and remote meetings, we will be able to highlight our recommendations. All of these items are still relevant. We should present our work, and see if there is an opportunity to push forward action on these recommendations.
- Erik Chapman stated that this is the opportunity, while we are reviewing the recommendations, to go around the room to make an effort to contextualize our recommendations with discussion about any actions that may have been taken.

Key points from discussion regarding nutrients recommendations were as follows:

- Sen. Watters recommended when using acronyms in the report, to spell it out completely the first time.

- Sen. Watters stated that the U.S. Environmental Protection Agency (EPA) has put forward its permits and there is a lot of stormwater activity going on that can be noted. Additionally, a lot of communities are continuing to use creative ways for stormwater management through community projects and water gardens, etc.
- Steve Couture stated that there has been activity or progress relevant to some or all of these recommendations, to some extent. There has been a lot of stormwater activity going on.
- Sen. Sherman stated that there are a lot of old septic systems on the seacoast with inadequacies that towns are not necessarily willing to hold the landowners accountable for. He wondered if this Commission might also look at, not just septic system permitting, but also existing septic systems. In the exploration of revising septic codes, also look at a framework for statewide support from municipalities that do hold existing septic system landowners accountable for failing systems. Additionally, whenever we tighten restrictions or regulations, it typically comes with a price tag, and he would like the Commission to look at ways to support that work financially as well.
- Melissa Paly added that there is a NH Shoreland Septic System Study Commission that was established by Rep. Judith Spang. This has been an excellent group of stakeholders from septic system installers and designers, to representatives of the real estate and banking industries, municipal and state representatives, and DES has been extremely involved. It has been a very productive Commission, and the final report will be available in the coming weeks. We should just leave these recommendations as they are, but when we get to the point where we are actually having meetings and discussions, we can update people with the substantial amount of work that has happened in the intervening years since these recommendations were made.

Key points from discussion regarding marine debris recommendations were as follows:

- Erik Anderson asked for additional information on the “Extended User Responsibility” recommendation. Sen. Watters stated that this is his incentive and it puts recycling plans and programs into the hands of the producers, and it also sets content levels for post-consumer recycled materials. It is potentially very effective. There is a national movement that is shifting to this model, and it is something that is going to be presented as bills in the legislature. Erik Anderson stated that it’s a good measure to try to achieve, but he thinks there would be a fee involved that would increase the cost to the consumer, and he is concerned over how rigid the recommendation is in the report. Sen. Watters said that this is a good point, and perhaps we should say “should consider collaboration”.
- Cheri Patterson asked Sen. Watters if SB712, Establishing a Surcharge on Certain Saltwater Licenses and Establishing a Fund for Derelict Fishing Gear and Coastal Cleanup, will be moving forward this year? Sen. Watters stated that currently there is discussion in the legislature as to how they plan to proceed with the process of presenting bills. He added that he is planning to introduce that bill again, but it’s unclear as to how the legislature is going to proceed. Sen. Sherman stated that he would be happy to cosponsor that bill.

Discussion followed regarding the next steps for presentation of the recommendations.

- Steve Couture stated that based on a previous discussion, he thought that the intent was to wait until after the election to get the seacoast general court delegation together to make sure that everyone, re-elected or newly elected, is made aware of the activities and recommendations of the report. Steve added that Melissa Paly had a good point to have it available once and invite all because we are limited on resources, and to have it recorded and available for future use by others to get this information out to other parties.

- Sen. Sherman said regarding a meeting of legislators, he would not limit presenting just to the seacoast legislators. He suggested focusing on the seacoast, but to broaden it to the general court. He added that there is a fundamental knowledge gap among legislators and he would consider this an opportunity for education.
- Mike Edgar agreed that the resistance is amazing and pretty vocal to almost any change, especially if it's considered a regulation. Any type of education that can be provided to show people the reasons why these suggestions are being made is very important.
- Melisa Paly stated that she really supports Sen. Sherman's idea. She continued to say that the Commission can build a broader coalition of advocates for many of these recommendations because they are not limited to having impacts on the coastal region.
- Sen. Sherman said that if we're going to target folks who we want to focus on educating, such as seacoast legislatures, we would need to also record the presentation to make it available to the general court. If this Commission is going to make an effort to education legislators, we should make the invite as broad as possible. He added that he agrees with Melissa's idea of bringing in other stakeholders from across the state.
- Sen. Watters states that he thinks we should distribute to the general court very broadly.
- Sen. Sherman recommended that when these bills are coming before the committee, we should be sure that a member of this Commission is present to testify in support of the bill.
- Jen Dijkstra added that it would also be useful to reach out to UNH media to talk about the Commission and the recommendations of the Commission. They tend to distribute more widely than UNH, or put it on UNH Today, which garners a fair amount of public attention.
- Sen. Sherman agreed that if this Commission has that kind of outreach to student groups, that would be willing to testify on behalf of some of these bills, it would be very powerful.
- Erik Chapman stated he could pitch it to UNH. Jen Dijkstra offered to help with this.
- Jen Dijkstra asked if Sea Grant could offer support in terms of undergraduate assistance. Erik stated that maybe there were graduate students who could help. Jen Dijkstra stated that she can assist with that as well.
- Sen. Watters suggested contacting local media, such as WTSN or The Exchange, who may be interested in the topics that we have raised. Sen. Sherman also suggested contacting Seacoast Online.
- Erik Chapman stated that he would find someone at UNH that can help develop a marketing plan.
- Sen. Watters suggested that the Commission include charts and graphs in the report from the presentations made to the Commission. Melissa Paly agreed this would be a great idea. Erik Chapman stated that perhaps NH Sea Grant could help with this. Sen. Watters added maybe include a link for each recommendation that would provide additional information on the research behind these ideas.
- Melissa Paly stated that if someone on the Commission can find someone to do the graphic work for the report, she will be happy to coordinate on the content.
- Erik Chapman stated that he could probably provide some of the funding if he can get someone to write a proposal. Maybe Jen Dijkstra and Sen. Watters can pull together a short proposal, and we can submit it to NH Sea Grant.
- Steve Couture mentioned that the cost of the Coastal Risks and Hazards Report contract was about \$2,000.
- Sen. Watters asked Erik Chapman if he can forward the NH Sea Grant strategic plan report to the Commission to share the great work that has gone into this plan. So much of it overlaps what we are trying to do. Erik Chapman agreed to forward the report to the Commission members.

Planning for next meeting.

Group discussion regarding the next meeting and timing of the public hearing. The Commission decided that the next Commission meeting will be for report planning for the public hearing, and will be held on November 23, 2020 from 9:00 AM to 11:00 AM, through the legislative Zoom virtual meeting platform.

Discussion topics for next meeting:

- Review report
- Develop Marketing plan
- Media strategy
- Sketch out the 2021 topics, reconsider list of topics mentioned in previous meetings

The Commission decided not to hold a December meeting.

Public hearing will be held during the regular January Commission meeting time, on January 25, 2021, from 9:00 AM to 11:00 AM.

Public Comment

None

Meeting Adjourned at 10:35 AM

Motion to adjourn the meeting by Sen. Sherman. Seconded by Steve Couture. Erik Chapman called the roll. Meeting adjourned by unanimous decision.