



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 25, 2011

The Honorable Chuck W. Morse, Chairman
Senate Finance Committee
State House, Room 103
Concord, NH 03301

Dear Chairman Morse:

The Department of Environmental Services (DES) appreciates this opportunity to provide the Senate Finance Committee with information regarding the DES budget for the FY2012-2013 biennium.

By way of background, Governor Lynch's budget proposal for DES includes \$33.4 million in general funds for the upcoming biennium. The Governor's budget for DES would terminate 40 general fund positions, including 26 vacant and 14 filled positions. The House-passed version of the budget would eliminate an additional 19 filled general fund positions to achieve a further reduction of \$3.3 million in general fund expenditures over the biennium. The House-passed budget does not apply an across-the-board "back of the budget" cut to DES, but rather eliminates specific programs, positions or accounts. Because the House-passed budget would result in the elimination and reduction of vital public safety, health, environmental and economic development services, DES respectfully requests that the Senate restore general funding for 17 of these positions and transfer 1 position to federal funds. DES understands that it may not be possible to fully return to the Governor's phase of the budget, but respectfully requests the restoration of as many general fund positions as possible.

Attached to this letter are the following:

1. A summary of the impacts, by DES division, of the House-passed budget on DES programs.
2. A summary of other changes requested by DES to HB 1.
3. A summary of changes requested by DES to HB 2.
4. Descriptions of key programs and services that would be reduced or eliminated by the additional general fund reductions proposed by the House.
5. Detailed budget change and errata sheets for the items identified in 1 and 2 above.

DES would be pleased to answer any questions or provide additional information as requested by the Committee.

Respectfully submitted,

Thomas S. Burack
Commissioner

cc: James Richardson, Office of Governor John Lynch

Department of Environmental Services
FY 2012/2013 Biennial Operating Budget
Presented to Senate Finance -- April 25, 2011

A summary of the impacts by Division of the House-passed budget on DES programs is provided below for your consideration. All Budget page references are to the LBA "Compare House to Governor Report" dated 4/1/11.

<u>Programs Affected WATER DIVISION</u>	<u># Staff Affected</u>	<u>Biennial Add Back \$</u>
1. <u>Shellfish Program (RSA 487:34-37)</u> Eliminates shellfish program, resulting in permanent closure of growing areas in Hampton Harbor, Great Bay/Little Bay, and Little Harbor. Sites would have to be closed to harvesting due to lack of compliance with food safety requirements. This would effectively prohibit all commercial and recreational shellfish harvesting in New Hampshire. The Department of Fish & Game would lose licensing fees. Budget Page Ref. #994.	1	\$301,743
2. <u>Pools/Spas Water Quality Inspections (RSA 485-A:26)</u> Eliminates inspection of pools, spas and water parks. This will result in undetected contamination that could cause human illnesses, economic dislocations due to avoidable exposures to bacterial and other contamination, and loss of tourism revenue. Many communities may be compelled to start paying for inspection, sampling and analysis of local public bathing places. Would lose approximately \$32,000 annually in general fund revenues. Budget Page Ref. #978.	1	\$139,231
3. <u>Water Well Board Technical Assistance (RSA 482-B)</u> Eliminates the support for the Water Well Program which licenses 250 water well contractors (drillers) and 435 pump installers, investigates well and pump-related complaints from homeowners and businesses and provides technical and administrative support to the Water Well Board. Would lose approximately \$71,000 annually in general fund revenues. Budget Page Ref. #978.	1	\$142,823
4. <u>Lakes & Rivers Management (RSA 483-A and RSA 483)</u> Eliminates support for state-level advisory committees for rivers and lakes and local advisory committees for 16 protected rivers in 120 communities. Coordination activities assisting municipalities and river restoration efforts on many rivers statewide would also be curtailed substantially. Budget Page Ref. #992.	3	\$544,035
5. <u>Volunteer Lakes Assessment Program (RSA 487:31-33)</u> Eliminates DES's ability to support volunteers who collect water quality data on hundreds of New Hampshire's lakes annually, and to provide education and outreach to volunteer lake associations and other citizens on lake water quality. Eliminates water quality testing of freshwater beaches. Budget Page Ref. # 978.	1	\$121,014
6. <u>Volunteer Rivers Assessment Program (RSA 487:38-42)</u> Eliminates DES's ability to support volunteers who collect water quality data on thousands of miles of New Hampshire's rivers annually, and to provide education and outreach to volunteer river associations and other citizens on river water quality. Budget Page Ref. #978.	1	\$133,300

7. Watershed Support (RSA 487:17) 1 \$ 75,251
 Eliminates administrative support for the Watershed Bureau. Included in the Bureau are the Lakes and Rivers Management Programs, Shellfish Program, Watershed Assistance Program, Water Quality Monitoring Program and the Limnology/Biology Program. Budget Page Ref. #978.

Programs Affected COMMISSIONER’S OFFICE # Staff Affected Add Back \$

8. Integrated Permitting/One Stop Business (RSA 21-O) 1 \$166,700
 Eliminates the position responsible for DES’s coordination of permitting for complex economic development projects, commenting on federal environmental impact statements, development of a one-stop web-based site for businesses to address licensing and permit application issues, and department-wide coordination of emergency preparedness with other agencies. Budget Page Ref. #954.
9. Geological Survey (RSA 21-O) 3 \$315,882
 Position eliminations would result in the termination of three programs, including the Groundwater Level Measurement Network (drought and long-term water level monitoring), the Water Well Inventory Database (relied upon for real estate transactions) and the Geologic Mapping program (due to loss of state match for federal STATEMAP grant). Position eliminations would also significantly impair two programs, including stewardship of the National Hydrography Dataset (a digital roadmap of the state’s water features) and efforts to help communities map areas of flood and erosion risks along the state’s rivers through the Fluvial Erosion Hazards Program. Budget Page Ref. #961.
10. Administration & Support 5 \$479,900
 Reduces administrative support for Human Resources, Accounting, Facilities Management, Right-to-Know Compliance Act, and the Commissioner’s Office, which impacts all aspects of DES. Budget Page Ref. #954 & 956.

Programs Affected AIR DIVISION # Staff Affected Add Back \$

11. Radon 1 \$255,242 (50% Fed/50% GF)
 Eliminates outreach and technical support to over 2,000 homeowners, schools, landlords, and businesses annually, as no one from DES would be available to provide assistance in addressing radon contamination in indoor air, the cause of approximately 100 lung cancer deaths annually. (50% Federal/50% General) Budget Page Ref. #1066.

Programs Affected WASTE DIVISION # Staff Affected Add Back \$

12. Solid Waste Technical Assistance (RSA 149-M) 1 \$ 0
 Eliminates position that provides solid waste technical assistance and outreach to communities and performs data collection and reporting on solid waste disposal and recycling. Budget Page Ref. #1101.

II. Other Changes Requested by DES

1. Department -- Out-of-State Travel – This restores funding across the department for out-of-state travel appropriations for biennium eliminated during House phase. Section 20 of HB1-A eliminates all out-of-state travel funds for the Department. DES proposes to reduce the amount of out-of-state appropriations to \$266,000 for the biennium; a reduction of 65% from the Governor’s phase budget. General Fund impact \$4,300 per year.
2. Waste Division -- CERCLA (Federal Superfund) Program – Move \$1.5 Million in contract funds from FY 2013 to FY 2012 to have sufficient funds to cover revised cost estimates for extension of the Town of Raymond waterline to address contamination impacting residential drinking water wells near the Mottolo Pig Farm Superfund site. The projected costs for FY 2012 work on the project were underestimated at the time of initial budget preparation. Revised cost estimates from EPA and scheduling changes indicate the need for this reallocation of funding between the two years of the biennium.. 100% Federal Funds. No General Fund Impact. Budget Page Ref #1095.
3. Waste Division – Landfill Closure Grants – add Footnote F designation to the state aid grant class to enable funds to be carried forward to June 30, 2013. The wastewater state aid grants account and the public water systems state aid grant class carry this footnote, but it was inadvertently omitted from this grant line. No General Fund Impact. Budget Page Ref #1101.
4. Waste Division – Spill Response & Complaint Investigation Section – This swaps funding sources for two positions in this program, correctly aligning them for each position’s duties. Position #19131 is moved from General Funds to the Oil Pollution Control Fund, and position #19526 is moved from Oil Pollution Control Funds to General Funds. In order to adjust to a loss of several positions in the solid waste program budget, DES proposed and DOP approved a reorganization plan to efficiently administer the program. Under this plan, position #19526, which previously oversaw investigation of solid waste complaints, will oversee the solid waste compliance assurance program. Budget Page Ref #1101. General Fund Impact \$1,812 for Biennium.
5. Water Division – Revolving Loan Fund -- DWSRF – transfers five positions from the federal Drinking Water SRF grant account to the Drinking Water SRF Fee Account in anticipation of a likely reduction in the federal DWSRF grant. There are sufficient funds in the fee account to handle this change in funding. No General Fund Impact. Budget Page Ref #1114 & 1117.
6. Water Division – Revolving Loan Fund – CWSRF / Terrain Alteration Programs -- transfers one position from the Terrain Alteration Program to the Clean Water State Revolving Loan (CWSRF) program to provide additional needed staff as the CWSRF is expected to have a surge of work in the next biennium due to the expected increasing volume of work to upgrade aging wastewater treatment plant infrastructure.
7. Water Division – Information Exchange Partnership Grant – This adds \$45,000 per year to this account for additional staff time to complete NH’s portion of a national data exchange network node for federal reporting and information exchange between states on water quality, air quality, drinking water and hazardous materials. This is 100% federal funds. No General Fund Impact. Budget Page Ref #1013.
8. Air Division – DOE Clean Cities Grant – This is a transfer of funding between revenue accounts only. This account is 100% federal funds and during the Governor’s phase \$9,155 and \$9,021 of funding was established in classes 003 and 005 (non-federal classes) in FY 12 and 13 respectively.

This restores 100% of the funding for this account to federal funds. No General Fund Impact. Budget Page Ref #1061.

9. Air Division – Env & Public Health Tracking – This adds \$21,280 in additional pass-through federal funds to this program in each year of the biennium. DES was just recently informed that the additional funding has been made available for this program. No General Fund Impact. Budget Page Ref #1055.

10. Air Division – Title V Air Permit Program – In anticipation of the repeal of the Regional Greenhouse Gas Initiative (RGGI) program, the funding for position # 19738 was not included by the House in the FY 2013 operating budget. However, even if the RGGI program were to be repealed this position is needed to continue other emissions trading programs at DES including Nitrogen Oxides Budget, NH Renewable Portfolio Standards, Emission Reduction Credits, NH Clean Power Act, federal Acid Rain and Reasonably Available Control Technology orders related to the use of emission credits. This restores funding for this position in FY 2013. No General Fund Impact. Budget Page Ref. # 466

11. Commissioner's Office – Homeland Security Grants – This moves \$9,000 per year from class 023 – Utilities to class 024 Maintenance. The funds were established in error in class 023 Utilities and are intended for maintenance on emergency response equipment purchased under this grant. No General Fund Impact. Budget Page Ref #957.

12. Commissioner's Office – Geologic Hazards Evaluation Grant – This moves position #42721 from General Funds to the Geologic Hazards Evaluation Grant program. This federal grant, provided by FEMA through the Department of Safety, is studying the impact of fluvial erosion on rivers and developing a computer model for communities to use to identify potential areas of erosion and plan accordingly. No General Fund Impact. Budget Page Ref #959. This position number needs to be removed from the position abolished list under section 5-I of HB 1-A, account 03-44-44-440010-3851.

III. Changes Requested to HB 2 as Amended by the House :

1. Section 79 – Department of Administrative Services; Suspension of Bumping Rights – The second sentence of this section suspends the Division of Personnel procedures regarding seniority rights. This would eliminate any established rules or procedures for the laying off of employees. This may raise questions about compliance with federal labor laws and expose the State to legal challenges. We strongly urge the Senate to delete this sentence from Section 79.

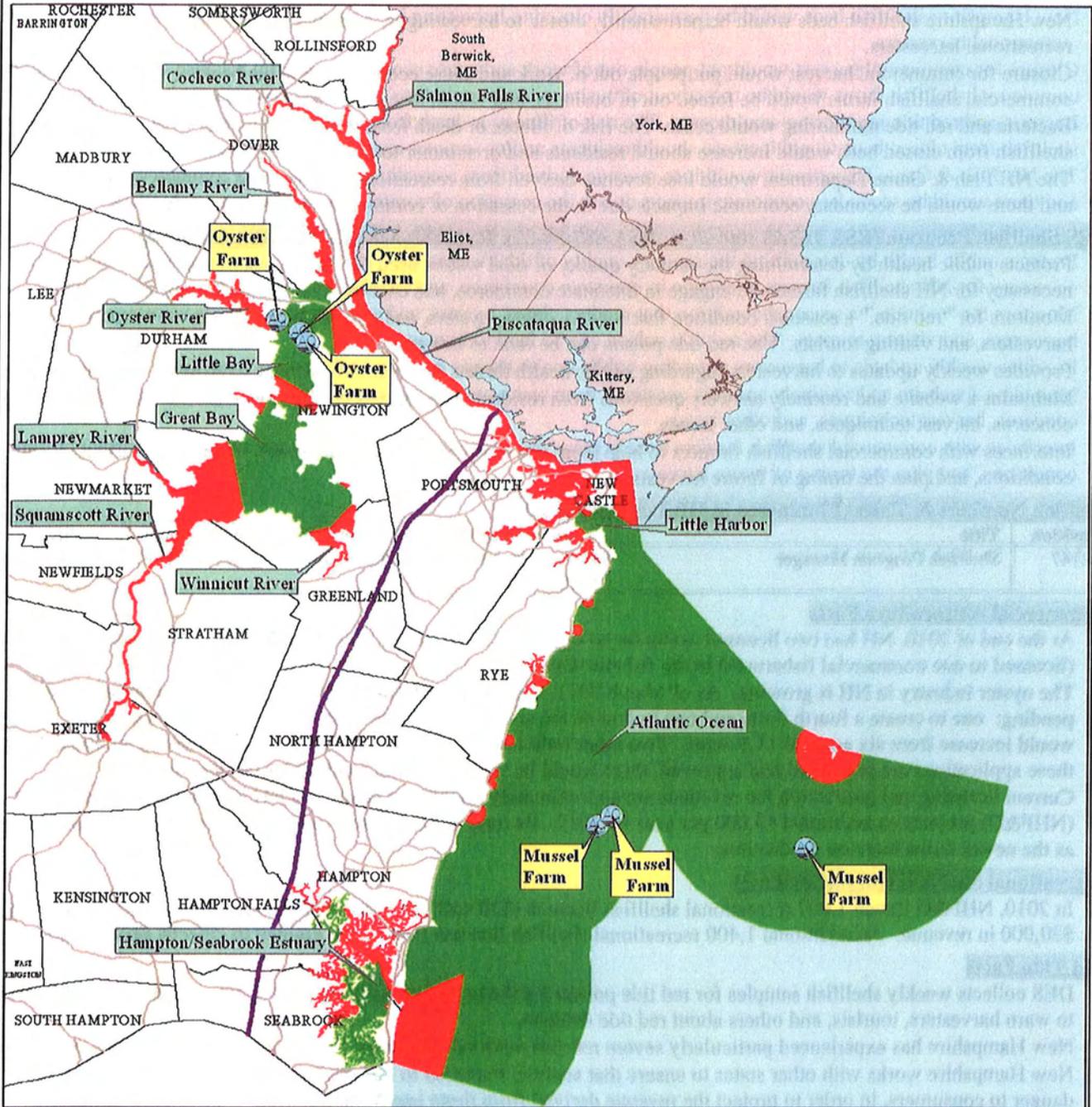
2. Section 279-285 – Carbon Dioxide Emissions Cap and Trade -- This language is duplicative of HB 519 and is not a budgetary issue. Accordingly, DES urges the Senate to delete Sections 279-285.

IV. New Issue from Governor's Phase of the Budget:

Commissioner's Office – OSHA Consultation Program - In the Governor's Budget proposal, this program, which is funded with a federal grant (80%) with a state match (20%) is eliminated. Keene State College (part of the University System of New Hampshire) has an Safety and Occupational Health Applied Sciences Program which would like to assume responsibility and financial support for this program in the future. DES will be meeting with OSHA and Keene State officials later this week to work out the details of transfer of this program to Keene State. DES expects to have proposed provisions for any necessary revisions to HB 1 or HB 2 within the next two weeks, and will provide them to the Senate Finance Committee as soon as they are available.

Shellfish Waters Classified by the NHDES Shellfish Program

Recreational harvesting and commercial farming of oysters, clams, and blue mussels generates revenue for the state, creates jobs, and supports a sustainable, and environmentally friendly industry. Monitoring the harvest waters for sewage contamination and for toxic red tide protects New Hampshire citizens, tourists, and seafood consumers.



	Aquaculture Sites		Interstate Highways
	Shellfish Areas CLOSED		State Roads
	OPEN		Open Ocean & Maine Estuarine Waters
			Town Boundaries



Prepared by

 NEW HAMPSHIRE
 DEPARTMENT OF
**Environmental
 Services**

April 2011

Impacts of Proposed Elimination of the Shellfish Program at the New Hampshire Department of Environmental Services (NHDES)

General Fund Staffing Analysis

In 1999 legislation was enacted that charged NHDES with classifying state tidal waters used for the harvest of shellfish for food. In 2006 the General Court created the Healthy Tidal Waters and Shellfish Protection Program, including a general fund appropriation to support one full time staff person and the monitoring costs associated with the program. The budget adopted by the NH House of Representatives for Fiscal Years 2012-2013 would eliminate the position and the program.

Impact of Proposed Budget Reductions

- New Hampshire shellfish beds would be permanently closed to harvesting by commercial shellfish farmers and recreational harvesters.
- Closure for commercial harvest would put people out of work and cause economic hardship because several new small commercial shellfish farms would be forced out of business, and would lose all of their investments in their farms.
- Bacteria and red tide monitoring would cease. The risk of illness or death from red tide poisoning from consumption of shellfish from closed beds would increase should residents and/or summer tourists ignore the statewide closures.
- The NH Fish & Game Department would lose revenue derived from recreational licenses and commercial aquaculture fees, and there would be secondary economic impacts due to the cessation of commercial production of shellfish.

DES Shellfish Program (RSA 143:21 and 21-a; RSA 487:34-37 ; RSA 485-A:8 (V); and RSA 211:63-a)

- Protects public health by determining the sanitary quality of tidal waters used for the harvest of shellfish. This work is necessary for NH shellfish farmers to engage in interstate commerce, and enables recreational harvest of shellfish.
- Monitors for "red tide," a seasonal condition that renders clams, oysters, and mussels toxic. Posts warnings to residents, harvesters, and visiting tourists. The red tide poison can be fatal to humans.
- Provides weekly updates to harvesters regarding public health threats from rainfall, sewage overflows, and other issues.
- Maintains a website and routinely answers questions from residents and tourists on sites available for harvest, pollution concerns, harvest techniques, and other issues.
- Interfaces with commercial shellfish farmers to help them site new or expanded operations, understand current closure conditions, and plan the timing of future harvests.

Position Numbers & Titles (Eliminated in HB 1-A as amended)

Position	Title	
42147	Shellfish Program Manager	Tests water quality, provides information and support to Recreational Harvesters, Commercial Aquaculturists, Cities and Towns, and the General Public

Commercial Aquaculture Facts

- At the end of 2010, NH had two licensed oyster farms operating in Little Bay, and three licensed blue mussel farms (licensed to one commercial fisherman) in the Atlantic Ocean.
- The oyster industry in NH is growing. As of March 2011, a third oyster farm was licensed, and two other applications are pending: one to create a fourth farm, and one to double the size of an existing farm. If approved, acreage under production would increase from six acres to 11.5 acres. Two other individuals have indicated an interest in starting an oyster farm. If these applications are submitted and approved, there would be four additional acres under production.
- Current licensing and production fee revenues are approximately \$6,000 per year. The NH Fish & Game Department (NHF&G) projects an additional \$3,000 per year by 2012. Beyond 2012, revenue to the state and industry value may grow as the newer farms increase production.

Recreational Shellfish Harvesting Facts

- In 2010, NHF&G issued 1,000 recreational shellfish licenses (\$30 each) to residents from all over the state, generating \$30,000 in revenue. An additional 1,400 recreational shellfish licenses (free) were granted to citizens ages 68 and over.

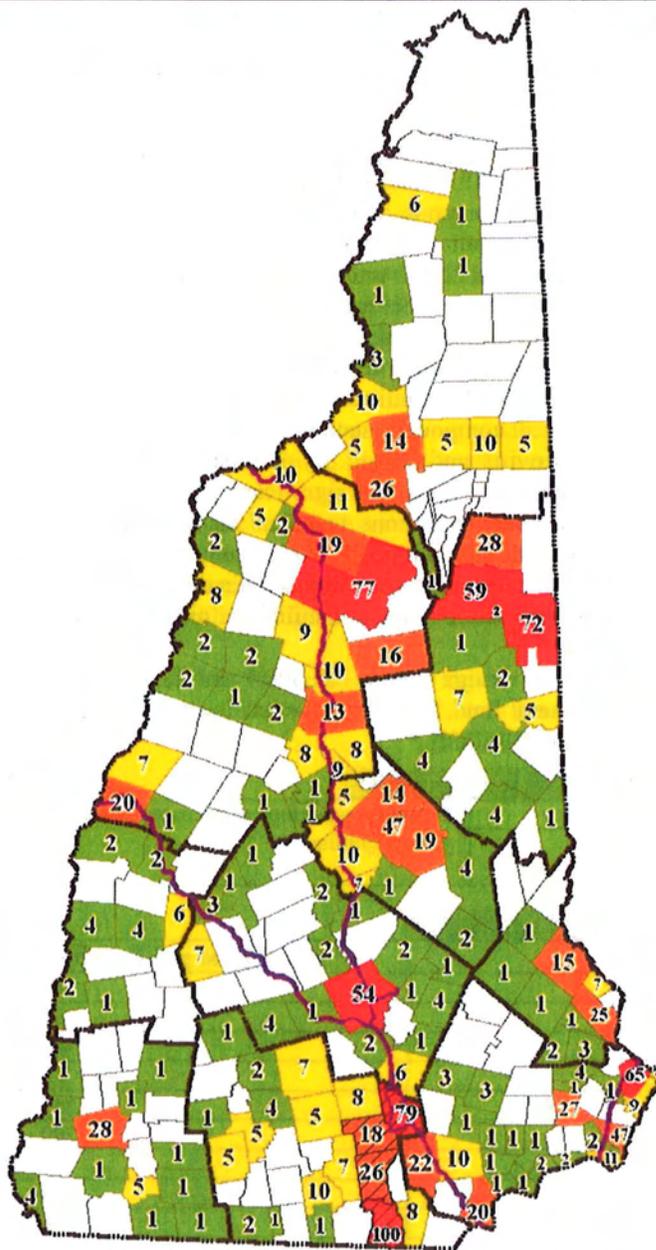
Red Tide Facts

- DES collects weekly shellfish samples for red tide poison for the period of April through October, and works with NHF&G to warn harvesters, tourists, and others about red tide dangers.
- New Hampshire has experienced particularly severe red tide outbreaks in recent years, including 2005, 2008, and 2009.
- New Hampshire works with other states to ensure that seafood imported to NH markets and restaurants do not pose a danger to consumers, in order to protect the revenue derived from these important markets.

The elimination of this program would end seawater and shellfish monitoring in the seacoast region for bacterial contamination and red tide. This program directly protects public health of state residents and tourist and supports a growing aquaculture industry in the seacoast.

Public Pools and Spas Requiring Public Health and Safety Inspections in New Hampshire

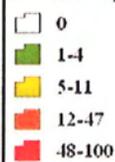
New Hampshire's water parks, public pools and spas attract visitors, generate spending, create jobs and household income and boost tax revenue. Monitoring operation, sanitization and safety at these facilities is vital to the protection of NH businesses, citizens and the tourism industry.



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Pools & Spas by Town



- Interstate Highways
- County Boundaries
- Towns/Cities with Internal Programs

**Impacts of Proposed Elimination of Public Pool and Spa Program at
New Hampshire Department of Environmental Services (NHDES)**

General Fund Staffing Analysis

In 1989 legislation was enacted that charged NHDES with protecting public health and safety at public bathing facilities. With one generally funded position, the Public Pool and Spa Program was established and administrative rules were adopted (Env-Wq 1100). The budget adopted by the House of Representatives for 2012-2013 would eliminate the position and the program.

Impact of Proposed Budget Reductions

If the current NH House budget were to become law, effective July 1, 2011 the Public Pool and Spa Program would cease. Health and safety inspections for the nearly 1400 public pools and spas, including major water parks, would be discontinued. Design reviews for new pools and spas would not be conducted, leaving future construction in violation of the law. Increased public health and safety risks would result, including risk of infections, skin rashes, and entrapment by circulation pump suction devices.

Public Pool and Spa Program (RSA 485-A:26 & RSA 485-A:27 Safety Regulations)

- In the last five years, program staff has visited 1,815 establishments, conducted 3,072 inspections and collected 4,765 samples at swimming pools, spas, special recreation pools, and therapy pools at hotels, motels, health facilities, water parks, condominium and apartment complexes, youth recreation camps, public parks, and recreational campgrounds or camping parks. These inspections have documented 2,211 water quality violations, 313 bacterial violations, and 725 safety violations with 224 immediate on-site closures. During this same time period, 183 permits for construction were issued. If this program were eliminated, all water safety inspections and permitting activity would cease.
 - Public exposure to contaminated public pool and spa water in NH has resulted in lung, skin, ear, and eye infections, as well as gastric illness. Many of these incidents required hospitalization. Illnesses related to pool and spa use can be caused by airborne and waterborne pathogens or chemical compounds such as Chloramines, Legionella, Cryptosporidium, Shigella, Giardia, Pseudomonas, Staphylococcus, Norovirus and E. Coli. By eliminating this program, the rate and severity of illness, as well as the potential for disease outbreak, could rise significantly.
 - Owners of pools and spas rely on DES to provide inspections, technical assistance and education to help them avoid water recreation accidents, and minimize the risk of disease outbreaks. NH citizens and tourists who recreate in our public pools and spas rely on DES to monitor facilities for acceptable operation, sanitization and safety procedures. If this program were eliminated, NH businesses would face increased risk and liability and their patrons would be at a greater risk for illness, injury or death from known hazards.
 - The cost of the program is partially offset by design review (\$3,500)* and facility inspection fees (\$32,000)* which are deposited as unrestricted revenue to the general fund. Samples collected during inspections are submitted to the state water lab for analysis and contribute to lab revenue (\$16,000).*
- * annual fiscal year average.

Position Numbers & Titles (Eliminated in HB 1-A as amended)

Position	Title	
40506	Public Bathing Facilities Coordinator	Provides inspection services to businesses, municipalities, and the general public

Statewide statistics for DES Public Pool and Spa Program

County	Number of public facilities monitored by DES
Belknap	109
Carroll	192
Cheshire	46
Coos	87
Grafton	247
Hillsborough	290
Merrimack	93
Rockingham	244
Strafford	56
Sullivan	21
Total	1385

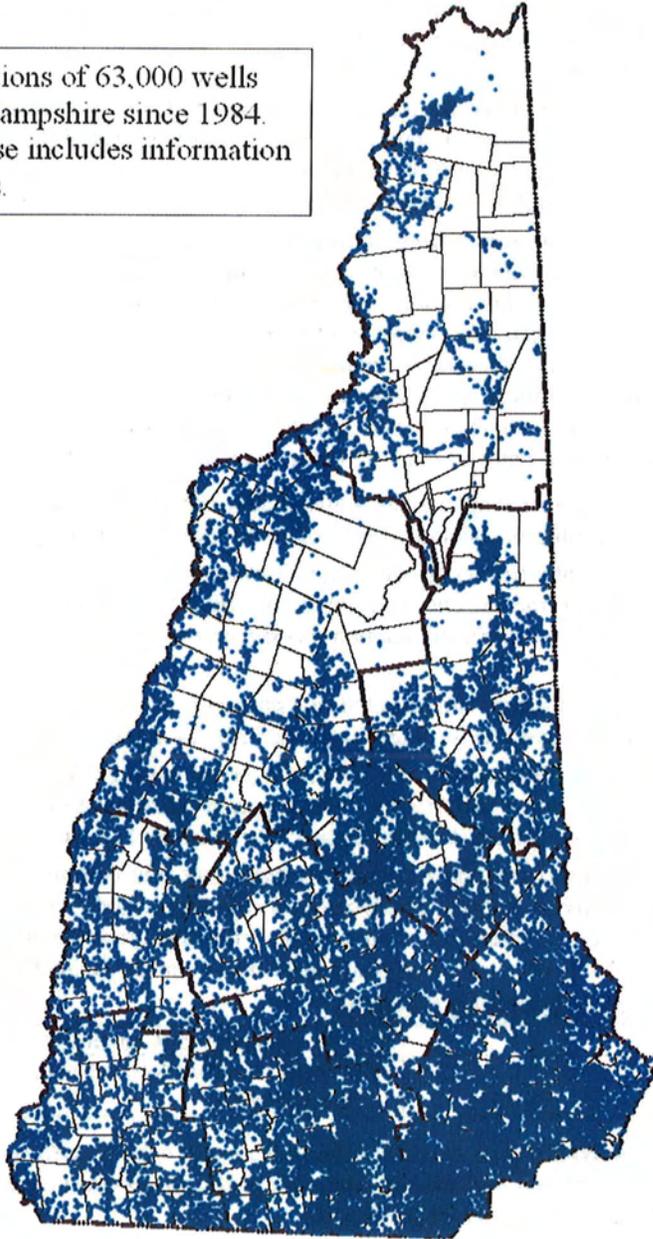
The elimination of this program would eliminate periodic inspection of existing pools and spas and design review for new pools and spas, as well as technical assistance and education to owners and operators of pools and spas. This program directly protects public health and is important to New Hampshire's tourism and recreation economy.

Ensuring the Health and Safety of Water Wells in New Hampshire

Ensuring the health and safety of water wells in New Hampshire is vital to protecting water quality and promoting economic development. DES technical staff provides oversight of well construction standards, licensing of well drillers, a permanent record of well construction reports, and an ombudsman to resolve consumer complaints against well drillers and pump installers.

Well water serves the needs of 1,102,000 (85%) New Hampshire residents.

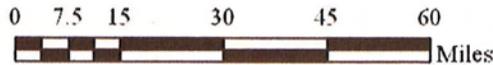
Map shows locations of 63,000 wells drilled in New Hampshire since 1984. The DES database includes information on 118,000 wells.



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April 2011



- Well Locations
- ▭ County Boundaries
- ▭ Town Boundaries

**Impacts of Proposed Elimination of Technical Support for the Water Well Board Established by RSA 482-B
New Hampshire Department of Environmental Services (NHDES)**

General Fund Staffing Analysis

RSA 482-B established the Water Well Board in 1984 to develop standards for wells and licensing of well drillers and water well pump installers. One general-funded position was created to administer the program. The budget adopted by the NH House of Representatives for 2012-2013 would eliminate this position.

Impact of Proposed Budget Reductions

If the current NH House budget were to become law, effective July 1, 2011 staff support for the functions of the Water Well Board would cease, the standards and licensing programs would no longer be implemented in New Hampshire, and the well construction report database would cease to be maintained:

- Well Construction Standards - Ensures wells are constructed to be sanitary and viable water sources. The standards also ensure that wells do not become direct conduits for contamination to enter and impact New Hampshire's aquifers. Approximately 2,000-6,000 wells are constructed in New Hampshire each year, and over 240,000 wells have been constructed. 85% of NH's population relies on private water wells for some or all of their water supply.
- Well Construction Reports - These reports must be filed on a form approved by the Water Well Board for each well that is constructed in New Hampshire. There is no way to assess how a well was constructed without the information obtained on these forms being recorded and stored in perpetuity. Each year, hundreds of requests are made to access old well completion reports. NHDES' web page that provides access to this data is one of the most frequently accessed web pages maintained by the agency. This information is required by many lenders when real estate transactions occur. The reports are also accessed by well drillers, pump installers, and businesses and homeowners attempting to conduct repair work on existing wells. The reports are also used as a source of basic data when public water supply or geotechnical evaluations are being completed. Web access to existing reports would be maintained, but no new reports would be added
- Well Decommissioning Standards - Ensures that abandoned wells, which often extend hundreds of feet into bedrock, are plugged in a manner that permanently prohibits contamination from entering New Hampshire's shared aquifers.
- Well Maintenance Standards - Ensures that when repair work is performed on existing wells, the well driller or pump installer makes improvements to the well if the current condition could cause contamination from surface water entering the well or animals falling into the well. Improperly maintained shallow dug wells may also become a physical hazard for children and pets falling into the well.
- Water Well Pump Standards - Ensures that pumps are installed in a manner to perform properly, produce water in a sanitary manner, and do not result in electrical shocks at the wellhead or in the interior well pumping system.
- Well Driller and Pump Installer Licenses - Ensures that well drillers have the experience and knowledge necessary to properly drill and service wells and install water well pumps. The program collects well driller and pump installer license fees (\$70,000/year) which go to the general fund and offset slightly more than half of the program cost.
- Consumer Complaints - The Board evaluates consumer complaints that allege non-compliance with laws and regulations pertaining to well construction and pump installation. The Board has authority to order corrective action or enforce against licensees when work on wells and water well pumps does not comply with state requirements. DES has authority to issue fines and administrative orders when well construction or pump installation standards are not complied with.

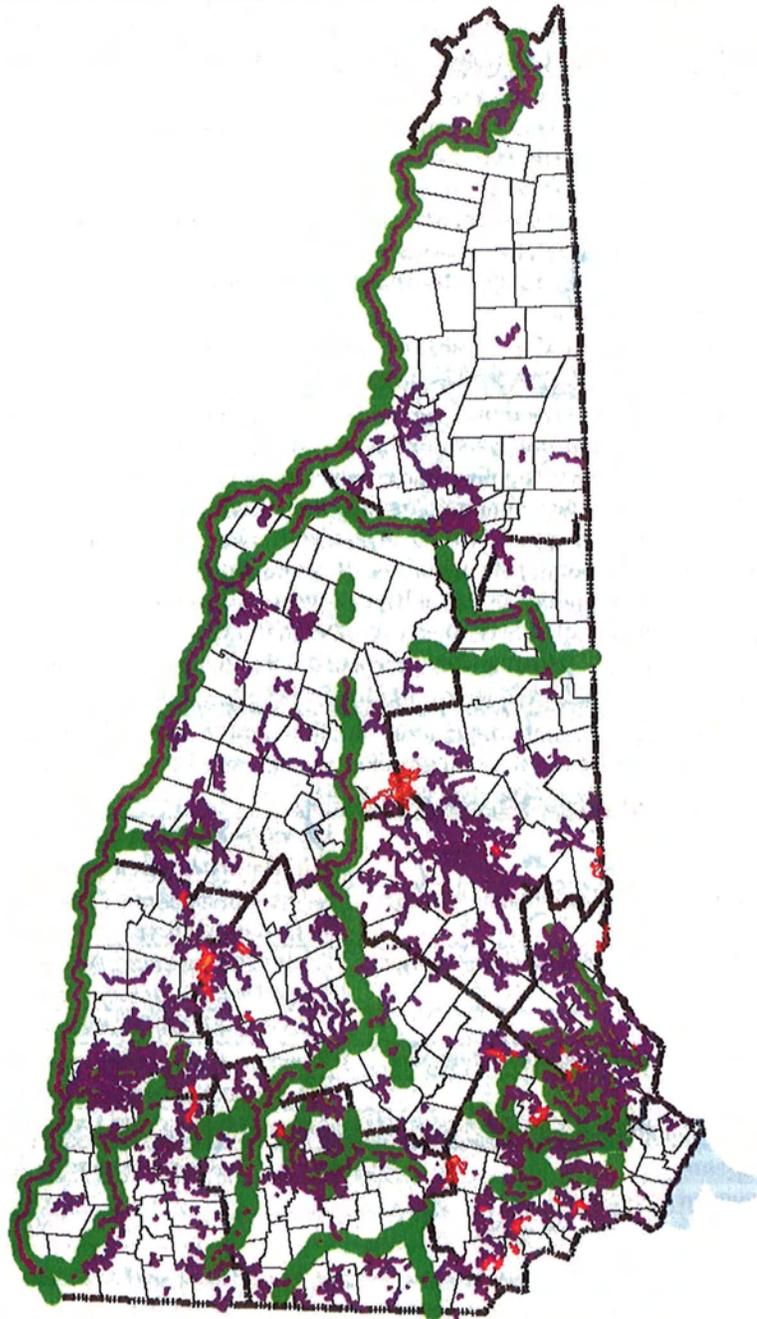
Position Numbers & Titles (Eliminated in HB 1-A as amended)

Position	Title	Provides Support to (Constituency)
18464	Hydrogeologist III	Well owners, well drillers, water well pump installers everywhere in New Hampshire

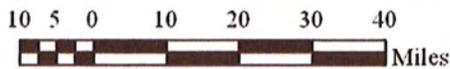
The elimination of funding for the Water Well Board would eliminate licensing of well drillers and pump installers, as well as enforcement of standards for well construction and maintenance of a well construction report database. This program directly protects public health and safety, as well as water quality.

DES Coordinated Volunteer Watershed Management Efforts in New Hampshire

New Hampshire's lakes and rivers attract visitors, generate spending, create jobs and household income, and boost tax revenue. According to a 2003 study, uses of our lakes and rivers contribute \$1.8 Billion annually to the state's economy.



-  Comprehensive Lake Inventories
-  Volunteer Monitored Waters
-  Rivers Management & Protection Program
-  Other Waters
-  County Boundaries



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April 2011

**Impacts of Proposed Elimination of Lake and River Water Quality Management & Monitoring at
New Hampshire Department of Environmental Services (NHDES)**

General Fund Staffing Analysis

When NHDES was created in 1987, six general-funded positions conducted lake and river water quality management and monitoring. Since then, the legislature created 5 new programs to meet the need for increased water quality monitoring and management, yet general funding staffing has only increased by three full time positions. The NH House budget for 2012-2013 would reduce the number of general funded positions in the watershed management bureau from eight to two.

Impact of Proposed Budget Reductions

If the budget adopted by the N.H. House were to become law, effective July 1, 2011 the following **5 water quality management and monitoring programs would cease in addition to other DES program reductions.**

Volunteer Lake & River Assessment Programs (VLAP RSA 487:31-33 & VRAP RSA 487:38-42)

- In recent years VLAP and VRAP have supported 215 groups with a total of 1,500 lake, river and stream stations being monitored and over 24,000 individual sample results generated annually. Over 700 volunteers participate in these programs representing over 4,300 hours of volunteer time annually. In 2010 the value of the volunteer time was \$86,000. Since 1985, volunteers have contributed over \$900,000 in in-kind services.
- Support and coordination of volunteer monitors, who rely on DES to supply equipment, training, and reporting, would cease. Over 40% of the surface water quality assessments of lakes and rivers included in the EPA required 2010 303(b) surface water quality report were provided by VRAP and VLAP volunteers. These data contributed to the assessment of 2,024 miles of river and over 300 lakes.
- The elimination of the VLAP and VRAP programs would result in over \$75,000 of lost fees for the state water lab.

Lakes & Rivers Management Programs (LMPP RSA 483-A & RMPP RSA 483)

- Protects human health and safety and economic benefit by being the only formal state mechanism for municipalities to collaborate on source water protection and hazard mitigation strategies. Supports local and state collaborations to provide sustainable, clean public drinking water supplies and a reduction in loss of life and property from inundation and erosion, and protects the economic values of the swimming, fishing, and boating uses of N.H.'s surface waters.
- State administrative and technical support for 20 designated rivers would be lost, including the 135 miles of new designated rivers, with unanimous municipal support by 19 communities, under consideration by the Legislature in 2011.
- State administrative and technical support for Local River Advisory Committees (LACs) and the 118 communities they represent would end. LAC volunteer time is estimated at \$200,000 per year.
- Lake Management Plans from the 32 existing Comprehensive Lake Inventories would not be accomplished.

Freshwater Beach Inspection Program (RSA 485-A:26 Safety Regulations)

- Inspections by DES at 158 public beaches would cease. In 2010, DES conducted 652 inspections and issued 58 beach closure advisories based on the presence of e-coli or other bacteria, and 12 cyanobacteria advisories.

Position Numbers & Titles (Eliminated in HB 1-A as amended)

Position	Title	Provides Support to General Public & Municipalities and:
40497	Executive Secretary	All Watershed Management Bureau programs
40143	Lakes Management & Protection Program Manager	Lakes Management Advisory Committee (LMAC) Lake Associations
18864	Rivers Management & Protection Program Manager	Rivers Management Advisory Committee (RMAC) Local River Advisory Committees (LACs)
42149	Principal Planner	LMPP and RMPP/LACs - LMAC and RMAC
41638	Volunteer River Assessment Program Coordinator	30 water quality monitoring groups and 200 volunteers
12073	Biologist	All Watershed Management Bureau monitoring programs

Statewide statistics for DES coordinated Lake and River Water Quality Management & Monitoring

Program	Number of Municipalities with Activities Coordinated by DES
Lakes and Rivers Management Programs	144
Volunteer Lakes and Rivers Monitoring Programs	200

The elimination of these programs would eliminate programmatic outreach and assistance provided to towns, citizens, businesses, private sector interests and other state agencies pertaining to the management and monitoring of our lakes and rivers. The implementation of all these programs directly or indirectly protects public health.

**Impacts of Proposed Elimination of the Administrator, Public Information & Permitting Unit Position
New Hampshire Department of Environmental Services (NHDES)**

General Fund Starting Analysis

On January 2, 1987, the New Hampshire General Court established the Department of Environmental Services (DES), and set forth a new concept in state government – creation of the Public Information and Permitting (PIP) Unit within the newly-created Commissioner’s Office. The legislative “drivers” for the creation of the PIP Unit and its focal point, the Administrator position, included marked and repeated frustration expressed historically by legislators, applicants, business leaders, and the general public when seeking a single, one-stop source from which to secure all information and guidance for attracting new businesses (and job growth / creation), assessing infrastructure capacity and limits, addressing a chronic lack of coordination within state government, as well as efficiently defining and applying needed policy changes. The original Administrator’s charge was to coordinate and consolidate permitting, project management, conflict resolution and public information-related activities across the agency. That role has expanded over the past two decades to become an overall ombudsman for all DES programs, with an emphasis on ensuring DES and interagency support for the private sector.

Impact of Proposed Budget Reductions

- Loss of this position would negatively impact economic development, job creation and retention, multi-agency efficiency initiatives like the NH Business One-Stop Center, homeland security preparedness and emergency response, and environmental and public health policy development and implementation,
- DES efforts to develop new, streamlined practices that make state government more accessible, efficient and accountable to New Hampshire citizens would be impaired.
- Permit coordination on behalf of businesses, municipalities and homeowners would revert to a patchwork pattern, with no certainty that all crucial DES authorizations would be identified in time for work to begin, leading to potential environmental enforcement actions, loss of business opportunities, heightened and unnecessary construction costs / delays, and a competitive disadvantage for the state’s economy.
- Job creation and business recruitment, expansion, and retention efforts would suffer since so many decisions depend on environmental permitting, infrastructure considerations, and natural resource availability.
- Interagency coordination of emergency response would suffer by not having a single source of DES representation and support for DES programs such as critical infrastructure / key resource systems for public drinking water, dam security and air toxics.

“Public information and permitting shall include all initial public contact relative to permits and applications; furnishing members of the general public with all permit applications and information needed for any project which comes under the jurisdiction of the department, as well as information as to federal or local permits which may be required; assisting members of the general public, whenever possible, to fill out permit applications by directing them to the appropriate person within the relevant division of the department; and generally providing members of the general public with all of the information necessary for meeting permit requirements, including information as to where to find the relevant federal laws and regulations, rules, and municipal ordinances.”

Position Number & Title Eliminated

Position	Title	
18463	Administrator, Public Information & Permitting	Serves as key member of DES Leadership Team to represent multi-discipline, multi-agency projects, initiatives, and programs to support business development and job creation, homeland security, and permit coordination in balance with environmental and public health protection

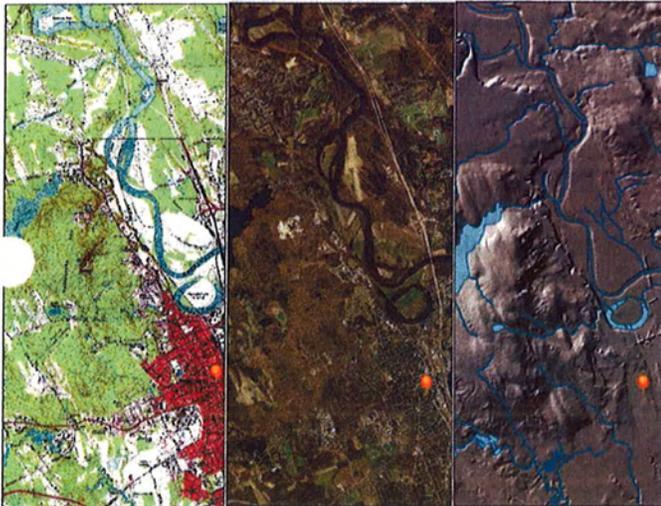
The elimination of this position would reverse or eliminate significant efficiencies gained in cross-program and cross-government participation by DES affecting the environment, public health and safety, and economic opportunities currently enjoyed by New Hampshire’s citizens.

NEW HAMPSHIRE GEOLOGICAL SURVEY

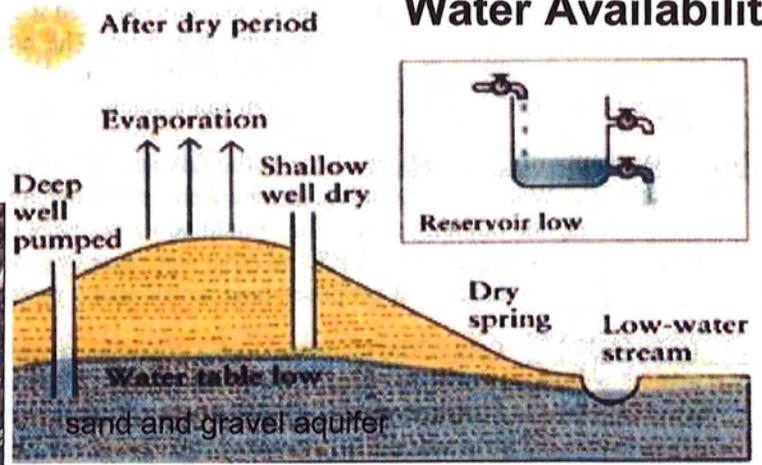


The New Hampshire Geological Survey protects the state's land and water resources and supports a strong economy and sustainable growth. The NHGS's data and analysis capabilities are critically important to prepare for, mitigate against, and respond to natural hazards such as earthquakes, landslides, floods, erosion, and droughts.

Geographic Information Systems



Water Availability

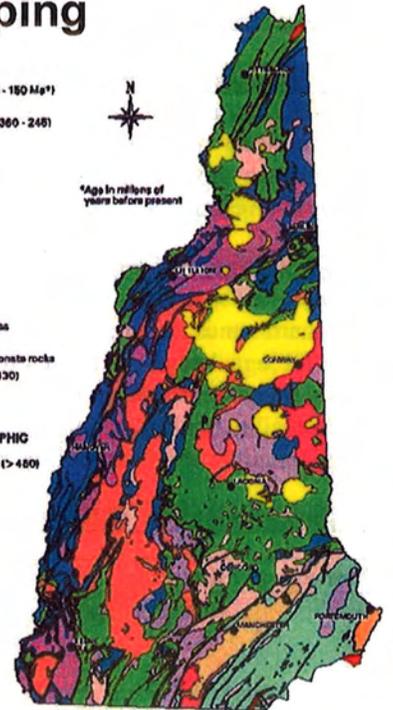


Geologic Mapping

- IGNEOUS ROCKS**
- TRIASSIC-CRETACEOUS (245 - 150 Ma*)
 - Granite, Syenite and Rhyolite
- CARBONIFEROUS-PERMIAN (360 - 245)
 - Two-mica Granite
- DEVONIAN (410 - 360)
 - Granite
 - Granodiorite
 - Diorite
- SILURIAN (440 - 410)
 - Granite and Gneiss
- ORDOVICIAN (500 - 440)
 - Granitic rocks
- METAMORPHIC ROCKS**
- DEVONIAN (~400)
 - Slate, Schist, Quartzite and Gneiss
- SILURIAN (~450)
 - Schist, Quartzite and minor carbonate rocks
- CAMBRIAN-SILURIAN (520 - 430)
 - Schist and metavolcanic rocks
 - Calcareous Quartzite and Slate
- UNDIFFERENTIATED METAMORPHIC AND IGNEOUS ROCKS**
- PRECAMBRIAN-ORDOVICIAN (> 400)
 - Gneiss
 - Schist
- FAULTS
- CONTACTS



*Age in millions of years before present

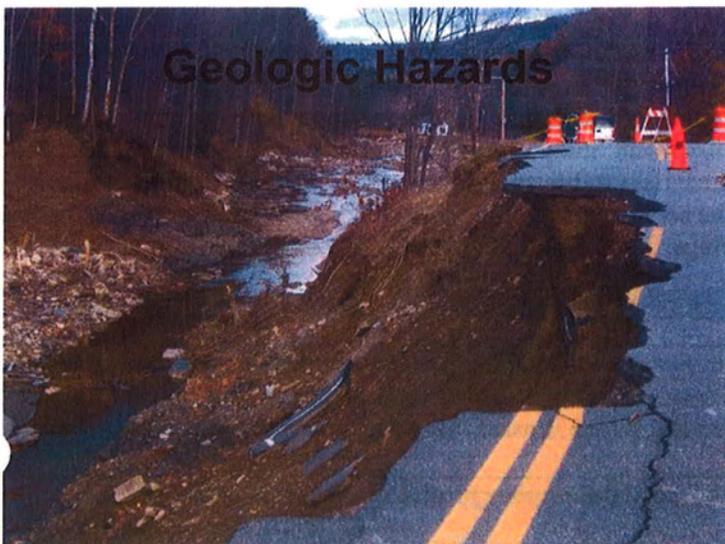


Adapted from Lyons and others, 1967
Bedrock Geologic Map of New Hampshire



0 10 20 30 MILES

Geologic Hazards



**Impacts of Elimination of Positions in NH Geological Survey
Prepared by NH Department of Environmental Services – April 2011**

General Fund Staffing Analysis and Impact of Proposed Budget Reductions

Four existing general-funded positions from the former Water Management Bureau, established in 1984, were reorganized under the administration of the State Geologist in 2001 to form the NH Geological Survey as a unit in the Commissioner's Office of the Department of Environmental Services. This core staff has since been expanded with the addition of three positions that are funded by federal competitive grants. The budget adopted by the NH House of Representatives for 2012-2013 would eliminate all of the general-funded positions in the NH Geological Survey, except that of the State Geologist. Three programs would be discontinued and two other programs would be significantly impaired as a result.

The following programs would cease:

Groundwater Level Measurement Network Loss of the Environmental Technician II position would prevent NHGS from collecting monthly water-level measurements from a statewide network of 25 wells that monitor sand and gravel aquifers, and 9 deeper wells in the bedrock aquifer. The bedrock wells were recently drilled with a \$103,420 Capital Budget appropriation. Data critical to detecting and monitoring drought conditions and water supply shortages would no longer be available to the state's Drought Management Task Force.

Water Well Inventory Database Loss of the Environmental Technician II position would also prevent NHGS from updating the Water Well Database as new wells are drilled and reported. Real estate agents, prospective home buyers, well drillers, and building contractors would no longer have easy access these records. The well database has proven to be an invaluable resource for DES and other state agency programs that manage and protect groundwater and local planning boards that review proposed land development projects.

Geologic Mapping Loss of the Hydrogeologist I position would virtually eliminate the ability of NHGS to provide state matching dollars required to participate in the USGS Cooperative STATEMAP geologic mapping program. NHGS has received close to \$1M in matching USGS funds to date. Local planning boards and their consultants use geologic maps when reviewing proposals for new development projects. Geologic maps are also used by the sand and gravel and crushed and dimension stone industries to explore for new materials to supply transportation and other infrastructure projects. Information on geologic materials is critical in the assessment risks to public safety from geologic hazards such as earthquakes, landslides, and erosion.

The following programs would be significantly impaired:

National Hydrography Dataset (NHD) Stewardship Loss of the Hydrogeologist II position would limit the ability of NHGS to exploit Geographic Information System (GIS) technology to provide mapping services, particularly its effort to accurately map the state's water features as the official state steward of NHD. The state's implementation of the NHD has been supported by over \$500,000 in federal grants. Recent initiatives to enhance delivery of GIS data over the web would be impeded and possibly abandoned.

Fluvial Erosion Hazards Loss of the Hydrogeologist II position would also be a significant setback to efforts by NHGS and the Department of Safety, Division of Homeland Security and Emergency Management to map fluvial erosion hazard zones along rivers throughout the state. This program builds upon a key recommendation contained within the 2008 legislatively mandated Comprehensive Flood Management Study Commission. The maps are used by communities to update their hazard mitigation plans, and thereby reduce risks to life and property. Basic data development efforts critical to the long-term success of the program would be seriously impacted, and major assessment campaigns that are planned for the Piscataquog, Souhegan, Soucook, and Sugar River watersheds would be jeopardized.

Position Numbers & Titles (Eliminated in HB 1-A as amended)

Position	Title	Provides Science and Data Service to NHDES, the General Public, Municipalities and:
42721	Hydrogeologist II	Database and applications development and custom computer programming, most critically for the Hydrography Dataset and Fluvial Erosion Hazard programs (50% GF; 50% federal funds)
19518	Hydrogeologist I	Management of STATEMAP geologic mapping projects and digital cartography (50% GF match)
11388	Environmental Technician II	Management of the Water Well Inventory, including georeferencing of wells and quality control, and collection of monthly groundwater level measurements (50% GF match)

New Hampshire Radon Program

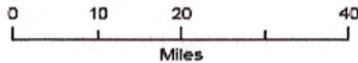
The New Hampshire Radon program helps to prevent lung cancer deaths resulting from exposure to radon gases by providing education and outreach on this health risk to NH homeowners, schools and landlords. Radon is a tasteless, odorless gas and a known human carcinogen that migrates into buildings as a result of naturally occurring geologic conditions in NH. When detected, mitigation of this potential health threat is readily available.

Percent of Tested Homes at or Above The Radon Action Level of 4.0 pCi/L

(24,000 homes tested by homeowners 1987 to 2008)

% of Tests at or Above 4.0 pCi/L

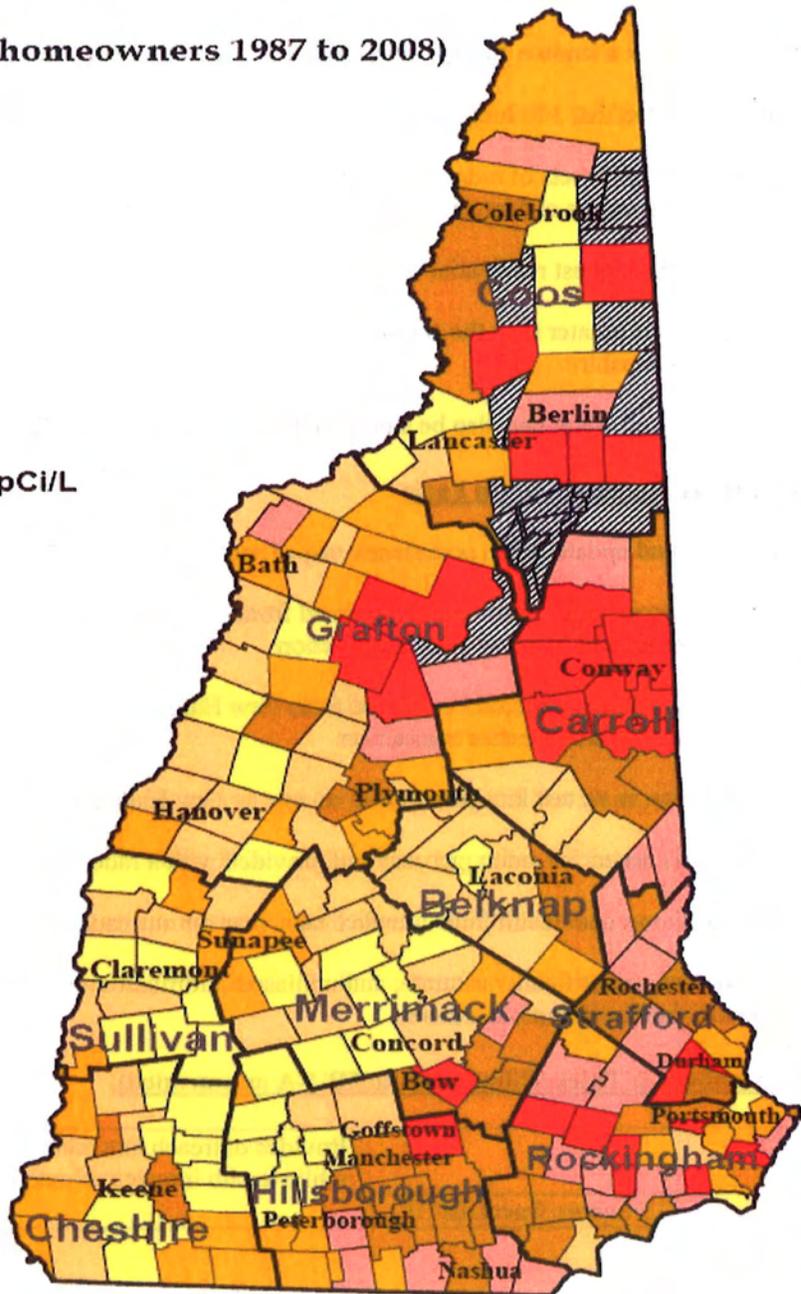
-  No Data
-  < 10 %
-  10.0 - 19.9 %
-  20.0 - 29.9 %
-  30.0 - 39.9 %
-  40.0 - 49.9 %
-  > 49.9 %
-  County Boundary



Prepared by



April 2011



**Impacts of proposed Elimination of the New Hampshire Radon Program
New Hampshire Department of Environmental Services (NHDES)**

General Fund Staffing Analysis

The Radon Program is funded by a 50 % federal grant from the U.S. Environmental Protection Agency State Indoor Radon Grant (SIRG) which was created by the Indoor Radon Abatement Act of 1988. Since 1988, the 50 % match has been provided by general funds.

Impact of Proposed Budget Reductions

If the budget as adopted by the NH House of Representative were to become law, effective July 1, 2011 the radon program would be eliminated.

New Hampshire Radon Gas Facts

- Radon gas is formed from the natural radio-active decay of uranium-238 which is found in trace amounts in New Hampshire rocks and soils
- **Radon gas is a known human carcinogen** that increases the lifetime risk of developing lung cancer
- It is estimated that 100 lung cancer deaths occur each year in New Hampshire from exposure to radon gas
- There are high levels of radon naturally occurring in all parts of New Hampshire including the most densely populated counties of Merrimack, Hillsborough, Rockingham, and Strafford
- Some of the highest residential radon levels in the United States have been recorded in New Hampshire
- Radon levels greater than the action level of 4.0 Pico curies per liter have been recorded in every populated town in New Hampshire
- Radon in well water can also be a potential health risk for New Hampshire citizens

New Hampshire Radon Program Facts

- Develop and update radon occurrence maps based on over 2,000 test results collected annually
- 100 telephone inquires per month received from New Hampshire citizens with questions regarding radon gas, most often related to a real estate transaction
- 50 e-mail inquires per month received from New Hampshire citizens with questions regarding radon gas, most often related to a real estate transaction
- 3,000 radon in air test kits provided at no cost to New Hampshire citizens every year
- 10 schools tested for radon per year and provided with a radon test report and recommendations
- 5 home shows and health fairs attended each year for outreach and education on radon
- Up-to-date, scientifically accurate, and unbiased information on radon gas provided to New Hampshire citizens, schools, landlords and businesses

Position Numbers & Titles (Eliminated in HB 1-A as amended)

Position	Title	
19632	Program Specialist IV	Provides outreach and education to homeowners, schools and realtors on the public health impacts of radon exposure in indoor air