

Performance Partnership Agreement for Federal Fiscal Years 2019 - 2021

Between the New Hampshire Department of Environmental Services

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and the

United States Environmental Protection Agency Region I - New England

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Prepared by:

The New Hampshire Department of Environmental Services
and the
U.S. Environmental Protection Agency, Region I - New England

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EXECUTION OF THE AGREEMENT

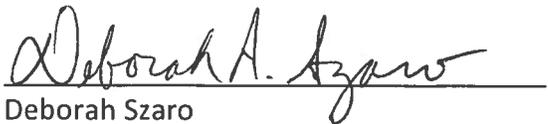
This Performance Partnership Agreement (Agreement or PPA) between the New Hampshire Department of Environmental Services (NHDES) and the U.S. Environmental Protection Agency (USEPA), Region I - New England (EPANE), covers the period October 1, 2018 to September 30, 2021. It is consistent with the principles embodied in the U.S. Environmental Protection Agency and the Environmental Council of the States joint agreement to develop an effective National Environmental Performance Partnership System (NEPPS).

By entering into this Agreement, both agencies commit to: 1) improving communications using agreed upon outcomes and environmental measures; 2) aligning and integrating both agency's goals objectives, and targets; 3) investing resources on the identified Areas for Collaboration; and 4) ensuring that limited staff and financial resources are used judiciously to address the most significant environmental and programmatic issues in the state and region.

The undersigned execute this Agreement between the NHDES and the EPANE for federal fiscal years 2019 - 2021. The Agreement, including the Areas for Collaboration, will be reviewed annually (as will the associated EPANE Priorities & Commitments Lists and NHDES Comprehensive Work Plans), and modified as necessary to ensure that it remains relevant and up-to-date.



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This, the 18th day of June 2019.

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II. OVERVIEW

A. Guiding Principles

The NHDES and EPANE agree to the following principles as they carry out their complementary missions to protect and restore New Hampshire's and New England's environment, as well as the health of its citizens. Both agencies will strive to:

- Continue to work as partners to build trust, openness, and cooperation;
- Manage their collective resources to meet the highest environmental and public health needs in the state and region;
- Increase the pace at which business processes are streamlined and modernized;
- Integrate *E-Enterprise for the Environment* principles into applicable new policies and regulations;
- Capitalize on each agency's strengths and expertise;
- Communicate frequently, clearly, and openly;
- Develop and implement new and more effective environmental management approaches; and
- Promote the adoption and integration of advanced information and monitoring technologies.

In addition, the NHDES and EPANE support the following concepts and approaches that are reflected throughout this Agreement:

- Joint/Co-governance;
- Service to the public;
- Cooperation and coordination with other federal, state, regional, and local government agencies, as well as other essential project partners;
- Clearly-stated expectations;
- Innovative approaches and continuous improvement; and
- Activities that demonstrate measurable environmental improvements.

B. Roles/Contributions of Each Agency

NHDES and EPANE enter into this Agreement as full partners to implement the specific actions outlined within the limits of available resources. The Areas for Collaboration (presented in more detail in Section V) have been jointly agreed upon by NHDES and EPANE Senior Leadership and are open to review and amendment, as needed. Further, the NHDES and EPANE agree that this is intended to be a "living" document, and that the Senior Leadership Teams and other appropriate staff at the two agencies will maintain close communication throughout the three-year PPA period. They will do so through such mechanisms as Performance Partnership Grants (PPGs), Priorities & Commitments (P&C) Lists, detailed work plans from NHDES' Measures Tracking and Reporting System (MTRS) database, annual reporting via the P&C List and the MTRS database, and Areas for Collaboration-related annual reporting. Both agencies agree to participate in a joint annual evaluation process and to openly discuss progress and the need for any modifications or enhancements.

NHDES and EPANE will continue to work together to find ways to increase grant flexibility, reduce administrative oversight, spur innovation, streamline processes, and provide a better focus on environmental and public health outcomes. Budget cuts, both at the State and national levels, continue to make this a very challenging time for States and USEPA to meet agreed upon goals. Flexibility in grant usage remains especially important, when federal and state funding is simply not keeping pace with steadily increasing program costs. While one of the key advantages of a Performance Partnership Grant (PPG) is the ability to look at the grant funds in total, (and then direct them as appropriate to different programs and activities according to an assessment of state-specific and regional needs and priorities), it remains difficult to do so given the current tight budget situation.

Through the PPA and PPG frameworks, the NHDES and EPANE have experienced improved communication amongst and between NHDES leadership, program managers, and financial staff. Each year, NHDES strives to become more effective at managing its many environmental programs within a challenging PPG environment. This includes having a representative on the Environmental Council of the States (ECOS) Planning Committee State Grants Subgroup that makes recommendations to streamline federal grant awards, reduce redundant reporting requirements, and improve program efficiencies. NHDES and EPANE staff will continue to engage in productive and on-going discussions regarding state and federal priorities in order to maintain an effective framework for putting limited dollars to the most important priorities.

C. Strategic Investment/Disinvestment

EPANE continues to shift away from a time when it unilaterally leads the conversation on issues and possible solutions and towards a more collaborative, partnership effort (*i.e.*, joint governance) where EPANE and the New England states pool their expertise, insights, and resources and work together with the states to protect the environment and public health in New England.

In past Agreements, EPANE Senior Leadership and the Commissioners of the New England state environmental agencies periodically entered into specific negotiations around high-priority and/or major shifts (*i.e.*, strategic investments and disinvestments) in commitments in order to provide flexibility to direct resources to their most critical environment and public health needs. To date, the strategic investment/disinvestment work has given state partners the flexibility to identify priority investments and disinvestments to support the most critical environmental and public health priorities—operationalizing NEPPS in a new way.

While the development of the FFY 2019 - 2021 PPA did not entail a separate strategic investment/disinvestment exercise, this general approach is well embedded in the process for identifying potential Areas for Collaboration ([see Section V](#)). It is also integral to the process of negotiating the two-year P&C Lists and the comprehensive work plans generated through the NHDES' Measures Tracking and Reporting System (MTRS) Database.

III. NHDES and EPANE - Strategic Priorities

In this section, summarized versions of the NHDES and EPANE Strategic Priorities and Plans are provided. More detailed versions of the current NHDES and EPANE Strategic Plans are presented in the Appendices to identify the current environmental goals of both agencies.

A. NHDES' Strategic Priorities

While the *2010-2015 NHDES Strategic Plan* is in the process of being updated, the current version remains in full force and continues to be based on NHDES' steadfast commitment to its mission of sustaining a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire. The full strategic plan is available in [Appendix A](https://www.des.nh.gov/organization/commissioner/strategic-plan/documents/sp-package.pdf) at: [des.nh.gov/organization/commissioner/strategic-plan/documents/sp-package.pdf](https://www.des.nh.gov/organization/commissioner/strategic-plan/documents/sp-package.pdf). Once the NHDES Strategic Plan has been updated, it will be posted to the NHDES website at: <https://www.des.nh.gov/organization/commissioner/strategic-plan/index.htm>.

The current plan contains seven goals, thirty sub-goals, and a number of possible actions that could help achieve these goals. The first two goals relate to two overarching environmental challenges that we continue to face -- energy use/climate change and the sustainable use of the state's natural resources - - and provide additional lenses through which we must view all of our existing work and programs. The other five goals relate to the steps we must undertake in order to better equip NHDES and the people of the state to meet the environmental and public health challenges of the 21st century.

The agency remains hard at work ensuring high levels of water quality for water supplies, ecological balance, and swimming, fishing, and boating. It also continues to protect the air, clean up contaminated sites, foster the proper management of municipal and industrial wastes, and manage water resources for future generations.

Challenges exist amidst a growing list of increasingly complex and costly public health and environmental issues such as the extensive, ongoing effort to address polyfluoroalkyl substances (PFAS) in drinking water (*e.g.*, Perfluorooctanoic Acid [PFOA] and Perfluorooctanesulfonate [PFOS]) for a number of affected communities, lowering the arsenic drinking water standard from ten parts per billion (ppb) to five, as well as ongoing activities related to climate change, and the significant challenges that lie ahead for maintaining and upgrading our drinking water, wastewater treatment and dams infrastructure. Operationally, the agency is also faced with a number of significant rule updates and ongoing data management and system improvements, all of which are time-consuming undertakings.

2010 - 2015 NHDES Strategic Plan - Goals & Sub-Goals Only

Goal 1: NHDES and its partners are addressing climate change through effective mitigation and adaptation strategies and efforts to foster the transition to a clean energy economy.

- 1.1 NHDES will work in partnership with other state agencies to incorporate climate change mitigation and adaptation strategies into state operations.

- 1.2 NHDES will work in partnership with state, regional, and national organizations to integrate and coordinate mitigation and adaptation efforts.
- 1.3 NHDES will monitor, inventory and report climate change emissions and impacts.
- 1.4 NHDES will conduct comprehensive mitigation and adaptation education and outreach.

Goal 2: NHDES and its partners are effectively protecting NH's natural resources, which contribute to our high quality of life, as the state continues to grow.

- 2.1 NHDES and its partners will strive for efficient land use and development patterns that reduce energy use, support sustainable use and conservation of natural resources, and maintain a viable working landscape.
- 2.2 NHDES and its partners will work to maintain natural resource functions and promote sustainable use of natural resources.
- 2.3 NHDES will promote source reduction, and the reuse and recycling of solid waste to optimize the efficient use of natural resources.

Goal 3: NHDES employs integrated pre-application, permitting, inspections, and enforcement approaches across all of its programs, and operates in a cooperative and integrated manner with its sister local, regional, state, and federal agencies.

- 3.1 NHDES will conduct unified and coordinated education and inreach/outreach.
- 3.2 NHDES will conduct unified and coordinated pre-application assistance, licensing, permitting, and planning.
- 3.3 NHDES will conduct unified and coordinated inspections and enforcement.

Goal 4: NH's environment is improving, with NHDES remaining focused on environmental results and reporting them in an understandable and transparent manner.

- 4.1 NHDES will develop well-defined environmental outcomes and indicators.
- 4.2 NHDES will tie data collection, analyses and reporting to current environmental goals and objectives.
- 4.3 NHDES will develop and use adequate means and clear documented methods for environmental monitoring.
- 4.4 NHDES will regularly share environmental information and trend analyses internally, as well as with and among local, state, and federal agencies, outside organizations, and the general public.

Goal 5: Environmental compliance is high in New Hampshire, supported by education, partnerships, environmental stewardship, and enforcement.

- 5.1 NHDES will strive to increase environmental knowledge and awareness and instill a stronger sense of environmental stewardship in the public at large.

- 5.2 NHDES will optimize use of alternative compliance assurance mechanisms, models, and approaches.
- 5.3 NHDES will conduct formal enforcement processes that are timely, relevant, and effective.
- 5.4 NHDES will increase the knowledge of regulators and the regulated community, thereby reducing the need for enforcement, not just the amount of enforcement.
- 5.5 NHDES will encourage environmental behavior that is above and beyond minimum compliance.

Goal 6: NHDES provides high-quality customer service.

- 6.1 NHDES will provide prompt, knowledgeable, consistent, fair, and clear responses to inquiries from customers.
- 6.2 NHDES will ensure easy access to information and maintain a proactive approach to information dissemination.
- 6.3 NHDES will ensure that it has the customer feedback information it needs to continuously improve customer service.
- 6.4 NHDES will place a high value on, and take pride in, providing top-notch customer service.
- 6.5 NHDES will strive for a strong customer-centric, continuous improvement ethic that pervades all Department operations.

Goal 7: NHDES is one of the most desirable employers in state government.

- 7.1 NHDES will encourage and support the career development of its employees.
- 7.2 NHDES will support the professional needs and health and well-being of its employees.
- 7.3 NHDES will demonstrate that it has earned the public's trust and the employees' pride.
- 7.4 NHDES will be an environmental leader in all of its operations.
- 7.5 NHDES will endeavor to recruit and retain the highest caliber and environmentally-committed staff.
- 7.6 NHDES will employ practices that ensure institutional knowledge transfer for a stable, lasting, and well-integrated organization.

B. EPANE's Strategic Priorities

EPA's Strategic Plan charts the course for advancing EPA's priorities and mission to protect human health and the environment. The FFY 2018 - 2022 EPA Strategic Plan ("EPA Plan") was developed in accordance with the Government Performance and Results Modernization Act of 2011, and identifies the measurable environmental and human health and outcomes the public can expect during the period from 2018 - 2022 along with describing how EPA intends to achieve those results. The EPA Plan represents a commitment to core values of science, transparency, accountability and the rule of law in managing environmental programs.

The EPA Strategic Plan identifies three strategic goals to guide EPA's work, along with supporting Objectives under each of the key goals:

- Goal 1: Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety;
 - Objective 1.1 – Improve Air Quality
 - Objective 1.2 – Provide for Clean and Safe Water
 - Objective 1.3 – Revitalize Land and Prevent Contamination
 - Objective 1.4 – Ensure Safety of Chemicals in the Marketplace

- Goal 2: Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people;
 - Objective 2.1 – Enhance Shared Accountability
 - Objective 2.2 – Increase Transparency and Public Participation

- Goal 3: Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.
 - Objective 3.1 – Compliance with the Law
 - Objective 3.2 – Create Consistency and Certainty
 - Objective 3.3 – Prioritize Robust Science
 - Objective 3.4 – Streamline and Modernize
 - Objective 3.5 – Improve Efficiency and Effectiveness

The EPA Strategic Plan highlights the importance of environmental justice, continuing to focus on urban, rural, and economically disadvantaged communities, to ensure that everyone, regardless of age, race, economic status, or ethnicity, has access to clean water, clean air, and the opportunity to live, work, and play in healthy communities. In addition, the Plan also includes EPA’s Agency Priority Goals (APG), a component of the Administration’s performance management framework which supports improvement in near-term outcomes related to the Strategic Plan. More information on the Agency’s APGs is available at <https://www.performance.gov/>. EPA’s FFY 2018 – 2019 Agency Priority Goals include the following:

- APG-1: Improve air quality by implementing pollution control measures to reduce the number of nonattainment areas;
- APG-2: Empower communities to leverage EPA water infrastructure investments;
- APG-3: Accelerate the pace of cleanups and return sites to beneficial use in their communities;
- APG-4: Meet new statutory requirements to improve the safety of chemicals in commerce;
- APG-5: Increase environmental law compliance rate;
- APG-6: Accelerate permitting-related decisions.

C. Environmental Equity/Justice in New Hampshire

The New Hampshire Department of Environmental Services, through the FFY 2019 - 2021 Performance Partnership Agreement, continues to ensure that environmental justice is an integral consideration in the development and implementation of all of its programs. New Hampshire is committed to the fair treatment of all of its citizens. Article 1. of the New Hampshire Constitution - [Equality of Men (*People*); Origin and Object of Government.] states that “All men (*people*) are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for

the general good.” [Art.] 2. [Natural Rights.] goes on to state that “All men (*people*) have certain natural, essential, and inherent rights - among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property; and, in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin.” It is these laws that lead NHDES to establish its Environmental Justice (EE/EJ) policy.

NHDES’ Environmental Equity Policy: One of the NHDES Guiding Principles (see: <http://des.nh.gov/organization/commissioner/strategic-plan/documents/des-mission-guiding-princ.pdf>), includes affording fair and equitable treatment of all New Hampshire citizens in the implementation of federal and state environmental laws, rules, programs, and policies, and in the management of the agency. In our Public Participation Policy, we state “NHDES will strive to ensure fair and equitable treatment of all New Hampshire citizens as it invites public participation in the implementation of state environmental statutes, rules, programs, and policies.”

The above statements guide the Environmental Equity/Environmental Justice (EE/EJ) work that we do. There is a growing body of evidence that suggests that, in certain instances around the country, minority and lower income citizens or neighborhoods or communities have faced an inequitable share of the risks associated with environmental hazards. The core issue is the fairness in siting, monitoring, and/or clean-up of facilities and the regulation of activities that represent environmental hazards. The documentation on this issue suggests that for a variety of reasons, not necessarily discriminatory by intent, minority and lower income populations have sometimes borne a disproportionate share of the risks from activities which cause air, water, or soil pollution.

Much of our EE/EJ community considerations are based on communities that are socially- and economically-vulnerable. NHDES recognizes that New Hampshire’s demographics continue to change. It appears that the State’s minority populations are mostly integrated into our larger municipalities and may not represent a significant at-risk demographic from external environmental hazards. However, there may also be exposure to toxic air pollutants from small sources such as auto body shops and dry cleaners, as well as exposure to particulate matter (PM2.5) from automobile and truck traffic. Additional issues, such as poor-quality housing, exposure to lead paint, pests and other issues facing our minority communities are addressed by programs within the New Hampshire Department of Health and Human Services (NHDHHS) and local health officials. We continue to stay informed of those programs’ activities, and collaborate whenever issues overlap between our agencies.

In some of the State’s rural communities, there are populations that are economically- and socially-vulnerable. EE/EJ considerations are addressed by looking at state economic data and by using the Environmental Protection Agency’s EJ data. NHDES regularly holds public information meetings so that residents can better understand proposed permits or modifications to permits. An example of this follows:

NHDES applies its Environmental Justice policy to the review of a landfill permit application / modification.

“The NHDES Environmental Equity Policy directs the agency to recognize and consider the fact that areas predominantly occupied by minority and low income populations historically have faced an inequitable share of risks for environmental hazards. The Environmental Equity Policy establishes a

guiding principle for NHDES decisions. In applying this guiding principle during review of a Title V operating permit application; NHDES compared the economic demographics in Bethlehem to those in other NH communities, using data published by the NH Department of Employment Security, available on that agency's website. According to the data, the median income and percentage of population living below the poverty line in Bethlehem does not differ significantly from other communities in NH. Additionally, according to United States census data and data provided on the EPA Environmental Justice website, minority populations are not concentrated in Bethlehem. Therefore, a landfill located in Bethlehem does not place an inequitable risk on low income or minority populations."

Although the residents of Bethlehem were not considered facing an inequitable risk, NHDES hosted a number of public information meetings. At these meetings, NHDES brought representatives from its Air Resources, Water, and Waste Management Divisions so that all community concerns could be addressed. NHDES staff also worked with the NHDHHS to conduct further health analyses to better understand and research any additional health burdens of concern to the Bethlehem residents. Those data indicated that the health issues of concern were not at elevated levels compared to other communities in New Hampshire.

Key Project Areas – Looking Ahead:

1. *EE/EJ Integration*– Work with EPANE and the entire Agency to help EPANE and NHDES to integrate EE/EJ into everything they do, cultivate strong partnerships to improve on-the-ground results, and chart a path forward for achieving better environmental outcomes and reducing disparities in the nation's most overburdened communities.
2. *EJSCREEN* – Where appropriate, use EJSCREEN, EPANE's mapping and screening tool, to help to identify target communities and issues.
3. *Climate Justice* – Work to comply with state and federal climate policies to achieve strong but achievable standards to cut the carbon pollution that is driving climate change and to prepare communities for the impacts of climate change. NHDES will work with its stakeholders to provide the necessary outreach to make members of the EE/EJ community aware of its policies and opportunities to become more resilient.
4. *Resiliency Programming* – In our current work focused on climate change, we are working with partner organizations to assess mobile home vulnerability to flooding in the coastal region and Upper Connecticut River Valley. NHDES will also continue to collaborate with our climate change adaptation workgroup partners in planning workshops and providing outreach materials to EE/EJ communities about climate change and its impacts.
5. *Title VI and Limited English Proficiency* – NHDES will continue to work to better ensure that it, as well as its sub-recipients, comply with Title VI of the Civil Rights Act of 1964 as well as the Limited English Proficiency (LEP) Requirements of [Executive Order 13166](#). Currently, only a small handful of NHDES staff is available to assist LEP-customers on a voluntary basis, and the department generally has limited resources in this area. The short list of staff who can assist LEP-customers on a limited basis is available on the NHDES Intranet Site. The "Google Translate" feature is presented at the bottom of most pages on the NHDES website, and an "Application for Asbestos

Abatement Worker Certification Form” is available online in Spanish. NHDES is working to assess the need for other forms and fact sheet translations to better address LEP-customer needs.

6. *Solid and Hazardous Waste* – Continue to work to ensure fairness in siting, monitoring, and/or clean-up of facilities and the regulation of activities that represent environmental hazards.
7. *Title V/Major New Source Review Permitting Programs* – Work with Prevention of Significant Deterioration (PSD) permit applicants to address potentially disproportionately high and adverse impacts to low income or minority communities during the permit process as part of an EE/EJ analysis. Also, continue to promote public involvement, particularly for major permitted activities that may significantly impact overburdened communities.
8. *Polyfluoroalkyl Substances (PFAS) in Drinking Water* – NHDES will continue to work with EPANE to support communities and public water systems and take the appropriate steps to reduce exposure to these contaminants. Even though the communities affected by PFOA and PFOS may not trigger the definition of an EE/EJ community, NHDES has been actively convening public information meetings, sharing sampling results, and supporting the distribution of bottled water to those communities affected by these emerging contaminants.

IV. Grants Management

A. Budget Narrative

This Performance Partnership Agreement (PPA) covers federal fiscal years 2019 - 2021 (October 1, 2018 to September 30, 2021). The PPA, together with work plans (as represented by the associated P&C Lists and the related comprehensive NHDES work plans), sets forth the goals, sub-goals, objectives, programs, activities, deliverables, and measures of progress to address the full range of cooperative federal-state environmental programs under the Department's jurisdiction. The Performance Partnership Grant (PPG) is a key vehicle for implementing the Agreement, in combination with other federal, state, and fee-based funding sources. The PPG currently combines the following federally-funded programs:

- Air Pollution Control - Clean Air Act, Section 105
- Hazardous Waste Program - Resource Conservation and Recovery Act, Section 3011
- Underground Storage Tank Program - Solid Waste Disposal Act, Section 9010
- Public Water Supply Supervision - Safe Drinking Water Act, Section 1443(a)
- Underground Injection Control Program - Safe Drinking Water Act, Section 1443(b)
- Water Pollution Control - Clean Water Act, Section 106
- Nonpoint Source Management - Clean Water Act, Section 319
- Beaches Environmental Assessment and Coastal Health Act, Section 406
- Multipurpose grants to states and tribes, Consolidated Appropriations Act, 2016 (Public Law 114-113)

The Agreement and the associated work plans also include additional non-PPG funded work that is necessary to accomplish the environmental and public health goals set forth in the Department's and EPANE's Strategic Plans. NHDES and EPANE will continue to explore opportunities for grant efficiencies, and measurement of environmental results.

Consistent with EPA Grants Policy Issuance *GPI 12-06, Timely Obligation, Award, and Expenditure of USEPA Grant Funds*, for multi-year awards, NHDES should apply for the total amount of funds expected for the period covered by the award and include any required match in the application. The work plan should also cover the same time period. USEPA will fund the application incrementally as funds become available.

To be allowable under federal awards, costs must meet the following general criteria, found in 2 CFR Part 200 (Subpart E), *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Award*:

- Be necessary and reasonable for proper and efficient performance and administration of federal awards;
- Be allocable to federal awards under the provisions of this Circular;
- Be authorized or not prohibited under State or local laws or regulations;
- Conform to any limitations or exclusions set forth in these principles, federal laws, terms and

conditions of the federal award, or other governing regulations as to types or amounts of cost items;

- Be consistent with policies, regulations, and procedures that apply uniformly to both federal awards and other activities of the governmental unit;
- Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the federal award as an indirect cost;
- Except as otherwise provided for in this Circular, be determined in accordance with generally accepted accounting principles;
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior period, except as specifically provided by federal law or regulation See also § 200.306 Cost sharing or matching paragraph (b);
- Be the net of all applicable credits; and
- Be adequately documented. See also 2 CFR §§ 200.300, *Statutory and National Policy Requirements* through §200.309, *Period of Performance of this Part*.

B. Federal Regulations and Key Policies

All categorical environmental state grants, including PPGs, are governed by [40 CFR Part 35](#), State and Local Assistance, Subpart A, Environmental Program Grants (commonly referred to as Part 35); and all state grants are subject to 40 CFR Part 31, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*; all grants and agreements are also subject to 2 CFR Part 200 and 2 CFR Part 1500, Subpart E, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. PPGs and PPAs do not supersede any laws, regulations, or delegation agreements.

Some environmental program grants are awarded through a competitive process. An applicant and the Regional Administrator may agree to add funds available for a competitive grant to a PPG. If this is done, the work plan commitments that would have been included in the competitive grant must be included in the PPG work plan. After the funds have been added to the PPG, the recipient does not need to account for these funds in accordance with the funds' original environmental program source, but remains accountable for delivering on work plan commitments.

Programmatic requirements. In order to include funds from an environmental program grant listed in §35.101 of this subpart in a PPG, applicants must meet the requirements for award of each of the environmental programs from which funds are combined in the agency's PPG, except the requirements at §35.268(b) and (c), 35.272, and 35.298 (c), (d), (e), and (g). These requirements can be found in the CFR beginning at §35.140.

PPG work plans are subject to the same requirements as any other grant work plan. The requirements can be found at [40 CFR 35.107](#). An approvable work plan must specify the following:

- The work plan components to be funded under the grant;
- The estimated work years and the estimated funding amounts for each work plan component;
- The work plan commitments for each work plan component and a time frame for their

accomplishment;

- A performance evaluation process and reporting schedule in accordance with 40 CFR 35.115; and
- The roles and responsibilities of the recipient and USEPA in carrying out the work plan commitments.

The work plan must also be consistent with applicable federal statutes, regulations, circulars, Executive Orders, and USEPA delegations, approvals, or authorizations. The PPA or portion thereof that serves as a grant work plan must meet the same work plan requirements as for any state program grant. The portion(s) of a PPA that serve as a work plan must be clearly identified and distinguished from the rest of the PPA. The regulation at [40 CFR 35.107\(c\)](#) states:

“An applicant may use a Performance Partnership Agreement or a portion of a Performance Partnership Agreement as the work plan for an environmental program grant if the portions of the Performance Partnership Agreement that serve as all or part of the grant work plan: (1) Are clearly identified and distinguished from other portions of the Performance Partnership Agreement; and (2) Meet the requirements in §35.107(b). A PPG work plan should be the product of joint planning, priority setting and mutual agreement between the state and USEPA. The PPG grant work plan is the result of negotiations between USEPA and state program managers and staff. Successful PPG work plan negotiations rely on a predictable process that fosters prompt resolution of issues, including elevation of issues to senior management levels if necessary. In successful work plan negotiations USEPA and the state will reach a mutual understanding and agreement about what will be accomplished under the agreement.”

Opportunities for Grant Process Streamlining (GPI 12-06, Timely Obligation, Award, and Expenditure of USEPA Grant Funds):

- ***Estimating Budgets:*** Consistent with applicable National Program Managers (NPM) Guidance, USEPA should request States to develop and/or submit their work plans and applications based on the previous year’s award amount or the amount derived from the President’s budget, whichever is higher. If amounts based on the President’s budget are not known, negotiations should be based on the previous year’s award amount.
- ***Focus Negotiations on New Priorities:*** Assuming that the level of funding is not significantly different from the previous year’s grant amount, the primary focus of work plan negotiations should be on new priorities consistent with applicable NPM guidance. Less emphasis should be placed on negotiating recurring activities/commitments where there is a satisfactory record of grant performance.
- ***Multi-Year Grant Awards:*** For multi-year grant awards, applicants should apply for the total amount of funds expected for the period covered by the award and include any required match in the application. The work plan should also cover the same time period. USEPA will fund the application incrementally as funds become available.
- ***Pen and Ink Changes:*** If the final amount of funding is lower than the amount applied for, Regions will work with States to identify necessary changes. The State will not need to submit a revised

work plan or new application. Regions will document and date through pen and ink changes/email correspondence, agreed-upon revisions to the work plan, budget narrative, and application forms.

Environmental Results (USEPA Order 5700.7, Environmental Results Under USEPA Assistance Grants)

[USEPA Order 5700.7A1](#) directs program offices to ensure that the work plan contains well-defined outputs and outcomes. For state assistance agreements under 40 CFR 35, Subpart A, program offices may satisfy this requirement by ensuring compliance with 40 CFR 35.107 as stated above. Prior to approving an assistance agreement work plan, program offices must ensure that they can link the work plan to USEPA's Strategic Plan architecture.

The term "output" in USEPA Order 5700.7A1 means an environmental activity, effort, and/or associated work product related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

The term "outcome" means the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative and may not necessarily be achievable within an assistance agreement funding period. Note: These terms and their uses are similarly defined in 40 CFR 35.102.

C. Range of Activities

NHDES will use the PPG, subject to the requirements below, to fund any activity that is eligible for funding under at least one of the environmental programs from which funds are combined into the grant.

NHDES will use the PPG to fund multi-media activities that are eligible and have been agreed to by the Commissioner and the Regional Administrator. The range of activities vary as needed by program, but may include staff time for program design and implementation to achieve measurable environmental and public health results. Examples of activities include multi-media permitting and enforcement; pollution prevention, sampling, analysis, ecosystem management, community-based environmental protection, and/or other innovative approaches and activities.

D. Work Plan Development Process

The detailed work plan (which in NH is formed through the combination of the P&C List, a comprehensive work plan generated from the NHDES Measures Tracking and Reporting System [MTRS], and other separate grant work plans, a significant portion of which is funded with USEPA dollars through the PPG and other funding sources), is the result of a robust negotiations process between NHDES and EPANE Senior Leadership and Program Managers. These work plan-level negotiations are first kicked-off by EPANE via the P&C List process, which is negotiated in partnership with NHDES. NHDES and EPANE

Managers and staff jointly review and modify the P&C List until the document is finalized with a sign-off by the EPANE Regional Administrator. In NH, all agreed upon USEPA-funded work plan items (especially those negotiated via the P&C List), as well as many other non-USEPA funded activities throughout NHDES, are “driven” into the department’s Comprehensive Work Plan, which is developed via the MTRS database.

Starting in FFY 2016, USEPA released a two-year NPM Guidance planning process and encouraged the Regions and the States to move towards multi-year work plans. In FFY 2016 and FFY 2017, EPANE and the Region I States agreed to pilot an on-line (via a Microsoft SharePoint site), two-year P&C List process for documenting negotiated PPG commitments. Under this approach, which continues to this day, there is an expectation that the negotiated work plan commitments will cover a two-year period absent changed circumstances, as defined below. The benefits of this approach include minimizing/eliminating the need for extensive work plan negotiations at the mid-point of a two-year cycle, with recurring commitments from year one typically carrying over into year two. This approach should also better align the priorities communicated through the NPM and individual programmatic grant guidances with the commitments and flexibilities negotiated in grant work plans.

Adjustments to year-two commitments will be necessary if there are changed circumstances such as changes in Administrator/NPM priorities, revisions required by USEPA’s Annual Commitment process, a substantial reduction or increase in USEPA funding, and similar issues experienced at the state levels.

E. Reporting & Measures for Evaluating Performance

For this Agreement, the Department will continue to produce regular (at least annual) status reports for the elements outlined in the P&C Lists, and status reports for identified Areas for Collaboration. NHDES and EPANE agree to meet as needed to discuss progress and address any areas of concern. NHDES staff will continue to produce progress reports through the MTRS database, and will make these available to EPANE. NHDES will also utilize its web-based Environmental Dashboard to record environmental changes - See <http://www4.des.state.nh.us/NHEnvironmentalDashboard/>.

NHDES annual assessments (also known as “End-of-Year” Progress Reports) will strive to summarize results, track progress on identified P&C List Commitments, and Areas for Collaboration, identify areas where progress met or exceeded expectations, as well as areas where there may have been difficulty in achieving projected outcomes.

NHDES and EPANE agree to develop (and to continuously improve) a process for jointly evaluating and reporting progress and accomplishments that comply with 40 CFR Part 31.115.

V. Areas for Collaboration

A. Areas for Collaboration Development Process

Both NHDES and EPANE have very broad and challenging missions to help ensure a high quality of life for all in New Hampshire and the New England Region. The programs, laws, rules, and regulations set up to protect the environment and public health, and the grants, loans, and technical assistance provided to the many environmental partners and stakeholders, are all necessary to meet the agencies' complementary missions.

Despite many environmental and public health success stories over the last 50 years, much work still remains to be done. This essential core agency work (which is captured in detail within EPANE P&C List and the NHDES Comprehensive Work Plan) is typically in the form of:

- Environmental monitoring and sampling;
- Permitting and mitigating environmental impacts;
- Training, licensing, and monitoring third-party professionals;
- Facility and site inspections/investigations;
- Emergency response for floods and hazardous material spills;
- Grants/Loans;
- Education, outreach, technical, permitting and compliance assistance to many constituents;
- Technical and policy research;
- Legislation and rulemaking;
- Administrative and regulatory process improvements;
- Special projects and initiatives; and when necessary
- Enforcement actions.

As has been common practice, at the beginning of each new Performance Partnership Agreement planning cycle, the NHDES and EPANE Senior Leadership Teams compare notes about the funding, programmatic, and environmental challenges that lie ahead, as well as discuss possible Areas for Collaboration (AFCs) to include in the upcoming Agreement. Potential AFCs are identified directly by senior leadership and also provided to them by staff for their consideration. The concept of including a small number of AFCs in each multi-year PPA was introduced several PPA planning cycles ago, and this positive practice has continued.

The criteria used to select a short-list of specific AFCs for inclusion in a PPA has been refined over time. Areas for Collaboration that meet most or all of the criteria listed below have the best chance of being successfully addressed by both agencies. The following is a list of some of the considerations the "ideal" AFC should address in order to ensure its success:

- A pressing (and/or uniquely complex) environmental challenge. For instance,
 - A toxic material;
 - A sector of concern;
 - A sensitive geographic area; or
 - A regional issue such as stormwater, exotic aquatic or terrestrial invasive species, etc...

- A programmatic/process area in need of improvement. For example,
 - LEAN/continuous improvement for a permitting or enforcement process;
 - An alternative compliance strategy;
 - Work-sharing opportunity; or
 - An *E-Enterprise for the Environment*/Information Technology focus.
- An issue/problem that is “stuck,” and will not get “unstuck” unless both agencies collaborate.
- An issue/problem that requires focused attention, engagement, and leadership from both agencies.
- An issue/problem where there is mutual interest!
- Resolution of the issue/problem leverages the time/resources/talents of others.
- All parties to bring their resources/capacities to the table (*i.e.*, collective impact).
- The issue/problem selected should be something where there is a good opportunity and a good chance of success. That is, avoiding areas/issues that are just not “fixable.”
- An issue that is well-defined, appropriately-bounded, and where measures of success have been identified.
- Whatever issue/problem that is selected should be “adaptive management-friendly.”
- The selected issue/problem should be something that is not “just going to happen anyway.”
- The selected issue/problem should be multi-year and multi-media.
- The selected issue/problem should lend itself to tangible work tasks that are “driven” into the EPANE Priorities & Commitments List (and also NHDES’ Measures Tracking & Reporting System Database), thus building accountability by documenting the commitments in writing.
- Whatever issues/problems get selected, the Senior Leadership Teams of both agencies need to stay in close contact with one another through regular communication and progress updates.

Section B. below includes write-ups for the six Areas for Collaboration, as selected by the NHDES and EPANE Senior Leadership Teams. The AFCs for the FFY 2019 - 2021 Agreement are as follows:

1. [Climate Change Resiliency](#);
2. [Joint Lean/E-Enterprise for the Environment Projects](#);
3. [Permitting of Great Bay](#);
4. [Explore National Pollutant Discharge Elimination System \(NPDES\) Delegation](#);
5. [Emerging Contaminants: Per- and Polyfluoroalkyl Substances \(PFAS\)](#); and
6. [Evaluating Phosphorus and Nitrogen Reduction Credits for Selected Enhanced Non-structural BMPs: Leaf Litter Collection Expert Panel Process](#)

The AFC write-ups provided below include:

- A brief description of the issue/challenge;
- The relevant NHDES and EPANE management and technical staff contacts;
- A description of what a successful environmental, public health, or efficiency outcome looks like;
- Proposed major milestones and/or action steps (with estimated deadlines, where available); and
- Anticipated resource needs or constraints, as well as any known barriers or major disinvestments required.

In order to maintain a high level of attention on the new AFCs, and to gain the greatest benefits of a cooperative, problem-solving approach, close communication between both agencies is necessary throughout the Agreement period. Appropriate staff from the two organizations will provide coordinated, narrative updates to senior leadership at least annually to ensure that desired progress is

being made on the selected AFCs. At the end of each year, the Areas for Collaboration will be reviewed and amended, as necessary.

It should be emphasized that exclusion of a particular issue or program area from the “Areas for Collaboration” section does not indicate a low priority or that significant work is not being accomplished in that area. All core NHDES and EPANE services are ongoing and remain essential to protecting the environment and public health in New Hampshire and in New England.

The separate, but closely-related Priorities and Commitments Lists and NHDES Comprehensive Work Plans that will be developed under the authority of the over-arching PPA during FFY 2019 - 2021 will document in writing the specific work tasks associated with each of the Areas for Collaboration, as well as many other critical, ongoing work tasks across a wide range of program areas and issues.

B. Description of Areas for Collaboration

1. Climate Change Resiliency

Description of Issue/Challenge:

New Hampshire continues to be impacted by extreme weather events across the state. Our municipalities, residents and economy are already experiencing impacts from these extreme events. NHDES works closely with other state agencies (*e.g.*, Homeland Security and Emergency Management, Department of Transportation, Department of Health and Human Services, Fish and Game, Office of Strategic Initiatives, Department of Administrative Services, Department of Natural and Cultural Resources, etc.) as well as municipalities and universities across the state to address the impacts from these events. NHDES has a responsibility to respond to these changing environmental conditions in order to reduce the risk to New Hampshire's residents, visitors, communities, and natural resources.

NHDES/EPANE Technical and Senior Leadership Contacts:

NHDES Technical Contacts: Christopher Skoglund - Energy Efficiency/Sherry Godlewski - Resilience

USEPA Technical Contacts: Cynthia Greene/Jean Brochi

NHDES Senior Leadership Contacts: Clark Freise/Division Directors

USEPA Senior Leadership Contacts: Lynne Hamjian/Kenneth Moraff

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- Continued collaboration with EPANE to share successes and lessons learned;
- Continued collaboration with other state agencies to ensure limited resources are used as efficiently as possible;
- Continued collaboration within NHDES programs to ensure that the agency's outreach & education activities, loan and grant programs, rules & regulations, and public policy positions account for changing climate and environmental conditions;

- Continued education and engagement with communities to help respond to changing environmental conditions.

Proposed Major Milestones/Action Steps (w/ estimated deadlines):

Since these changing environmental conditions are going to continue, we plan to continue this work into the future with no specific deadlines.

- EPANE hosts quarterly Resilience Conference Calls;
- NHDES staff participates in quarterly EPANE Resilience Conference Calls;
- On an ongoing basis, NHDES will keep EPANE up-to-date with agency efforts including, but not limited to:
 - o New England Governors and Eastern Canadian Premiers (NEG/ECP) activities;
 - o Resiliency efforts and activities with communities; and
 - o NHDES integration of resiliency and clean energy and energy efficiency into our programs.

Note: NHDES’ internal climate change integration efforts will continue on an ongoing basis and include consideration of wastewater treatment and drinking water facility upgrades, nutrient loading and stormwater, as well as other core program areas being impacted by extreme weather events and changing environmental conditions.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

Necessary resources include staff time for meetings, educational events, and collaboration.

2. Joint Lean/E-Enterprise for the Environment Projects

Description of Issue/Challenge:

Today’s environmental challenges continue to increase in complexity while resources have either been static or declining. EPANE’s and NHDES’ ability to respond creatively, flexibly, and effectively will demand new, cooperative approaches to problem-solving, and the use of new tools, techniques, and technologies. Both agencies will support these efforts by using Lean (and similar) continuous process improvement tools and the *E-Enterprise for the Environment (E-Enterprise)* framework, as has been agreed upon by USEPA, the Environmental Council of the States (ECOS), and NHDES. Lean government enables state and federal environmental agencies to work more effectively and efficiently by reducing or eliminating waste within government processes. Many agencies, including NHDES and EPANE, are using Lean improvement methods to improve the quality, cost effectiveness, service delivery, transparency, and the speed of their processes, all without compromising the protection of public health and the environment.

E-Enterprise, a high-profile, national collaborative between state environmental agencies, tribes, and USEPA, is focused on modernizing the business of environmental protection. By streamlining business processes and leveraging technology under joint governance, the *E-Enterprise* Leadership

Council hopes to enable improved environmental results, better service to the regulated community and the public, and increased productivity. There are many savings and benefits to this approach that can be gained by:

- Streamlining regulatory processes which enable smarter automation;
- Developing federal enterprise systems as alternatives to maintaining the full suite of existing custom applications; and
- Facilitating the sharing of other state or tribal information systems.

Prior to the beginning of each federal fiscal year, NHDES and EPANE will identify one or more issues/processes in each of the program areas that would benefit from jointly-governed continuous process improvement efforts. NHDES and EPANE staff will jointly select the most promising ones to work on, get confirmation from the Senior Leadership Teams of both agencies, and will engage in joint Lean exercises or other similar efforts to identify opportunities to improve environmental and public health outcomes by finding efficiencies within existing processes.

Over the past several years, NHDES and EPANE have conducted several successful joint Lean projects, including the improvement of the Performance Partnership Agreement and Priorities & Commitments List (*i.e.*, the work plan) development processes, as well as streamlining the State Implementation Plan review and approval process. The success of these projects bodes well for our future work together.

During the FFY 2019 – 2021 timeframe, one joint Lean project NHDES and EPANE have agreed to conduct is a Lean event focused on the annual progress reporting for the PPG. In today's current environment of more limited resources and increased accountability, we believe that Lean principles will help to develop a more efficient, defined process for the review and finalization of NH's annual PPA progress report and the adherence to a reasonable timetable. In addition, this Lean exercise will encourage increased communication and collaboration between EPANE and its partners to ensure that the annual progress report and joint-evaluation process meets everyone's needs across New England.

As part of their oversight authority, EPANE must ensure that the federal funding provided in NH's multi-million dollar Performance Partnership Grant (PPG) is used to accomplish the agreed-upon work plan deliverables, as stated in the Priorities & Commitments (P&C) List of their multi-year PPA. The annual PPA progress report is the main mechanism used to track and document the progress being made on these deliverables. Since there is robust utilization of PPGs in Region 1, and states include a number of different programs within their PPGs, the volume and complexity of deliverables is significant. Therefore, it has often taken longer for the states to produce the required annual reports and it has taken EPA Programmatic staff longer to review each state's annual report in a timely manner. The tracking of deliverables that "carry over" to the next year has also proved problematic.

NHDES/EPANE Technical and Senior Leadership Contacts:

NHDES Technical Contacts: Daniel Hrobak/NHDES Lean-Continuous Improvement Team/Vincent Perelli/Others (program/process dependent)

EPANE Technical Contacts: Linda Darveau/Elizabeth Deabay/Sandy Brownell/Jen Brady

NHDES Senior Leadership Contacts: Clark Freise/Division Directors (program/process dependent)

EPANE Senior Leadership Contacts: Deborah Szaro/Lynne Hamjian/Kenneth Moraff

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

If NHDES and EPANE were to undertake a future joint Lean / E-Enterprise project, potential measures of success could include:

- A shared understanding of the process;
- Reduced number of process steps;
- Reduced process complexity;
- Soft and hard time and/or dollar savings;
- Reduced staff and customer frustration;
- Improved morale; and
- Improved environmental and public health outcomes.

Proposed Major Milestones/Action Steps (w/ estimated deadlines):

In undertaking a future joint Lean / E-Enterprise project, the following milestones are possible:

- As part of the P&C List/Work Plan negotiations process, NHDES and EPANE staff (in collaboration with the other New England state environmental agencies) will select one or more Lean /E-Enterprise projects to undertake. This is repeated throughout the effective PPA period;
- Joint Lean meetings take place. For example, during FFY 2019 - FFY2021, one agreed upon joint Lean project will be focused on the annual progress reporting process associated with the PPG;
- Current and future state mapping is conducted & an implementation plan is drafted.
- Work is carried out based upon the implementation plan;
- Check-in meetings are held; and
- Results/process changes are documented and presented to senior managers and other affected parties.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Staff time and funding constraints;
- Difficulty in finding viable disinvestment targets (*i.e.*, flexibility) to allow Lean/E-Enterprise events to take place; and
- Various state and federal laws, rules, or policies may impede the implementation of certain recommendations.

Example: Time would be set aside from other tasks (on which it would be agreed to do less work) by both NHDES and EPANE staff in order to have time available to conduct a Lean event and follow-up implementation efforts.

3. Permitting of Great Bay

Description of Issue/Challenge:

The levels of nutrient and sediment loading into the Great Bay Estuary are high enough to cause problems, and the estuary exhibits many of the symptoms of human development in the watershed. In addition to implementing an “adaptive management approach” that will significantly reduce nutrient pollution over a prolonged period of time, it is also clear that the way forward on improving the health of the Great Bay Estuary is through collaborative science, intensive monitoring, reasonable regulation, and open dialogue. NHDES and EPANE are committed to these tenets and working with the communities in this fashion in the coming years.

Over the past decade, EPANE has been developing an approach to permitting nitrogen limits in NPDES wastewater permits for the facilities that discharge to the Great Bay estuary. The first efforts resulted in NPDES permits being issued to Exeter and Newmarket (both in 2013) with seasonal Total Nitrogen (TN) limits set at 3 mg/l (the “limit of technology”) and requirements for addressing nonpoint sources. Concurrent with permit development, Administrative Orders on Consent (AOCs) were negotiated with Exeter and Newmarket to provide the time needed for those communities to upgrade their plants, start looking at nonpoint issues, and allow for off-ramps to achieving effluent quality of 3 mg/l TN. At the same time, NHDES, Piscataqua Region Estuaries Partnership (PREP), and other agencies and organizations have been studying the impacts of nitrogen on the ecosystem. EPANE and NHDES, at the request of the other discharging communities, have been trying to find a way to integrate adaptive management into a permit rather than using an AOC to provide flexibility to the communities to reduce their impact on the estuary.

NHDES/EPANE Technical and Senior Leadership Contacts:

NHDES Technical Contacts: Ted Diers/Stergios Spanos/other staff as appropriate

EPANE Technical Contacts: Jackie Leclair/Ellen Weitzler/Mel Cote/Jean Brochi

NHDES Senior Leadership Contact: Clark Freise

EPANE Senior Leadership Contacts: Deborah Szaro/Kenneth Moraff/Water Permits Branch and Surface Water Protection Branch

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- Improved data on sediment, eelgrass health, and water quality parameters;
- Improved understanding of nutrients and sediment fate and transport;
- Identification of additional approaches to nutrient reduction and estuarine restoration; and
- Create a nitrogen permitting approach with the following qualities:
 - Science-based

- Flexible
- Recognizes the time frames involved in estuarine change
- Rigorous monitoring and evaluation
- Includes both point and nonpoint sources of pollution
- Transparent process
- Clear milestones
- Adaptive over time and changing conditions
- Avoiding legal challenges which paralyze the process and delay any progress that can be made in the immediate future.
- Get nitrogen out of Great Bay sooner rather than later (a pound of N removed today is better than a pound of N removed tomorrow)
- Clear process for when success of a restoration goal is achieved

Proposed Major Milestones/Action Steps:

- Meet to discuss monitoring priorities and resource allocations (Annually);
- Identify other EPA resources (*e.g.*, Narragansett Lab) which could potentially assist with studies and analyses (June 2019);
- Complete and implement adaptive management monitoring strategy (December 2019);
- Finalize adaptive nutrient management and permitting (Spring 2019);
- Identify scientifically-rigorous ways to track and allocate nutrient inputs and effects over time (Fall 2019);
- Conduct outreach with the regulated community, stakeholders and public about adaptive management approach (Ongoing);
- Implement approach through permits (Dec. 2019);
- Work across statutory programs (namely, NPDES and CWA 319 Nonpoint source)
- Track implementation and progress toward estuarine restoration (Ongoing); and
- Meet with experts to discuss development of an estuarine BCG to set a target condition and track progress (Spring 2019).

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

Work in Great Bay requires collaboration with a wide array of organizations and agencies. Nutrient permitting in the Great Bay estuary has been, and will likely continue to be, a controversial issue. Great Bay has been well studied over time, but gaps remain in knowledge about sediment dynamics and nutrient processing through the watershed and estuary. There is reluctance by many communities to spend money on infrastructure projects without “buy-in” to the rationale why they are needed. Eventually, EPANE will have to issue NPDES permits for the Great Bay communities. If a “better way” is not found in a cooperative manner, the regulators may be left with issuing permits in the same manner as was done in 2013 with Exeter and Newmarket.

4. Explore National Pollutant Discharge Elimination System Delegation

Description of Issue/Challenge:

New Hampshire is one of three states that are currently not delegated with authority under the

National Pollutant Discharge Elimination System (NPDES). As a result, EPANE writes the permits, while the state certifies and sometimes adopts EPANE's permit. The New Hampshire Legislature passed a law in 2018 which requires NHDES to examine a number of issues related to the NPDES program in order to inform a decision about whether to request delegation.

NHDES/EPANE Technical and Senior Leadership Contacts:

NHDES Technical Contacts: Tracy Wood/Ted Diers/Stergios Spanos

EPANE Technical Contact: Anne Leiby

NHDES Senior Leadership Contact: Thomas O'Donovan

EPANE Senior Leadership Contacts: Deborah Szaro/Kenneth Moraff/Water Permits Branch and Surface Water Protection Branch

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

In order for New Hampshire to make an informed decision about requesting NPDES delegation, a number of factors need to be explored thoroughly, including:

- Analyzing the costs and scope of personnel for permit writing, outreach, science, compliance, and enforcement;
- Examining the alternatives for funding, including fee analysis to understand how fees might be allocated, including discharge volume, quality, frequency, and the effects on individual households and businesses;
- Comparing New Hampshire statutes and administrative rules to EPA requirements to determine changes that are needed;
- Analyzing current monitoring, analysis, total maximum daily load, and data management requirements;
- Analyzing current outreach deficiencies by identifying stakeholders and giving them a period to respond to proposals;
- Planning, management, and oversight of staffing and activities, including proposals for reorganization if necessary;
- Proposing an orderly transition approach and creating a timeline for the transition.
- Analyzing the cost of data management during the transition and after the delegation of authority; and
- Assuring a funding mechanism for the successful implementation of the program in future years.

Proposed Major Milestones/Action Steps:

- Identify ways that EPANE can assist NHDES in the analyses necessary before a final decision can be made about delegations;
- EPANE will make other regional EPA staff available to discuss the path toward delegation from other regions; and
- Other milestones will be identified based on available resources to both NHDES and EPANE.

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

Delegation of NPDES authority would be an expensive proposition for NHDES. To date, the legislature has been unwilling to put resources behind studies or transitional activities. This has limited NHDES involvement in such activities. It remains to be seen if the NHDES request for funding in the next budget will be accepted by the legislature.

5. Emerging Contaminants: Per- and Polyfluoroalkyl Substances (PFAS)

Description of Issue/Challenge:

NHDES and EPANE will continue to collaborate regionally to support one another and to gain the benefits from USEPA Office of Research and Development's (EPA-ORD's) PFAS capabilities. NHDES delivers high-quality samples to EPA-ORD which benefits USEPA because they are gaining direct knowledge and feedback from sampling work on the PFAS front lines. NHDES in return is getting cutting-edge laboratory results and is rapidly learning and gaining the benefits from direct interactions with the subject matter experts at EPA-ORD. Based on its collaborative work with NHDES, USEPA is better able to direct the efforts of its EPA-ORD branch to focus on the most pressing technical issues associated with PFAS sampling and associated policy development. The benefits of such work extend well beyond NHDES and EPA-ORD.

NHDES/EPANE Technical and Senior Leadership Contacts:

NHDES Technical Contacts: Cathy Beahm/Sarah Pillsbury/Brandon Kernen/Karlee Kenison/Jim Martin

EPANE Technical Contact: Meghan Cassidy

NHDES Senior Leadership Contact: Clark Freise/Mike Wimsatt/Craig Wright/Thomas O'Donovan

EPANE Senior Leadership Contacts: Kenneth Moraff

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- An enhanced understanding of PFAS fate and transport, origins, and impact to various environmental media;
- Development of sampling methodology for air sampling/stack testing;
- Collaboration on control equipment options, benefits and drawbacks; and
- Improved environmental and public health outcomes.

Proposed Major Milestones/Action Steps:

- Conference calls with NHDES, EPANE, and EPA-ORD (Monthly);
- EPA-ORD reports to NHDES as developed (air stack test, leachate, remaining sample reports) (As needed);
- Input into Best Available Control Technology (BACT) analysis for control equipment (Summer 2019); and
- In-person meetings (As needed).

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Staff time and funding constraints at both state and federal level; and
- EPA-ORD projects for other states competing with NH projects.

6. *Evaluating Phosphorus and Nitrogen Reduction Credits for Selected Enhanced Non-structural BMPs: Leaf Litter Collection Expert Panel Process*

Description of Issue/Challenge:

Regulatory programs including the NH Municipal Separate Storm Sewer Systems (MS4) permit and Administrative Orders on Consent (AOCs) for Exeter and Newmarket require tracking and crediting of nonpoint source management activities including non-structural Best Management Practices (BMPs) such as municipal leaf litter collection programs.

Recent studies indicate that pollutant load reductions achieved through leaf litter collection programs could be greater than previously thought. This Area of Collaboration will evaluate current pollutant load reduction crediting schemes for leaf litter collection to determine if adjustments to the estimated load reduction numbers can be made.

The project will include an expert panel process, similar to Chesapeake Bay's, to evaluate the state of the science surrounding leaf litter collection programs, pollutant load crediting methods for the practice, and to propose recommendations. It will also build upon and collaborate with existing EPA and DES NPDES and nonpoint source (CWA Section 319) programs. Additionally, the project partners will conduct field-based testing to further evaluate, measure, and quantify load reduction numbers from leaf litter collection programs.

Once this project is complete, the project partners will evaluate the need and capacity for conducting future expert panels to evaluate pollutant load reduction crediting methods for other non-structural nonpoint source pollution controls such as catch basin cleaning and street sweeping.

NHDES/EPANE Technical and Senior Leadership Contacts:

NHDES Technical Contacts: Sally Soule/Ted Diers

EPANE Technical Contact: Mark Voorhees/Suzanne Warner/Jackie LeClair

University of NH Technical Contact: James Houle - Program Manager, UNH Stormwater Center

NHDES Senior Leadership Contact: Thomas O'Donovan

EPANE Senior Leadership Contacts: Kenneth Moraff

Describe What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- Better understanding of the actual load reduction achieved through leaf litter collection programs;
- Greater accuracy when quantifying load reductions for leaf litter programs;
- With more accurate load reduction credits, municipalities can develop more cost-effective stormwater management programs;

- Leaf litter load reduction credits attain regional acceptance and consistency; and
- Other states leverage project output.

Proposed Major Milestones/Action Steps:

- Identify funding for expert panel process to review and refine leaf litter load reduction credits (Summer 2019);
- Identify expert panel members (Fall 2019);
- Convene panel and conduct process (January - December 2020);
- Possibly conduct some field-based testing to further evaluate and measure load reduction numbers from leaf litter collection programs (Spring - Fall 2020);
- Produce technical report with panel output: nitrogen and phosphorus load reduction credits for leaf litter collection programs (Winter – Spring 2021); and
- Incorporate findings in the Pollution Tracking and Accounting Program (PTAP), municipal, stormwater programs, and regulations, as determined (Summer 2021, and beyond).

Anticipated Resources Needed/Constraints & Barriers/Major Disinvestments:

- Funding is needed to pay for UNH staff participation and also potentially for stipends for expert panel members;
- It will be critical to include municipalities in the process to encourage buy-in for the credits; and
- Other states are likely to benefit from the output.

APPENDICES

APPENDIX A

NHDES' Strategic Plan¹

Available at: <http://des.nh.gov/organization/commissioner/strategic-plan/documents/sp-package.pdf>

NHDES' Mission Statement

To help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.

NHDES' Guiding Principles

- We promote mutual respect and effective, straightforward communication.
- We provide timely and consistent responses to all customers.
- We provide meaningful opportunities for public participation in meeting our responsibilities.
- We consider quality of life, public health and safety, economic vitality, and the concerns of our citizens while pursuing our responsibilities under the law.
- We strive for excellence in all of NHDES' operations, are committed to continuous improvement, and consider innovative approaches.
- We are committed to scientifically- and technically-sound, cost-effective, and environmentally appropriate solutions.
- We provide leadership on environmental and sustainability issues.
- We consider the long-term, cumulative, and cross-media effects of our policies, programs and decisions.
- We foster environmental awareness and stewardship through education, outreach and assistance.
- We afford fair and equitable treatment of all individuals and groups in the implementation of federal and state environmental laws, rules, programs and policies, and in the management of the agency.
- We maintain a work environment that attracts and retains the most dedicated and talented staff.

¹ The NHDES 2010-2015 Strategic Plan is in the process of being updated.

Goal 1: NHDES and its partners address climate change through effective mitigation and adaptation strategies and efforts to foster the transition to a clean energy economy.

1.1 NHDES will work in partnership with other state agencies to incorporate climate change mitigation and adaptation strategies into state operations.

1.1.1 NHDES will consider and integrate climate change mitigation and adaptation across all existing NHDES program areas.

1.1.2 NHDES will initiate and participate in a process to consider and integrate climate change mitigation and adaptation across all levels of New Hampshire state government operations.

1.2 NHDES will work in partnership with state, regional, and national organizations to integrate and coordinate mitigation and adaptation efforts.

1.2.1 NHDES, in collaboration with its partners, will continue to provide long-term support to networks such as the NH Energy and Climate Collaborative and the Energy Efficiency and Sustainable Energy Board (RSA 125-O:5-a) to facilitate implementation of the New Hampshire Climate Action Plan.

1.2.2 NHDES will continue to take part in regional and national initiatives to advance the transition to a clean energy economy.

1.2.3 NHDES will continue to participate in regional and national initiatives to better prepare for the impacts of climate change.

1.3 NHDES will monitor, inventory and report climate change emissions and impacts.

1.3.1 NHDES will work with state research universities and other institutions and organizations to track the changes in greenhouse gas emissions by New Hampshire sectors and sources, and to support periodic reporting to policy makers and the public.

1.3.2 NHDES will work with state research universities and other institutions and organizations to track the indicators and the impacts of climate change, and to support periodic reporting to policymakers and the public.

1.4 NHDES will conduct comprehensive mitigation and adaptation education and outreach.

1.4.1 NHDES will work with partners to develop and implement a comprehensive education and outreach program to elevate awareness and understanding of climate change and to support individual- and institutional-level behavior change.

1.4.2 NHDES will collaborate with partners to provide information and technical assistance to communities and organizations that are seeking to reduce their greenhouse gas emissions.

1.4.3 NHDES will collaborate with partners to provide information and technical assistance to communities and organizations that are seeking to incorporate adaptation measures into their projects and plans.

Goal 2: NHDES and its partners effectively protect New Hampshire's natural resources and high quality of life as the state grows.

2.1 NHDES and its partners will strive for efficient land use and development patterns that reduce energy use, support sustainable use and conservation of natural resources, and maintain a viable working landscape.

- 2.1.1 *NHDES, together with its partners, will encourage and support municipal efforts to adjust zoning, land use regulations, and infrastructure investments to give preference to infill development and redevelopment over “greenfield” development.*
- 2.1.2 *NHDES, in partnership with other organizations, will increase public understanding of the environmental, social, and economic benefits of efficient land use.*
- 2.1.3 *NHDES will promote better development practices through integrated NHDES permitting and assistance programs, including coordinated NHDES reviews of redevelopment projects.*
- 2.1.4 *NHDES will evaluate the effect of all NHDES Programs on land use and land development patterns (beginning with the NHDES Brownfields, Drinking Water, and Wastewater Programs), and modify policies and procedures to encourage efficient use of land and other best development practices.*
- 2.1.5 *NHDES and its partner organizations will improve the integration of transportation, environmental, and land-use planning.*
- 2.1.6 *NHDES will enhance its capacity to collect and maintain geographically-referenced data (e.g., monitoring data and permit data) and conduct spatially-based analyses of land use, permitted activities, and environmental quality (e.g., watershed analyses).*

2.2 NHDES and its partners will work to maintain natural resource functions and promote sustainable use of natural resources.

- 2.2.1 *NHDES and its partners will explore appropriate mechanisms, including market-based approaches, to encourage natural resource conservation, ensure sustainable use of natural resources, promote the use of less impacting alternatives, and reduce the incremental conversion of farm and forest land to developed uses.*
- 2.2.2 *NHDES, in cooperation with its partners, will promote and support local zoning and regulations, land conservation efforts, and state policies and regulations that recognize and protect key natural resource functions.*
- 2.2.3 *NHDES will assist the communities and other partners in the Great Bay watershed in the development and implementation of a comprehensive plan to meet regulatory requirements to reduce nutrient pollution and protect coastal and estuarine resources.*
- 2.2.4 *NHDES will continue to implement its State Water Resources Plan through its programs and through open communication with stakeholders and the public about the state’s water resources management challenges.*

2.3 NHDES will promote source reduction, and the reuse and recycling of solid waste to optimize the efficient use of natural resources.

2.3.1 NHDES will identify and pursue promising opportunities, sectors, and actions for the conservation of natural resources through waste reduction using life cycle analysis and other tools and approaches.

2.3.2 NHDES will identify and pursue promising opportunities for increasing waste reuse and recycling, and maximizing the resource and energy recovery of waste management operations.

2.3.3 NHDES will develop and implement social marketing and similar behavioral change strategies to minimize resource consumption and waste generation from human activities.

Goal 3: NHDES employs integrated pre-application, permitting, inspections, and enforcement approaches across all of its programs, and operates in a cooperative and integrated manner with its sister local, regional, state, and federal agencies.

3.1 NHDES will conduct unified and coordinated education and inreach/outreach.

3.1.1 NHDES will work with other organizations to develop and implement an outreach program for all NHDES partners, with multiple modules focused on NHDES programs, staff contacts, statutory requirements, specific issues related to integrated permitting, multi-media applications and compliance and enforcement programs.

3.1.2 NHDES will create an internal, interactive search program, supported by integrated databases, a NHDES staff directory, organizational charts, and decision trees, that allows for a coordinated, streamlined, and timely activation of NHDES staff and resources to provide services, investigate complaints, prepare permits, conduct inspections, and take enforcement actions in an integrated and consistent manner.

3.1.3 NHDES will create an external network of select contacts among agencies with which NHDES regularly interacts (e.g., DHHS, DOT, F&G, OEP, and DRED) to serve as a team in response to outside requests for assistance. Also, NHDES will establish, as feasible, formalized partnerships and Memoranda of Agreement with other state and federal agencies to enhance the coordination among agencies as a means of promoting efficiency in state government.

3.1.4 NHDES will expand its rulemaking outreach efforts to all internal and external customers through on-line information exchange and communication.

3.2 NHDES will conduct unified and coordinated pre-application assistance, licensing, permitting, and planning.

3.2.1 NHDES will assign project managers to complex or multi-disciplinary projects to facilitate meetings, promote coordinated reviews, and resolve internal issues (including potentially conflicting NHDES program requirements) to ensure smooth progression of project decisions and deliverables.

- 3.2.2 *NHDES will review permit processes within the Land Resource Management Programs to identify areas where greater consistency and coordination can be achieved, and work to implement improvements.*
- 3.2.3 *NHDES will create an on-line project screening and inter-agency coordination tool or system to help permit applicants understand environmental regulations and permit program requirements.*
- 3.2.4 *NHDES will evaluate the feasibility of integrating and standardizing the various professional training and licensing programs that it administers.*

3.3 NHDES will conduct unified and coordinated inspections and enforcement.

- 3.3.1 *NHDES will have integrated and efficient inspection and enforcement processes and efficient appeals processes.*
- 3.3.2 *NHDES will develop an enforcement database and associated electronic document management system to facilitate efficient cross-media and cross-program communications during all phases of the compliance assurance process (i.e., pre-inspection research, physical inspection visit, and post-inspection and enforcement activities).*
- 3.3.3 *NHDES inspection and enforcement staff from all media regulatory programs will communicate regularly to ensure thorough and efficient cross-media and cross-program coordination and cooperation.*
- 3.3.4 *NHDES will establish a web-based system that tracks permitting and enforcement trends. The reports will summarize key trends such as backlogs, average review timeframes, and seasonal versus annual trends.*

Goal 4: New Hampshire's environment has improved, and NHDES regularly reports environmental results in an understandable and transparent manner.

4.1 NHDES will develop well-defined environmental outcomes and indicators.

- 4.1.1 *NHDES will identify key environmental outcomes and indicators for use in documenting trends and in regular reporting, including "dashboard" reports and geographical representation.*

4.2 NHDES will tie data collection, analyses and reporting to current environmental goals and objectives.

- 4.2.1 *NHDES will conduct an agency-wide inventory and review of current data collection and reporting practices to help identify data collection gaps and eliminate redundancies and non value-added collection and reporting activities.*
- 4.2.2 *NHDES will develop and implement an enhanced process to link NHDES goals and objectives, bureau- and program-level goals and objectives, work plan activities, and a set of relevant outcomes and environmental indicators.*

4.3 NHDES will develop and use adequate means and clear documented methods for environmental monitoring.

4.3.1 NHDES will determine what monitoring stations, locations, data sources, and data partners are necessary to adequately report on the agency's key outcomes and environmental indicators, and will develop a plan to establish and maintain sufficient monitoring stations at appropriate data collection sites.

4.3.2 NHDES will train its staff and develop standard operating procedures to ensure that data collection (including geospatial parameters), results, reporting, and record-keeping adhere to appropriate data standards.

4.4 NHDES will regularly share environmental information and trend analyses internally, as well as with and among local, state, and federal agencies, outside organizations, and the general public.

4.4.1 NHDES will establish a process to regularly analyze data and present it in a meaningful format, including increased geographical representation and analysis.

4.4.2 NHDES will expand the Environmental Monitoring Database (EMD) to include data from all pertinent NHDES programs, and to have a greater web presence.

4.4.3 NHDES will establish a portal on its website to present "real-time" and up-to-date trend information on the state of New Hampshire's environment and key agency outcomes, as well as to provide access to related data from outside agencies and organizations. Key environmental trends and agency outcomes will be regularly reported in NHDES reports, newsletters, press releases, and other public communications.

Goal 5: Environmental compliance is high in New Hampshire, supported by education, partnerships, environmental stewardship, and enforcement.

5.1 NHDES will strive to increase environmental knowledge and awareness and instill a stronger sense of environmental stewardship in the public at large.

5.1.1 NHDES will establish a comprehensive, coordinated program of outreach to town officials to enable them to provide current, accurate information on state environmental requirements to their citizens.

5.1.2 NHDES will establish a comprehensive, coordinated program of outreach to the younger/school-age population to foster an environmental ethic early in life. (

5.1.3 NHDES will establish a comprehensive, coordinated program of education for the general public to enhance understanding of the value of environmental protection and NHDES programs.

5.2 NHDES will optimize use of alternative compliance assurance mechanisms, models, and approaches.

5.2.1 NHDES will require permit holders to be more accountable by increasing the number of programs that require permit holders to certify compliance with their permits, and by ensuring that certification requirements are met.

5.2.2 *NHDES will establish greater accountability by regulated parties, including consultants, that do not hold formal NHDES permits.*

5.2.3 *NHDES will partner with colleges and universities to promote research in areas that will contribute to increased environmental compliance, possibly including social, as well as scientific and technical research.*

5.3 NHDES will conduct formal enforcement processes that are timely, relevant, and effective.

5.3.1 *NHDES will ensure that the requirements of all regulatory programs are clear and unambiguous, and that the underlying policy reasons for those requirements are clearly explained.*

5.3.2 *NHDES will ensure that its enforcement processes are efficient and effective by employing proven continuous improvement techniques.*

5.3.3 *NHDES will ensure that inspections conducted by its programs are efficient and effective at identifying potential issues, including those in other programs.*

5.4 NHDES will increase the knowledge of regulators and the regulated community, thereby reducing the need for enforcement, not just the amount of enforcement.

5.4.1 *NHDES, with its partners, will continue to provide on-going training for those who must comply with state environmental requirements in both the public and private sectors.*

5.4.2 *NHDES will evaluate, and establish where necessary, formal education or training requirements for those NHDES programs that currently do not offer such continuing education opportunities for their constituents.*

5.4.3 *NHDES will establish training programs for all staff in regulatory programs to ensure that they have a sound foundation in both substance and procedures.*

5.5 NHDES will encourage environmental behavior that is above and beyond minimum compliance.

5.5.1 *NHDES will maintain an array of programs to encourage “beyond compliance” behavior.*

5.5.2 *NHDES will establish standard operating procedures for providing positive public recognition of outstanding and beyond compliance environmental practices and outcomes.*

Goal 6: NHDES provides high-quality customer service.

6.1 NHDES will provide prompt, knowledgeable, consistent, fair, and clear responses to inquiries from customers.

6.1.1 *NHDES will ensure that its “Customer Service Standards” policies and procedures are continuously improved, widely communicated, and fully adhered to by all staff.*

6.1.2 *NHDES will provide consistent, effective, and customer-service oriented “live” front-desk and phone access.*

6.1.3 *NHDES will conduct mandatory customer service training for its employees on a regular and sustained basis.*

6.2 NHDES will ensure easy access to information and maintain a proactive approach to information dissemination.

6.2.1 *NHDES will improve, and increase as necessary, public forums and opportunities (including remote learning) for disseminating information on environmental issues.*

6.2.2 *NHDES will continuously upload as much key content as possible to the NHDES website to better fulfill customer needs.*

6.2.3 *NHDES’ website will include functionality to allow customers to conduct on-line credit card transactions such as purchasing documents, registering for courses, and paying license fees.*

6.2.4 *NHDES will create a centralized, web-searchable document library to include such items as quality assurance project plans, rules, grant information, site-specific information, key correspondence, and photos.*

6.2.5 *NHDES will enhance and expand its web-based One-Stop System to be as customer-friendly, comprehensive, and useful as possible.*

6.3 NHDES will ensure that it has the customer feedback information it needs to continuously improve customer service.

6.3.1 *NHDES will develop and implement effective methods for measuring customer satisfaction and providing customer feedback to its programs and leadership.*

6.4 NHDES will place a high value on, and take pride in, providing top-notch customer service.

6.4.1 *NHDES, as part of the annual employee performance review process, will regularly assess customer service expectations and performance for each of its employees.*

6.4.2 *NHDES will create and maintain an “Exemplary Customer Service Award Program” for NHDES employees.*

6.5 NHDES will strive for a strong customer-centric, continuous improvement ethic that pervades all Department operations.

6.5.1 *NHDES will conduct Lean training on a continuous basis, develop and implement Lean management system standard operating procedures, and continuously undertake Lean projects.*

6.5.2 *NHDES, as part of the annual employee performance review process, will regularly assess continuous process improvement expectations and performance for each of its employees.*

Goal 7: NHDES is one of the most desirable employers in state government.

7.1 NHDES will encourage and support the career development of its employees.

- 7.1.1 NHDES will establish effective employee career ladder programs for advancing through technical, scientific, and administrative careers*
- 7.1.2 NHDES will have in place a formal orientation and integration program for newly-hired and newly-promoted employees to provide access to the information, systems, and tools necessary to ensure their success.*
- 7.1.3 NHDES will advocate for the establishment of equity between the administrative classifications and the technical and scientific classifications with respect to career advancement potential and labor grade.*
- 7.1.4 NHDES will develop opportunities for expanded intra- and inter-departmental staff cross-training and job-sharing to better serve the public, increase staff knowledge, and to enhance cooperation among related state agencies.*

7.2 NHDES will support the professional needs and health and well-being of its employees.

- 7.2.1 NHDES will authorize flexible, alternative work schedules for eligible positions, allowing for variable start times, compressed work weeks, and telework options.*
- 7.2.2 The NHDES facility, and the facilities of the other state agencies located along Hazen Drive, will be recognized as a distinct state campus, and will maintain and share resources such as auditoriums, meeting rooms, video-teleconferencing facilities, gym facilities, and a day-care facility.*
- 7.2.3 NHDES will recognize the importance of work-life balance, and will value and acknowledge the voluntary activities of its employees.*
- 7.2.4 NHDES will establish an Employee Wellness Program to provide educational initiatives and events focusing on healthy lifestyle choices, as well as to encourage and provide opportunities for increased physical activity.*

7.3 NHDES will demonstrate that it has earned the public's trust and the employees' pride.

- 7.3.1 NHDES will continue to actively manage recognition of Department and individual professional achievements and the attainment of environmental milestones through official publications and communications across all media formats.*
- 7.3.2 NHDES will encourage employee contributions to professional journals and conferences to further scientific, technical, and policy advancement.*
- 7.3.3 NHDES will continually ensure that the most efficient, effective, and innovative workplace practices are employed by including evaluation and measurement of these efforts in individual job descriptions, performance reviews, and the NHDES Measures Tracking and Reporting System.*

7.4 NHDES will be an environmental leader in all of its operations.

7.4.1 *NHDES, in partnership with the Department of Administrative Services and other pertinent agencies, will strive to reduce the cumulative environmental “footprint” of all of its operations through such measures as energy efficiency and water conservation, reuse and recycling, and continuous internal environmental education and outreach.*

7.4.2 *NHDES will develop deeper partnerships with, and continue to provide leadership and assistance to, other state agencies to help them reduce their environmental footprints.*

7.4.3 *NHDES’ written communications will be predominantly through the efficient use of electronic media and programs to minimize costs and natural resource consumption.*

7.4.4 *NHDES will continue to use its financial leverage to help increase environmental awareness and stewardship in the marketplace through the informed procurement of environmentally-preferable goods and services.*

7.5 NHDES will endeavor to recruit and retain the highest caliber and environmentally-committed staff.

7.5.1 *NHDES staff will complete surveys on a biennial basis to provide data to the Senior Leadership Team on employee satisfaction, process improvements, and strategic planning as a component of an ongoing engagement process.*

7.5.2 *NHDES will continue to recognize and reward exceptional staff performance.*

7.5.3 *NHDES will encourage staff to pursue career development and educational opportunities.*

7.6 NHDES will employ practices that ensure institutional knowledge transfer for a stable, lasting, and well-integrated organization.

7.6.1 *NHDES will develop and maintain a formal and comprehensive process for workforce analysis, planning, and development programs to meet the specific needs of the Department.*

7.6.2 *NHDES will establish effective knowledge transfer procedures.*

7.6.3 *NHDES will continually review and designate key programs and positions, and establish and support the mentoring programs necessary for continuity of service.*

7.6.4 *NHDES will develop and periodically test a Continuity of Operations Plan (COOP) to ensure that the agency can continue to carry out its mission-critical functions in the event of a major incident at its primary location.*

APPENDIX B

USEPA's 2018 - 2022 Strategic Plan

The U.S. Environmental Protection Agency's FFY 2018 - 2022 Strategic Plan emphasizes the Agency's "Back-to-Basics" agenda. The agenda set out in this plan has three over-arching goals which reflect the Administrator's core philosophies: (1) refocus the agency back to its core mission; (2) restore power to the states through cooperative federalism; and (3) lead the agency through improved processes and adhere to the rule of law.

Taken together, these goals are designed to transform the way the Agency does business and more efficiently and effectively delivers human health and environmental results. The Agency's mission of protecting human health and the environment resonates with all Americans and we can all agree that we want our future generations to inherit a cleaner, healthier environment that supports a thriving economy.

For more details, as well as measures that have been identified to track progress, please see the full plan at <https://www.epa.gov/sites/production/files/2018-02/documents/fy-2018-2022-epa-strategic-plan.pdf>.

Goal 1 - Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.

- Objective 1.1 – Improve Air Quality
- Objective 1.2 – Provide for Clean and Safe Water
- Objective 1.3 – Revitalize Land and Prevent Contamination
- Objective 1.4 – Ensure Safety of Chemicals in the Marketplace

Goal 2 - Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.

- Objective 2.1 – Enhance Shared Accountability
- Objective 2.2 – Increase Transparency and Public Participation

Goal 3 - Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.

- Objective 3.1 – Compliance with the Law
- Objective 3.2 – Create Consistency and Certainty
- Objective 3.3 – Prioritize Robust Science
- Objective 3.4 – Streamline and Modernize
- Objective 3.5 – Improve Efficiency and Effectiveness

The EPA Strategic Plan prioritizes environmental justice, continuing to focus on urban, rural, and economically disadvantaged communities, to ensure that everyone, regardless of age, race, economic status, or ethnicity, has access to clean water, clean air, and the opportunity to live, work, and play in healthy communities. In addition, the Plan also includes EPA's Agency Priority Goals (APG), a component of the Administration's performance management framework which supports improvement in near-term outcomes related to the Strategic Plan. More information on the Agency's APGs is available at <https://www.performance.gov/>. EPA's FY2018 – 2019 Agency Priority Goals include the following:

- APG-1: Improve air quality by implementing pollution control measures to reduce the number of nonattainment areas;
- APG-2: Empower communities to leverage EPA water infrastructure investments;
- APG-3: Accelerate the pace of cleanups and return sites to beneficial use in their communities;
- APG-4: Meet new statutory requirements to improve the safety of chemicals in commerce;
- APG-5: Increase environmental law compliance rate;
- APG-6: Accelerate permitting-related decisions.