



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 29, 2024

The Honorable Kevin Avard
Chairman, Energy and Natural Resources Committee
State House, Room 103
Concord, NH 03301

RE: HB 1143 – AN ACT relative to the control of cyanobacteria bloom under the New Hampshire Clean Lakes Program

Dear Chairman Avard and Members of the Committee:

Thank you for the opportunity to comment on HB 1143. This bill proposes to expand the New Hampshire Clean Lakes Program as defined in RSA 487:17 to support the actions necessary to remediate cyanobacteria blooms. The New Hampshire Department of Environmental Services (NHDES) supports the bill which will codify the Department's efforts to control cyanobacteria blooms.

The state's lakes face an increasing threat posed by more frequent occurrence of cyanobacteria blooms, a potentially harmful organism to humans, pets, and livestock. Cyanobacteria can produce toxins that have mild to severe, acute, or long-lasting health effects. To date, cyanobacteria blooms have been documented in 113 waterbodies statewide and account for 64 water quality impairments to recreational use. In the 2023 monitoring season, NHDES recorded the highest number of bloom events on record, 69 advisories were issued across 47 lakes (some lakes had multiple advisories). Four waterbodies had advisories issued for more than 100 days and ten waterbodies had advisories longer than 50 days. Collectively, the impacts over the past year restricted recreational use of 47 waterbodies for 1,400 days.

The [New Hampshire Cyanobacteria Plan: A Statewide Strategy](#) (cyanobacteria plan) submitted to the legislature this past November, identifies that significant efforts must be made to reduce nutrient inputs into surface waters and identifies a strategy to develop the policies and practices to reduce, control, and prevent nutrient inputs that cause cyanobacteria. One of the recommendations in the cyanobacteria plan is to include cyanobacteria under the New Hampshire Clean Lakes program in order to diagnose the cause of cyanobacteria blooms and permit remedial actions focused on controlling nutrient inputs into waterbodies and completing lake management projects to reduce the occurrence of cyanobacteria blooms.

The New Hampshire Clean Lakes program was established in 1990 under RSA 487:17 with the intent of "preservation and protection for New Hampshire's lakes and ponds". The expansion of this program to include the actions necessary to control and remediate cyanobacteria blooms is consistent with the original intent of the statute and needed to reduce public health risks.

The Honorable Senator Avard
Chairman, Energy and Natural Resources Committee
April 29, 2024
Page 2

Thank you again for the opportunity to comment on HB 1143. Should you have questions, or need additional information, please feel free to contact Dave Neils, Limnology Center Director, at 603-271-8865 or david.neils@des.nh.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert R. Scott
Commissioner

cc: Sponsors of HB 1143: Representatives Rung, MacDonald, Crawford, Coker, Ebel, Wolf, Tanner, Ball