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NH Fish & Game  
Department

**Gail McWilliam Jellie**  
NH Department of  
Agriculture,  
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Staff:

**Tracie Sales**  
Program Manager

**Jen Drociak**  
Watershed Coordinator

**Mariah Mitchell**  
Program Assistant

N.H. Rivers Management and Protection Program

# N.H. Rivers Management Advisory Committee

March 5, 2019

The Honorable Suzanne Smith, Chair  
House Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, NH 03301

**RE: HB 475** *relative to establishing a shoreland septic system study commission.*

Dear Chair Smith and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) appreciates the opportunity to comment on House Bill 475, which will establish a study commission to examine the impact of failing private shoreland septic systems on the state's public waterbodies. The RMAC supports this bill but requests a minor amendment.

Septic systems installed without state approval, and those constructed prior to 1967 when inspections and state approval were first required, inevitably include septic systems that inadequately treat wastewater. As such, these inadequate or "failing" septic systems can lead to unsafe levels of *E. coli* bacteria for swimmers and boaters, especially children, and the increased number of potentially toxic cyanobacteria blooms we are now seeing that close our beaches and threaten the health of people, pets, and wildlife.

New Hampshire needs to find ways in which to address the inadequate private septic systems that are causing poor water quality in New Hampshire's rivers, streams, lakes, and ponds, thereby threatening safe drinking water, recreation, and the economic value of these waterbodies. The challenges that this study commission will need to address are the links between private property and public waters, the expense involved with septic system upgrades, and the single full-time New Hampshire Department of Environmental Services (NHDES) Subsystems Surface Bureau enforcement coordinator for the entire state. As such, the RMAC agrees that these issues need to be examined via a comprehensive study to determine the most effective method for identifying potential inadequate septic systems and to determine what approach or approaches can be taken to remedy these inadequacies.

The RMAC requests an amendment to the membership of the study commission whereby the representative of the rivers community may be any representative of rivers interests in New Hampshire, and does not need to be a member of a local river management advisory committee authorized under RSA 483:8-a. The RMAC recommends the following amendment to HB 475:

Amend 485-A:44-a II (j) as inserted by section 2 of the bill:

(j) A representative of ~~a local rivers management advisory committee~~ **rivers interests** appointed by the New Hampshire Rivers Council.

The RMAC is a legislatively created body charged to work with NHDES to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is comprised of members from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the Program and with advising the NHDES Commissioner on the merits of such legislation.

In conclusion, the RMAC supports the establishment of the shoreland septic system study commission authorized by HB 475 but requests a minor amendment relative to the rivers interests membership of the commission.

Should you have any questions regarding our testimony, please feel free to contact me at 603.796.2615 or [MLT@naturesource.net](mailto:MLT@naturesource.net).

Sincerely,



Michele L. Tremblay  
RMAC Chair

cc: Rep. Judith Spang  
Sen. Jeb Bradley  
Sen. Dan Feltes  
Sen. Martha Fuller Clark  
Sen. David Watters  
Rep. Dennis Malloy  
Rep. Lee Oxenham  
RMAC Representatives  
Robert R. Scott, Commissioner, NHDES  
Rene Pelletier, Assistant Director, Water Division, NHDES  
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES  
Tracie Sales, Rivers and Lakes Programs Manager, NHDES  
Local River Management Advisory Committee Chairs