

New Hampshire Drinking Water & Groundwater Trust Fund Advisory Commission
Legislative Office Building, Rm 303
Concord, NH

April 16, 2019
Meeting Minutes

Committee Members Present:

Sen. Chuck Morse, Chair	Bernie Rousseau	Also Attending: Allen Brooks, Esq
Sen. Tom Sherman, Vice-Chair	Rodney Bartlett	Sr. Asst Attorney General
Rep Deborah Hobson, Clerk	William Boyd, III	
Rep Kevin Maes	Marco Philippon	
Fmr Sen. Richard Russman	Rachel Miller	
Commissioner Robert Scott	Christopher Way	
Commissioner Clark Freise	Andrea Kenter	
Lisa Morris		

Meeting opened 8:07 a.m. by Chair Senator Morse

Approval of Minutes:

Motion to accept Rick Russman/2nd Marco Philippon - Unanimous

Appointments:

Sen. Morse selects Sen. Sherman to be Vice-Chair

Sen. Sherman accepts nomination

Motion Fmr Sen. Russman/2nd Clark Freise – Unanimous

Sen. Morse selects Deborah (Deb) Hobson to be Clerk

Deb Hobson accepts nomination

Motion Fmr Sen. Russman/2nd Sen. Sherman – Unanimous

Ms. Holmes would like approval of documents so that they can be publicized. Funding plan covered at the last meeting. She would like the Award Plan enclosed to be approved for public and for website. It explains the intention of the Commission for this year. Also included is the Funding Application for what would be called the Annual Drinking Water Construction Project Assistance Program.

Annual Drinking Water Construction Project Assistance Program - This is a very comprehensive application form. It is a tool for the user, the applicant to understand the types of questions, and considerations to understand the types of questions and your considerations we listened to throughout the sub-committee meetings. It's a tool for you to understand types of projects. The applicant will provide quite a bit of detail when answering these questions.

Special Projects Assistance Program – these projects can come any time. The applicant will have to submit a funding application as well as a Special Projects Assistance Application. This

will justify why projects are coming in off of the annual schedule and highlights those projects that the Commission would qualify as a special project.

Please note one change on The Special Projects Application in Section 1, Page 2 “Regional Development” replaces “economic growth” to mirror the Award Plan text from the bigger document.

Source Water Projection Grant Program Applications – There is an *Eligibility Application*, where the applicant submits their project information. This document is what the Department of Environmental Services (DES) uses to determine what land is applicable. There is also a *Funding Application*

Paul Susca – Administrator III – Waste Management Division, DES

Two changes to the funding application:

- 1 – Is there’s a land conservation plan that identifies as high priority for water supply projection
- 2 – What is the project’s readiness to proceed.

Fmr Sen. Russman

Senator Russman pointed out that on Page 4 of the Annual Plan and Award Plan is the Flow chart that gives the public the opportunity to see how projects start from Construction to Source Water and then to DES Project. The idea is to give the Commission the most flexibility using the funds that have been given and entrusted to spend wisely while at the same time, give clarity and transparency to the public as to how these funds are being used.

The applications have been crafted to help educate the applicants as they fill them out.

On page 9 is the actual target award allocation. These are the funds for 2019 that are loans and grants. Again, practicing wise use of money, but the safety net in cases of contamination.

Attachment B – “the commission has identified issues associated with contamination of drinking water at the highest priority for the Trust Fund.” This is the primary mission for this money.

Attachment C – talks about the expansion of and creation of drinking water infrastructure and the fact this will benefit the people of New Hampshire much like what is happening in the southern part of the state.

Erin Holmes: Upon approval of these documents by the commission, they will be released to the public. 190 people will be attending a workshop on Friday to learn about the State’s drinking water Revolving Fund and the Trust Fund. Applicants should be filling out their applications and trying to secure other grants and loans. Deadline for applications for funding from the Trust Fund is September 13th for construction projects. If applicants don’t have their funding ready soon, they can reapply at the end of summer.

The eligibility deadline for the Source Water Protection Project applications is June 28th. We will put together a Review Panel or a Commission sub-committee to assist with that process. Funding applications due on September 13th.

Senator Morse suggested (State Revolving Fund) SRF's get moving in the process first and then have the committee receive projects presentations to show people how to use this committee. Sen. Morse said that we are a piece of the puzzle, but not the answer to all of these projects. We've opened people's eyes as to how important water is. We have been good at settling on what our mission is.

Erin Holms: One more change for the *Award Plan* – remove the last two sentences in the paragraph that starts “if the application passes any applicable screening process...” The reason is that it is not necessary to flag that content referring to “the applicant submitting draft language for a vote.”

Sen. Sherman moves that the documents be accepted with the changes made by E. Holmes and Paul Susca. Seconded by Bill Boyd. Unanimous consent.

Discussion by E. Holmes, Mr. Susca, and Mr. Boyd about Warranty Deed for Easements, Assessment Deeds and the role the State of New Hampshire takes with regard to both.

Attorney Brooks discussed the best way for the State of New Hampshire to deal with easements since it isn't set up to be a fee owner or easement holder itself. There may be an Easement Deed at some point. There has to be a statutory change for the conveyance from property owner to conservation entity. We need to figure out what agency would hold those fees and easements.

Sen. Russman moves to adopt the Warranty Deed. Mr. Rousseau 2nd.
Unanimous Consent

Projects:

Item 1 – In 2018 the Commission approved a grant to the Department of Education (DOE) to assist with lead mitigation in schools. It was a 50/50 grant in which schools were reimbursed up to 50% of their costs. E. Holmes – in the Memo of Agreement between DES and DOE schools were eligible for funding back to February 8, 2018. We (DES) will be requesting from Governor and Council that the date be moved back to May of 2016 which was when the letters were sent to schools “highly recommending” schools test to determine their lead impact level. Some schools started very early on.

Com. Freise: Some schools had very early on tested for lead and started the remediation process. It's just a small amount of schools and is within the budget that was approved. We'd like to have approval to reimburse up to 50%.

E. Holmes – this does not require a vote, this is just notification of DES intentions.

Sen. Morse reminds the commission that it is an odd time of the year, so our help is needed to keep this moving while the budget is in the Senate. The committee did agree to fund this effort.

Item 2 – the Monadnock Conservancy, the Wood Farm Easement in Walpole. This project was presented and approved in the 2018 round. However, they were not granted an exemption to have a water supply well developed on property. As a result, they lost a good chunk of funding from USDA (\$67,500). The property is still a priority for them and they are trying to move forward. They are asking for \$17,000. grant from the DRGW Trust Fund bringing them to a total of \$87,500.

\$45,500 from the own funds and an increase in the Moose Plate grant. That still left them with a \$17,000. gap (E. Holmes) They are requesting the \$17,000. difference be covered by the Trust fund.

Fmr. Sen. Russman recommends we support the \$17,000.

Mr. Boyd concurs with fmr. Sen. Russman because they have shown commitment to the project. Mr. Boyd moves to allow payment of \$17,000. to Monadnock Conservancy Wood Farm Easement to offset the shortfall that was created in the loss from the USDA's Agricultural Land Easement Program fund. Fmr. Sen. Russman seconds. Unanimous consent.

Item 3 – Update on the Southern New Hampshire Drinking Water Interconnection Project. Final version of the agreement went out to the affected parties and we have all but three signatures. Agreement piece is well under way and now we are beginning the construction piece. (E. Holmes)

Second big chunk of infrastructure is associated with Derry, Windham, and Salem. \$14,940,000. This is the total amount for Derry and Salem. Salem's grant is also to construct infrastructure for Windham. These two projects have been combined for the total grant award. The number won't change but the distribution of the grant might shift. This is one of the biggest pieces of infrastructure. We are running water pipe down Route 28 from the Derry System to the Salem border. We are hoping to have this project set up before the end of the Fiscal year at the end of June. We are trying hard to meet May of 2020.

Motion Commissioner Scott/2nd Sen Tom Sherman

“I move that the grant amount of \$14,940,000 not to be exceeded without approval be awarded to the Towns of Derry and Salem as proposed, said amount to come out of the 19.6 million grant previously approved by this Commission for the overall Southern New Hampshire Regional Water Project, and that the final distribution of the grant between the Towns of Derry and Salem shall be in accordance with the final grant applications to be submitted by the towns as reviewed and approved by the New Hampshire Department of Environmental Services and after approval by the Governor and Executive Council.”

Sen. Morse talked about how tight the process this commission has come up with has had very little change to it. This means it's a good process. Engineering studies originally performed

have proved to very thorough and successful. The team and the department have been very responsive to drinking water needs. The process has been very strict, and no one is making money beyond what is scheduled. This is a very good model and these long-term agreements that benefits communities. This is not a handout process.

Sen. Morse: To the extent that complications have come forward, we've addressed them like a business and as quickly as possible. The only thing that needs more attention is the use of Chloramine and we will look into this in the fall. He's proud that the process has been so solid from the beginning and he appreciates all of the departments hard work and cooperation working together.

Motion to adjourn by Mr. Scott. Seconded by Sen. Sherman.
The meeting adjourned at 8:50 a.m.