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The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner

OCT 25 '21 PM 1:47 RCVD

October 20, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Authorize the Department of Environmental Services to **RETROACTIVELY** pay annual membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA (VC # 162774-B001), in the amount of $16,181, effective as of July 1, 2021 through June 30, 2022, upon Governor and Council approval. 100% Clean Water Revolving Management Funds.

Funding is available in the account as follows:

	FY 2022
03-44-44-441018-4788-026-500251	$16,181.00

Dept. Environmental Services, CWSRF Loan Management, Organizational Dues

EXPLANATION

The New England Interstate Water Pollution Control Commission (NEIWPCC) is a not-for-profit interstate agency formed by Congress that assists its seven member states, including New Hampshire, in a number of ways. NEIWPCC is unique to interstate organizations in that the relationship between Department of Environmental Services (NHDES) and NEIWPCC is specifically addressed in New Hampshire statutes, RSA 484:17 through 21, as part of a multi-state compact specifically focused on helping to resolve interstate water pollution issues. NEIWPCC supports the member states in many ways by coordinating activities that ensure cooperation among the states, educating the public about key water quality, drinking water, wetlands and coastal issues, supporting research projects, training environmental professionals, and providing overall leadership in water management and protection across many water-related programs. This request is RETROACTIVE as the bill was not received until October 2021, well after the start of the fiscal year.

Listed below are answers to standard questions required for Governor and Council organization dues and membership approval submissions:

1. **How long has this organization been in existence and how long has this agency been a member of this organization?**
   The organization was founded in 1947. NHDES (and previously as one of its predecessor agencies,

the Water Supply and Pollution Control Commission) has been a member since the organization was founded.

2. **Is there any other organization which provides the same or similar benefits which your agency belongs to?**
   No. This is the only regional organization to which NHDES belongs that is dedicated to supporting and providing state input on national and regional water policy issues and funding under the federal Clean Water Act, the Safe Drinking Water Act and federal Underground Storage Tank requirements.

3. **How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?**
   Seven states belong to this organization, the six New England States and New York. NHDES is the sole New Hampshire state agency that is a member.

4. **How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc)**
   State dues are assessed annual based on a longstanding formula based on state population and other size factors. New Hampshire falls into the lowest dues tier due to our relatively small size and, therefore, pays the lowest of several possible dues rates.

5. **What benefit does the state receive from participating in this membership?**
   NEIWPCC serves as a real time conduit for important information on federal policy and budgets as well as a vehicle for all seven member states to cross train by program comparisons to improve program management for many water programs. This organization provides real opportunity for New Hampshire to directly affect federal water pollution control policy and funding and to leverage our positions with the other states with the United States Environmental Protection Agency (EPA) in Boston. For example, several times per year, Rene Pelletier, the NHDES Water Division Assistant Director, is provided regular direct access to the most senior water program officials at the EPA. Many other NHDES staff across in various water program areas also meet with their peers and EPA officials, and receive technical training from NEIWPCC throughout the year. NEIWPCC participation has had a net positive impact for New Hampshire for decades.

6. **Are training or educational/ research materials included in the membership? If so, is the cost included? Explain in detail.**
   Yes. NHDES regularly receives educational/research materials, training and national water policy updates from NEIPWCC and the cost is typically included, except for travel costs for occasional multi-day regional seminars, training sessions and meetings. This training is through meetings and seminars, materials available on the Commission website, documents forward by e-mails or internet links, and conference calls on specific topics concerning regional and national water policy, water quality, state program management and many water program issues. NHDES also receives real-time information on federal budgets and policy changes that may require comment to EPA separately or together by the seven member states. NEIWPCC staff will also provide

specific policy research to NHDES upon request. This is all part of the service provided for payment of the annual dues.

7. **Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams? Explain.**
   No.

8. **Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.**
   No travel is included for employees. However, as a member of the NEIWPCC Board and leadership team, Rene Pelletier, NHDES Water Division Assistant Director, participates in high level meetings with EPA on regional and national water policy and funding issues. These meetings are to ensure that states issues are considered during the development of federal water policy. NEIWPCC has other meetings attended by NHDES staff from different programs at their offices in Lowell, Massachusetts. These meetings are on many water topics including water monitoring, NPDES permits, stormwater, wetlands and drinking water. Funding for travel to these meetings is typically from federal program grants. These provide an opportunity for NHDES to receive updates on regional and national water policy and funding matters pertinent to New Hampshire and to give direct input to senior EPA officials.

9. **Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members, and/or officers of the organization.)**
   Rene Pelletier, NHDES Water Division Assistant Director, is currently a voting member of the NEIWPCC Commission and Executive Committee. Other Water Division employees are involved with other program committees include Tracy Wood (wastewater), Brandon Kernen (water supply), Phil Trowbridge (wetlands), Ted Diers (water quality and coastal), Steve Landry (nonpoint source), and Amy Smagula (exotic species) as well as Chuck Krautmann (underground storage tanks) of the Waste Management Division. Typically, these staff would travel to NEIWPCC offices in Lowell for 1 to 3 times/year for meetings with other discussions by conference call.

10. **Explain in detail any negative impact to the State if the Agency did not belong to this organization.** NHDES would not be as fully informed on regional and national water pollution control, water quality, drinking water and underground storage tank issues being considered by EPA and debated in Congress. NHDES staff would also not be as well trained on many technical, policy and procedural matters. We would not have the ability to regularly provide direct input, in close coordination with other New England water program leaders, on national water policy, legislation proposed in Congress, and the impacts of federal budget decisions on New Hampshire water pollution control programs and the loan programs that support municipal wastewater infrastructure. Membership in NEIWPCC has historically enabled NHDES to provide significant, timely input with the other NEIWPCC states on national water policy and federal grant funding to EPA. The ability to provide state-specific input, and to leverage our impact through an association that represents 7 northeastern states on the decisions of relative to complex polices and rules

relative to the Clean Water Act, Safe Drinking Water and underground storage tank issues would be very substantially reduced, and this would be to the detriment of the State.

In summary, NEIWPCC is an outstanding organization with very active participation by New Hampshire from which we gain a significant return on our investment in dues. Active support and involvement in this organization by payment of these dues is good value for the State of New Hampshire.

We respectfully request your approval.

Robert R. Scott, Commissioner

NEIWPCC

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October 6, 2021

IN ACCOUNT WITH:

New Hampshire Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03301

EIN #04-6004735

Attention: Mr. Renee Pelletier

COVERS:

The state of New Hampshire's appropriation toward the operating expenses of the New England Interstate Water Pollution Control Commission for the fiscal year 2021.

AMOUNT DUE:..... **$16,181.00**

Sincerely,

Susan J. Sullivan
Executive Director

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OCT 15 2021

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