

# N.H. Lakes Management Advisory Committee

[N.H. Lakes Management and Protection Program](https://www.lmac.des.nh.gov)  
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<https://www.lmac.des.nh.gov/>

May 2, 2023

The Honorable James Gray, Chair  
Senate Finance Committee  
State House, Room 103  
Concord, NH 03301

**RE: HB 2 - AN ACT relative to state fees, funds, revenues, and expenditures.**

Dear Chair Gray and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) is a stakeholder group of academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors, municipal government as well as several state agencies. We are writing to comment on several provisions in HB 2:

- **Support** development of a PCB assistance fund.
- **Oppose** exempting existing highway rights-of-way from prime wetlands designations or their adjacent buffers.
- **Support** development of a cyanobacteria assistance fund, with an associated appropriation.
- **Support** the House's decision to remove provisions eliminating licensure requirements, associated licensure boards, and the apprenticeship program for natural scientists and foresters.

**Support: PCB Assistance Fund** (page 14, sections 36 – 38): In New Hampshire, 104 waterbodies are impaired due to the presence of PCBs, including iconic locations like Squam Lake. PCBs affect animal and human health. They have been documented to occur in common loon eggs, showing they move through the food chain. PCBs were banned four decades ago but contamination persists in the environment. The PCB Assistance Fund would be an important step in cleaning up our environment and protecting the public from these dangerous chemicals. The LMAC supports the proposed creation of the Fund and an associated appropriation.

**Oppose: Exempting existing NHDOT rights of way from prime wetlands designations** (page 35, section 101): Primary wetlands are designated based on the high-quality characteristics of the wetland. The LMAC opposes excluding some wetlands from this definition based solely on their location relative to NHDOT rights of way, particularly given that not all NHDOT rights of way are developed parcels. Wetlands serve important functions to protect infrastructure, human health, and ecological integrity, including providing flood protection and wildlife habitat, improving water quality, and protecting drinking water. The protections associated with prime wetlands should remain based on the outstanding characteristics of individual wetlands and not based on land ownership.

**Support: Creation of the Cyanobacteria Mitigation Loan Program, including an associated appropriation** (pages 128 – 130, sections 420 – 423). Toxic cyanobacteria blooms are increasing in severity, frequency, and duration, thereby posing an increasing risk to public health and the economic sustainability of our lake communities. They reduce the economic value associated with our lakes and rivers, making investment in their

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**LMAC VOTING MEMBERS:** Jared Maraio, Chair, NH Travel Council • Ryan Cardella, Marine Trades Association • Tiffany Grade, Conservation Community • Sara Holland, NH Association of Realtors • Janet Kidder, Planning Boards • Frank Lemay, NH Business & Industry Assoc. • Andrea LaMoreaux, NH LAKES • Lisa Morin, State Conservation Committee • Susan Price, NH Fish & Game Commission • Dick Smith, Fishing Interests • Meredith Smith, Municipal Official • Steve Wingate, Conservation Commissions • Vacant, Scientific Community

**LMAC NON-VOTING MEMBERS:** Garret Graaskamp, Vice Chair, NH Fish & Game Dept. • Capt. Tim Dunleavy, NH Dept. of Safety • Eric Feldbaum, NH Dept. of Natural and Cultural Resources • Jennifer Gilbert, NH Dept. of Business and Economic Affairs • Mark Hemmerlein, NH Dept. of Trans. • Shawn Jasper, NH Dept. of Ag, Markets & Food

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prevention and important priority. Addressing or preventing blooms is costly and few funding sources are available. The lake associations doing that work are often poorly resourced and require grant assistance to plan and implement effective projects that protect water quality and public health. Creating a funding source for addressing blooms complements the work currently being done by NHDES and stakeholders including the LMAC to develop a statewide strategy to address the causes and consequences of cyanobacteria blooms. The need for funding is urgent, as lake residents, businesses, and visitors are already severely impacted by cyanobacteria blooms in New Hampshire.

The LMAC **supported the House Finance Committee's decision to remove from the budget provisions eliminating licensure requirements, associated licensure boards, and the apprenticeship program for natural scientists (wetlands scientists and soil scientists) and foresters.** Improperly conducted wetland and soil delineations risk adverse impacts to wildlife and to homeowners' interests. Eliminating the licensure requirement would have required significant changes to local and state regulations. It is difficult to summarize all of the unintended consequences of removing licensure requirements. This issue deserves a stand-alone hearing outside of what is possible within the tight timelines of the budget review process, and the LMAC appreciated its removal in the House's version of the budget.

The LMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483-A, the Lakes Management and Protection Program. The Governor and Council appointed Committee is comprised of 19 members.

Thank you for the opportunity to comment on HB 2. Should you have questions, please feel free to contact me at (603) 366-5531 or [Jared@cruisenh.com](mailto:Jared@cruisenh.com).

Respectfully,



Jared Maraio, Chair

cc: Chairman Kenneth Weyler, House Finance Committee  
LMAC Representatives  
Robert R. Scott, Commissioner, NHDES