
Committee Report

REGULAR CALENDAR

February 12, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Fish and Game and
Marine Resources to which was referred HB 516-FN,**

**AN ACT relative to funding for pollution control
equipment at the Powder Mill fish hatchery through the
purchase of a trout/salmon stamp. Having considered
the same, report the same with the following resolution:
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

Rep. James Bosman

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Fish and Game and Marine Resources
Bill Number:	HB 516-FN
Title:	relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.
Date:	February 12, 2019
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill requires the purchase of a trout/salmon stamp to take trout or salmon. The revenue raised would be used to fund pollution control equipment at the Powder Mill fish hatchery, one of six hatcheries of NH. The committee appreciates the intent of this bill. However, with no clear EPA standards currently available, funding limited to just one hatchery, and no clear cost estimate, the committee could not support it at this time.

Vote 12-6.

Rep. James Bosman
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Fish and Game and Marine Resources

HB 516-FN, relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Bosman for the **Majority** of Fish and Game and Marine Resources. This bill requires the purchase of a trout/salmon stamp to take trout or salmon. The revenue raised would be used to fund pollution control equipment at the Powder Mill fish hatchery, one of six hatcheries of NH. The committee appreciates the intent of this bill. However, with no clear EPA standards currently available, funding limited to just one hatchery, and no clear cost estimate, the committee could not support it at this time. **Vote 12-6.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: FISH & GAME & MARINE RESOURCES

BILL NUMBER: 516 - FN

TITLE: RELATIVE TO FUNDING FOR POLLUTION CONTROL
EQUIPMENT AT POWDER MILL FISH HATCHERY

DATE: 2.12.2019 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill requires the purchase of a trout/salmon stamp to take trout or salmon, and the revenue raised would be used to fund pollution control equipment at Powder Mill hatchery (one of six in NH.) The committee appreciates the intent of this bill. However, with no clear EPA standards currently available, and funding limited ~~to~~ to one hatchery and no clear cost estimate, the committee ~~therefore~~ voted Inexpedient to legislate.

COMMITTEE VOTE: 12-6

P.A.R.

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Jim Bosman
For the Committee

REGULAR CALENDAR

February 12, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Fish and Game and
Marine Resources to which was referred HB 516-FN,**

**AN ACT relative to funding for pollution control
equipment at the Powder Mill fish hatchery through the
purchase of a trout/salmon stamp. Having considered
the same, and being unable to agree with the Majority,
report with the recommendation that the bill OUGHT
TO PASS.**

Rep. Ellen Read

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Fish and Game and Marine Resources
Bill Number:	HB 516-FN
Title:	relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.
Date:	February 12, 2019
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

Testimony on both sides at the bill's hearing indicated that the Powder Mill fish hatchery is the primary if not sole source of significant pollution that is currently having a severe negative impact on recreational waterways and may soon impact Lake Winnepesaukee. Since all sides agree on the problem of pollution, the minority feels strongly that it is appropriate to secure a source of revenue now to mitigate the problem and to maintain these mitigation systems. The minority believes strongly that we must act as soon as possible to fix this problem and so wish to retain the bill to amend it to address the pollution from other hatcheries and refine the language around the fishing stamps as the revenue source.

Rep. Ellen Read
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Fish and Game and Marine Resources

HB 516-FN, relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp. **OUGHT TO PASS.**

Rep. Ellen Read for the **Minority** of Fish and Game and Marine Resources. Testimony on both sides at the bill's hearing indicated that the Powder Mill fish hatchery is the primary if not sole source of significant pollution that is currently having a severe negative impact on recreational waterways and may soon impact Lake Winnepesaukee. Since all sides agree on the problem of pollution, the minority feels strongly that it is appropriate to secure a source of revenue now to mitigate the problem and to maintain these mitigation systems. The minority believes strongly that we must act as soon as possible to fix this problem and so wish to retain the bill to amend it to address the pollution from other hatcheries and refine the language around the fishing stamps as the revenue source.

Original: House Clerk

Cc: Committee Bill File

MINORITY REPORT

COMMITTEE: Fish and Game and Marine Resources

BILL NUMBER: HB 516

TITLE: relative to funding for pollution control equipment at the Powder Mill fish hatchery

DATE: 2/12/19 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE

Amendment No. _____

Defeat

INTERIM STUDY (Available only 2nd year of biennium)

Retention

STATEMENT OF INTENT:

~~The minority believes~~ Testimony on both sides from the hearing on this bill indicated that the Powder Mill Hatchery is the primary, if not sole, source of significant pollution that is currently having severe negative impact on ^{recreational} waterways, and may soon impact Lake Winnebago. Since all sides agree on the problem of pollution, the minority feels strongly that it is appropriate to secure a source of revenue ^{to} mitigate the problem, ~~and similar problems at the other 5 fish hatcheries~~, and ~~to maintain~~ ^{to maintain} these mitigation systems.

The minority ~~also~~ believes strongly that we must act as soon as possible to fix this problem, and so wish to retain the bill to amend it

COMMITTEE VOTE: 12-6 C.A.N.

• Copy to Committee Bill File

RESPECTFULLY SUBMITTED,

Rep. Ellen Deane Reed
For the Minority

to address the the pollution at other hatcheries and refine the language around the fish's stamps as the revenue source

Voting Sheets

HOUSE COMMITTEE ON FISH AND GAME AND MARINE RESOURCES

EXECUTIVE SESSION on HB 516-FN

BILL TITLE: relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

DATE: February 12, 2019

LOB ROOM: 307

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Bosman

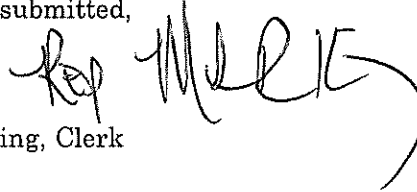
Seconded by Rep. Laflamme

Vote: 12-6

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rep. Mark King", with a large, sweeping flourish extending to the right.

Rep Mark King, Clerk

HOUSE COMMITTEE ON FISH AND GAME AND MARINE RESOURCES

EXECUTIVE SESSION on HB 516-FN

BILL TITLE: relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

DATE: 2/12/19

LOB ROOM: 307

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. Bosman Seconded by Rep. LaFlamme Vote: 12-6

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES NO

Minority Report? Yes _____ No If yes, author, Rep: READ Motion _____

Respectfully submitted: Rep Mark King
Rep Mark King, Clerk



2019 SESSION

Fish and Game and Marine Resources

Bill #: 516 FN Motion: ITL AM #: _____ Exec Session Date: 2/2/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Harvey, Cathryn A. Chairman	12		
Laflamme, Larry L. Vice Chairman	1		
Dontonville, Roger W.	1	1	
King, Mark R. Clerk	2		
Read, Ellen D.		2	
Bosman, James B.	3		
Egan, Timothy T.	4		
Eisner, Mary A.	5		
Ruprecht, Dennis M.	6		
Stack, Kathryn			0
Von Plinsky, Sparky		3	
L'Heureux, Robert J.	7		
Klose, John F.			0
Spillane, James A.		4	
Comeau, Ed C.	8		
Howard, Raymond J.	9		
Khan, Aboul B.		5	
Craig, Kevin B.	10		
Love, David C.		6	
Kotowski, Frank R.	11		
TOTAL VOTE:	12	4	0

Hearing Minutes

HOUSE COMMITTEE ON FISH AND GAME AND MARINE RESOURCES

PUBLIC HEARING ON HB 516-FN

BILL TITLE: relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

DATE: February 5, 2019

LOB ROOM: 307 **Time Public Hearing Called to Order:** 10:10am

Time Adjourned: 11:10am

Committee Members: Reps. Harvey, Laflamme, King, Dontonville, Read, Bosman, Egan, Eisner, Ruprecht, Stack, Von Plinsky, L'Heureux, Klose, Spillane, Comeau, Howard, Khan, Craig, Love and Kotowski

Bill Sponsors:
Rep. Harrington

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Q Rep Harrington Notes that water after fish hatchery is not safe for swimming. River goes into Winnepesaukee. NH one of 3 states that don't do water treatment permits. DES, EPA, F & G all involved in oversight. No one benefits from hatchery except fisher folks, hence the 5 dollar trout/salmon stamp raise some \$370,000 a year. Have no number for repay costs. Hopefully pass this bill, then would have cost numbers by the time it hits Senate, so numbers can be included in governors budget. Self funding even after needs met **Q Rep Read** Only for pollution control for Powder Mill>

A yes Trying to limit scope of bill. Will take time, expanding

Q Rep Laflamme Stamp would benefit license

A yes

Q Rep L'Heureux How would people who get license over Internet, affix stamp

A Print and staple

Q Rep Bosman This would be repealed after money is raised

A you are going to hear about pollution hitting Winnepesaukee

Q Rep Kowowski Would the first step be getting treatment facility

A No

Q Rep Kotowski Anyone here from DES

A Hand raised in audience

Q Rep Kotowski There are levels associated to all treatment plants. My concern is this is taking, too long

Q Rep Harvey Concerns with process Go to senate next, you said?

A Ideally, this goes through to senate then got number

Q Rep Harvey Like you are setting a dedicated fine

A yes

Q Rep Harvey Who can set up dedicated fund?

1.* Jason Smith F & G has on position Would like to point out some flaws a written . Has concerns that stamp, available would cost more than \$5 to produce Problematic that fee is only for Power Mill Survey suggest only half of license holders fish for trout.

NH has some of the highest fees, concerns about drop in participation How do we know who is fishing for what? Language says Trout & Salmon should say brook trout per law.

Q Rep Laflamme Will this added fee go through rulemaking?

A Looks like it

Q why should the burden be on Fishers? Other pollutions addressed by senate

Q Rep Love Used to split license by cold water fee/warm water fee

A F & G didn't sell enough warm water

Q Rep Love Why not just raise license fee \$5

A That is another approach

Q Rep Read It might not be covered by 5 dollars fee to make setup available

Q Rep Craig Financial note differs from \$151,000-(which includes all licenses -3 day etc.

Q Rep Bosman You say it might be best to cover all hatcheries

A It is time for our registry renewal

Q Rep LHeureux I bought a lifetime stamp in 82, according to past rulings you can't add this to life time fee

A In text it doesn't cover life time

Q Rep Love Significant rise in warm weather fishing would warm/cold species licenses

A Don't know

Q Rep Egan Dept is seeing of capital appropriation. Would you know if this is \$15 fee would cover?

Q Rep Kowtowski Is hatchery taken offline due to pollution? Do you raise as many fish as you like

A Things have stayed consistent

Q Rep Howard Is it costly to keep it clean?

A It is labor intensive

Q Rep Khan If we lowered fee

A We don't have numbers

Q Rep Von Plinsky No debate that pollutions is from hatchery

Q Rep Laflamme New Durham has short term pollution controls.

A We need place to treat and restore

Q Rep Read Do you have a sense of losing anglers to pollution rather than fee

A Can't put a number to it

2* Scott Kinmand Town of New Durham Pollution into Alton Bay, Winnepesaukee, and waterways preceding lake Winni. Supports bill as a revenue stream to get out solids that are high phosphorus

Q Rep Kowtowski Does new Durham have sewage treatment plant?

A no

Q Rep LHeureaux Cant stuff be stock pile to be treated by another's

A May have town property for settlement lagoon

Q Rep LHeureaux In Merrimack when Budweiser came we put in lined lagoons

A That sort of thing had been none with sludge no lids

Q Rep Egan Has anyone tried to figure cost

A A watershed management study may helped DES and F & G. Water below hatchery unusable

Q Rep Laflamme Is usability affected by cyandobacteria?

A high phosphorus

Q Rep Bosman Can your town shut down hatchery due to pollution

A I don't know

3.* Russ Wilder, Alton Planning Board not here as Rep of planning board. Landowners have to limit phosphorus. But not state dept Read testimony to us. Winter labor, Kary beach have has mycobacteria bloom

Q Rep Howard Does this feed milfoils

A You may be right. Merry Meeting marsh is getting fertilized by it

4. * Gene Young deferred talking

Power Mill does 6 million gallons a day while towns may do some 50,000 gallons Merry Meeting goes from 4 parts per million to 63 parts per million below hatchery. By Alton Bay it is down to 15ppm stuff settled on way

Settling ponds are flushed out on Friday, boards pulled Monday, drain. Vacuum tanks flushes too numbers fluctuate. 2007 12000ppb, spring flush only 7ppm. The difference is sent down stream In the 80s discharge was noted Read submitted testimony/explained pictures.

Over last 20,30 years it comes down to funding.

Q Rep Read Will we lose anglers to polluted water, what numbers do you think?

A My son won't buy a license due to pollution river has changed significantly in the last 3 years, in 5 more it could be awful

Q Rep Egan In you 20 years has anyone given sense of cost?

A 2.2 million to being PPB to 2-% needs to be below 12 to be swimmable could take 20 years to get it clean. The longer this takes the more pollution amasses milfoil growing in silt from hatchery

Q Rep Khan What income does town of New Durham get from hatchery

A No income from hatchery

Q Rep Laflamme In your text you quote rules, are the NH?

A yes

*Tom Irwin Conservation Law Foundation in lawsuit about pollution coming out of power mill Dartmouth study of cyanobacterial blooms and Alzheimer/neuro degenerative disease. Perhaps more extensive treatment w/be needed to fix. The repeal is bothersome, more than Power mill needs to be addressed. Pollution affects folks downstream, property values, tourism affect.

Q Rep LHeureaux You filed lawsuit

A yes

A Lawsuit in Federal Court, fine these conversations happening

Q Rep Egan Do people know what needs to be done to fix this

A hatchery needs to fall under compliance clean water act

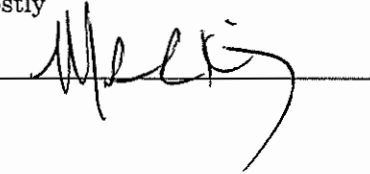
Q Rep Egan Is there goal

A We don't have define levels

Q Rep Kowtowski Is a problem that we don't have levels and we can't address costs without knowing

A Next permit may be more restrictive, costly

Respectfully submitted by: Rep King

A handwritten signature in black ink, appearing to read "Rep King", is written over a horizontal line.

HOUSE COMMITTEE ON FISH AND GAME AND MARINE RESOURCES

PUBLIC HEARING ON HB 516-FN

BILL TITLE: relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

DATE:

ROOM: 307

Time Public Hearing Called to Order: 10:10

Time Adjourned: 11:10

(please circle if present)

Committee Members: Reps. Harvey, Laflamme, King, Dontonville, Read, Bosman, Egan, Eisner, Ruprecht, Stack, Von Plinsky, L'Heureux, Klose, Spillane, Comeau, Howard, Khan, Craig, Love and Kotowski

Bill Sponsors:
Rep. Harrington

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Harrington: ^{hatchery} Notes that water after fish ~~taster~~ is not safe for swimming. River goes into Winnapasaki. NH one of 3 states that one of water treatment permits. DES, EPA, F+G all involved in oversight. No one benefits from hatchery except fisher folks, hence the 5 dollar trout/salmon stamp. Raise some \$370,000 a year. Have no number for repair costs. Hopefully pass this bill, then could have cost numbers by the time it hits Senate, so numbers can be included in governor's budget. Self funding. Ever after years ^{MEX.}
? Rep READ: Only for pollution control for Powder Mill?

4B.
A: Trying to limit scope of bill. Will take time, expanding

? Rep Lefkowitz: Stamp would be affixed to license
A: YES

~~Rep Lefkowitz~~

Rep L'HEUREUX: How would people who get license
over internet affix stamp

A: PRINT AND STAPLE

Rep BOSMAN: This would be repeated after money
IS RAISED.

A: You are going to hear about potential meeting with
ASAKI.

? Rep KOTOWSKI - would the first step be getting
treatment facility

A: NO

? Rep KOTOWSKI: Anyone here from DES

A: HAND RAISED IN AUDIENCE

? Rep KANT: There are levels associated ~~to~~ to
all treatment plants. My concern is this is taking too
long.

5/6 3

Q Rep HARVEY: CONCERNS WITH PROCESS. GO TO SENATE NEXT, YOU SAID?

A: Ideally, this goes through to SENATE, then get NUMBER

Q Rep HARVEY: LIKE YOU ARE SETTING A DEDICATED FUND

A: YES

Rep. HARVEY WHO CAN SET UP DEDICATED FUND

JASON SMITH: F76 HAS NO POSITION. WOULD LIKE TO POINT OUT SOME FLAWS AS WRITTEN.

HE CONCERNS THAT STAMP, AVAILABLE, WOULD COST MORE THAN \$5 TO PRODUCE. HE

PROBLEMATIC THAT FEE IS ONLY FOR LAWRENCE MILL SURVEY SUGGESTS ONLY HALF OF LICENSE HOLDERS FISH FOR TROUT

NH HAS SOME OF THE HIGHEST FEES, CONCERNS ABOUT DROP IN PARTICIPATION

WHAT HOW DO WE KNOW WHO IS FISHING FOR

LANGUAGE SAYS Trout i Salmon: should say BOOK about, PER LAW

Site 4

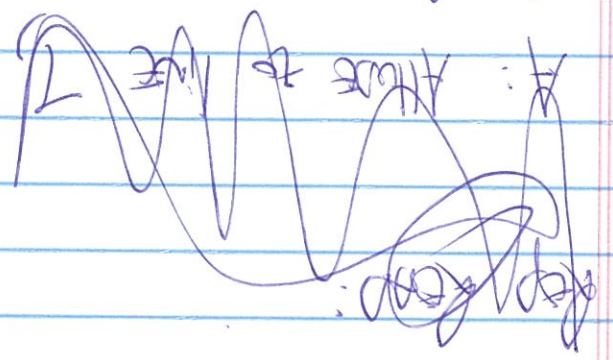
Rep Incentive - will this make fee go
through (encouraging) ?
A: this looks like

Rep Lateral: is this delay part of the
fees

Why should the burden be on fishers? other
pollution is absorbed by state

Rep Lateral: Used to split license by cold water
fee / warm water fee

A: F: I don't sell enough warm water
exp late: why not just raise license fees
A: That is another approach



2 Rep Lateral: If might not be covered by
5 dollar fee to make setup available

5/6 5

Rep READ: Dept EST. It would cost more than where

A:

Rep CRAIG: financial note differs from 151,000 - (which includes all LICENSES - 3 day ETC.

Rep BOSMAN: you say it might be best to cover all HATCHERIES

A: It is time for our \$B regulatory renewal

? Rep L HEUREAUX: I bought a lifetime stamp in '92 ~~already~~ According to PASS rulings you can't do this to lifetime fee

A: In text it doesn't cover lifetime S

? Rep LOVE: Significant RISE in WARMWATER fishing - would warm/cold SPECIES LICENSES

A: Don't know

Rep EGAN: Dept is seeking if capital APPROPRIATE. Would you know if this \$5 fee would cover

? Rep Kowtowski: Is hatchery taken off line due to pollution? Do you raise as many fish as you'd like

A: Things have stayed consistent

? Rep Howard: Is it costly to keep it clean?

A: It is labor intensive.

? Rep Khan: If we lower fee

A: We don't have hard numbers

? Rep Van Plunsky: No debate that pollution is from hatchery?

A:

? Rep Laftman: New Durham has short term pollution controls.

A: WE NEED PLACE TO TREAT AND RESTORE

? Rep Reed: Do you have a sense of losing anglers to pollution rather than fee

A: Can't put a number to it.

Site 7

KUMANO

Scott Kumada: Town of New Carlin
followed into Allen Bay, winter park, and waterways
prevention (lake wind). Supplies bill at a revenue
stream to get out solids that are high phosphorus

Rep Koutousski: Does New Carlin have
sewage treatment plant?

A: No

Rep Lefebvre: Can't staff be stockpiled to
be treated by another

A: May have been property for settlement lagoons

Rep L H In Merrimack when Boudier
camp we put in litter lagoons and co

A: That sort of things had been done with
Rep Egan: Has anyone tried to figure cost
slope for lidos

A: A watershed management study may help
and FGD & water below naturally usable

? Rep Laffman - is instability by cyanobacteria?

A High phosphorus

Rep Laffman -

? Rep Bosman: (in your total shut down mechanism due to pollution)

A: I don't know

Russ Wilber, Alan Plummer, Gord. Not here AS Rep of Planning Dept. Landowners have to limit phosphorus. But we state Dept. keep testing water harbor, Kay beach have had cyanobacteria bloom

glow

to us.

? Rep Howard. Does this feed will fail

A: you may be right. Merrimack marsh is getting fertilized by it.

leave you - deferred talking

Powder Mill does 6 million gallons a day,
 while towns may do some 50,000 gallons

Moby Meeting goes from 4 PAGES per million to
 (3) PAGES per million below hatchery. By Atou Bay it
 is down to 15 ppm - stuff settled out way.

Settling ponds are flushed out on Friday, boxes pulled
 Monday, DRAIN. Vacuum tanks flushed too. Numbers
 fluctuate with

2007 12000 ppb - spring flush only 7 ppb. The
 difference is seen downstream

~~2008~~ In the 80's discharge was noted.

READ submitted testimony / explained pictures.
 Over last 20, 30 years it comes down to farming.

? Rep READ: "Will we lose anglers to polluted water,
 what numbers do you think?"

A: My son won't buy a license due to pollution.
 River has changed significantly in the last 3 years, in
 5 more it could be awful

Rep EGAN: In your 20 years, has anyone given
 sense of cost

A: 2.2 million to bring ppb to 20% - needs
 to be below 12 to be swimmable. Could take 20
 years to get it clean

5/6 10

THE LONGER THIS TAKES THE MORE POLLUTION
ACCUMULATES. Millford ~~is~~ growing in silt from hatchery -

~~Rep Hwang: GAVOHA~~

Rep Khan: What income does town of New
Durham see from Hatchery:

A: No income from Hatchery

Rep Laflamme: In your text you exceed rules,
ARE THE NH?

A: YES

Tom Irwin: CONSERVATION LAW FOUNDATION - IN LAWSUIT
ABOUT POLLUTION COMING OUT OF POWDERMILL.

DREMOULT STUDY OF CYANO BACTERIAL BLOOMS AND
ALZHEIMER'S / NEURODEGENERATIVE DISEASE.

PERHAPS MORE EXTENSIVE TREATMENT W/ BE NEEDED
TO FIX. THE REPEAL IS BOthersOME, MORE THAN POWDERMILL
NEEDS TO BE ADDRESSED.

POLLUTION AFFECTS FOLKS DOWNSTREAM, (PROPERTY)
VALUES, TOURISM AFFECT

5/16 11

Rep L You ~~did~~ filed lawsuit

A: YES

Rep L HEURTAUX:

A: LAWSUIT IN FEDERAL COURT, FIVE THOSE CONVERSATIONS APPEARING

Rep Egan: Do people know what needs to be done to fix this

A: HATCHERY NEEDS TO FALL UNDER COMPLIANCE CLEAN WATER ACT

Rep Egan: Is there a goal

A:

Rep Kowtowski - Is a problem that we don't have levels - AND WE CAN'T ADDRESS COSTS WITHOUT KNOWING

A: NEXT PERMIT MAY BE MORE RESTRICTIVE, COSTLY

Testimony



Glenn Normandeau
Executive Director

New Hampshire Fish and Game Department

11 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: www.WildNH.com

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.nh.gov

HB 516 #1

New Hampshire Fish and Game Department Testimony relative to HB 516

House Fish and Game and Marine Resources Committee February 5, 2019

Madam Chairman and members of the Committee, my name is Jason Smith of the Fish and Game Department. I am here to speak to HB 516. The Fish and Game Commission has not taken a position on this bill so I am here to neither support or oppose this bill.

The New Hampshire Fish and Game Department appreciates Representative Harrington's effort to help out the Department by proposing this fee. The Department also recognizes that this proposed bill as it currently written has some technical flaws. Some of these concerns are listed below:

- The language suggests that the trout stamp "shall only be valid when affixed or displayed on the fishing license". This suggests an administrative cost will be incurred by the Department to print and sell these stamps. Also, these would not be available online and would not be able to be purchased with a regular fishing license. We would suggest making it available online at minimal cost to the Department, similar to our Waterfowl Hunting Stamp.
- Due the aforementioned administrative costs, \$5 might not be adequate to cover the cost that is needed to install the type of system the fish hatchery may need. That may render this bill and appropriation premature.
- The Department will not know what type of system or have a cost estimate until Powder Mill Hatchery's NPDES permit is been released by the U.S. EPA which issues the permit. It is led to believe that the new permit will have numerical values for nutrients but we are unsure what that number might be. The Department is planning on seeking a Capital Appropriation in a future budget.
- The trout stamp proposed is specific to Powder Mill. The Department owns and operates 6 hatcheries. The Department would like to maintain some flexibility to utilize these funds for other hatcheries that may face similar challenges based upon permit decisions made by the U.S. EPA.
- Our recent angler survey suggests that only about half of licensed Resident New Hampshire Anglers are currently fishing for stocked trout and salmon. This fact would alter the projected revenue included with this bill.
- We recently had a license increase. We have some of the highest fishing license fees in the North East. We have concerns about a drop in participation. Ultimately resulting in a greater loss in revenue.
- This would be difficult to enforce due to our many multi-tier fisheries. Many of our lakes support both trout and warm water species which would not require this stamp, making it difficult for our officer to determine if the stamp is required.
- We suggest the term "trout" should be changed to "brook trout" which is already defined in statute. "Trout" would suggest that one is required for self-sustaining lake trout population, which we have not raised and stocked since around 1994. "Brook trout" includes brook, brown, and rainbow trout in statute, and would cover the future department needs.

SCOTT KINMOND
TOWN ADMINISTRATOR

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HB 516 #2

TOWN OF NEW DURHAM, NEW HAMPSHIRE
OFFICE of the BOARD OF SELECTMEN

February 5, 2019

Honorable Representatives, New Hampshire House
Legislative Office Building, Room 307
Concord, NH. 03301

RE: House Bill 516

Dear Honorable Representatives,

Phosphorus assimilation capacity analysis is one measure use to determine how much additional phosphorus a waterbody can handle without further degradation. This analysis, when used to evaluate the ponds on the Merrymeeting River in New Durham, has shown that the two ponds immediately below the Powder Mill Hatchery have no additional assimilation capacity.

This means that all the phosphorus leaving the Hatchery is flowing past these ponds. The last New Durham Pond is Downing Pond and despite repeated cyanobacteria blooms, it still has a little assimilation capacity. Most of the phosphorus being released from the hatchery is passing through Downing Pond and entering Alton.

Recent measurements of water flow and phosphorus loads on the Merrymeeting River demonstrate that huge loads of phosphorus are already entering Alton Bay. Before long any remaining phosphorus assimilation capacity left in the Merrymeeting River will expire, leaving Alton Bay to suffer the same consequences as the New Durham ponds.... repeated cyanobacteria blooms and the inability for human recreation.

Building a waste water treatment facility at the hatchery is imperative in order to keep Lake Winnepesaukee safe for future recreation. This bill, submitted by Michael Harrington, will provide a much needed source of funds to build that facility and keep Lake Winnepesaukee safe for future generations.

Respectfully submitted,

Scott D. Kinmond, CPM
Town Administrator

For

Fred Quimby, chair,

The New Durham/Alton Cyanobacteria Mitigation Steering Committee

HB 516
*4

TABLE OF CONTEXTS

1. Ariel View of Merrymeeting river with total phosphorus (TP) levels.
2. 1970 on Marsh pond, ok for swimming.
3. 2018 on Marsh pond, are you up for a swim.
4. Scum on Hatchery settling pond.
5. How the settling pond is clear.
6. Marsh pond testing by UNH during 2017 and 2018.
7. NHDES study of the relation between TP and impairment.
8. Note from Trophic survey (NHDES) 2004 Downing pond.
9. 303(d) classification Marsh, Jones and Downing pond as impaired due to Cyanobacteria.
10. Conclusion





**MARSHS POND IN THE 70'S
BEFORE MORE FISH AND
BMP'S**



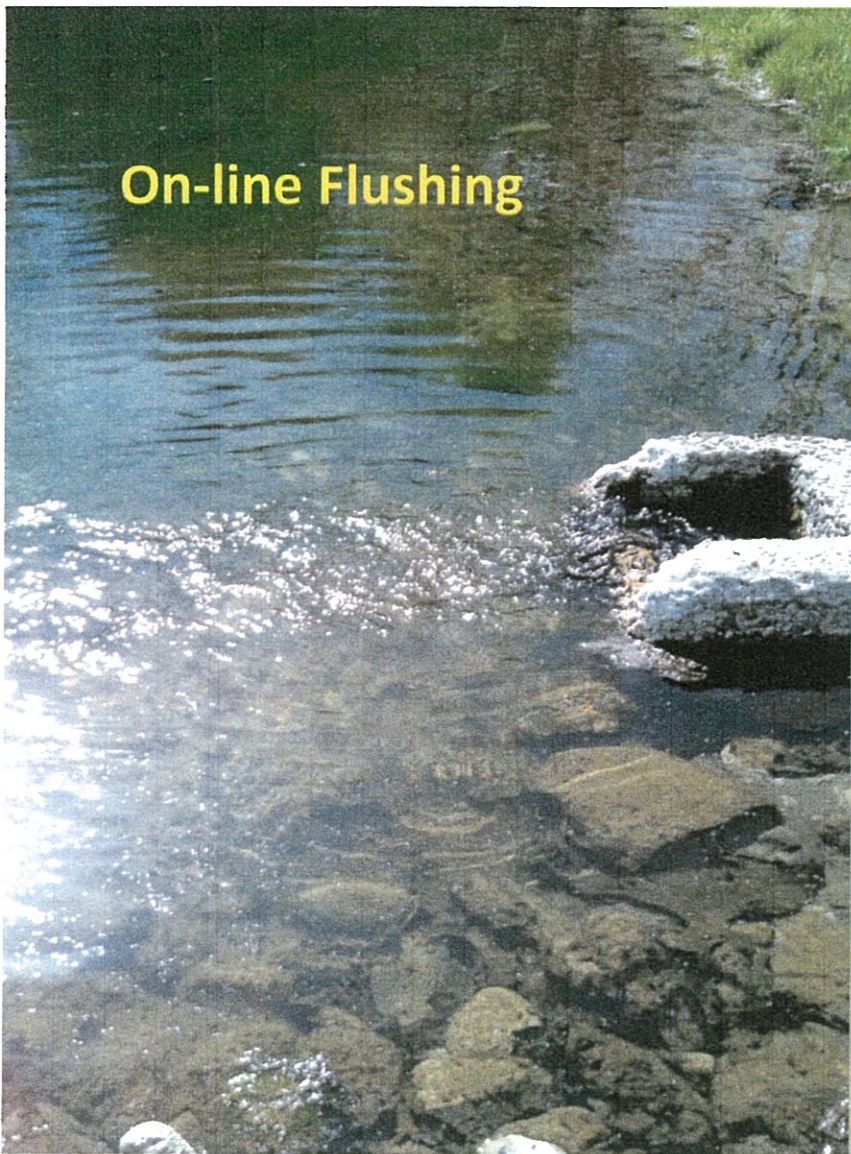
PROBLEM
-Changes in BMP
-More fish

IMPACT
Beach used by a kid camp from 1971 – 1977
with four floats, rope swing. Now Impaired for swimming.



How are the Settling Ponds cleaned? Friday afternoon put on line by turning water flow up flushing sludge into Merrymeeting River, then on Monday remove spillway boards and drain what is left into the river.

On-line Flushing



Post flush results





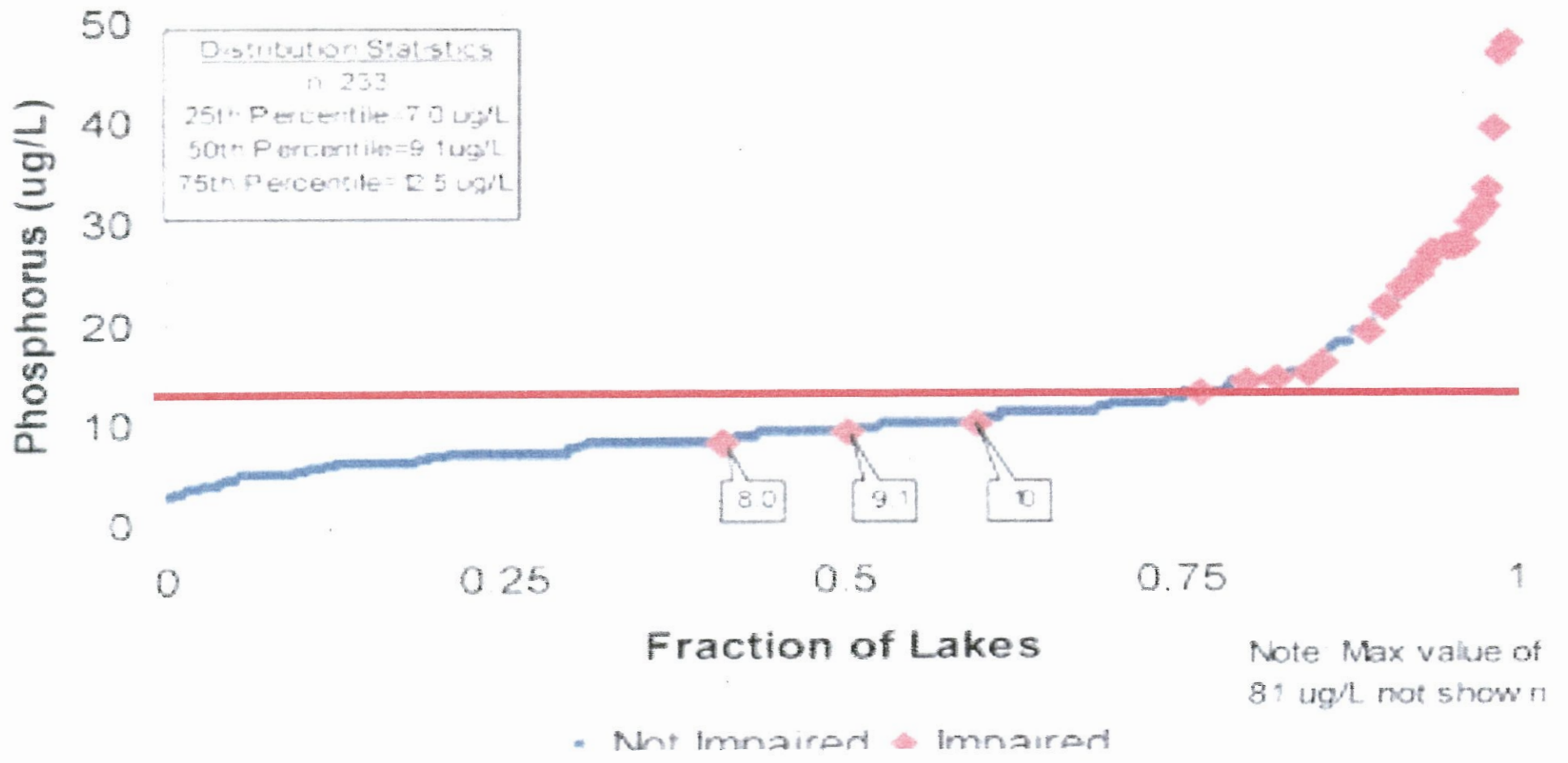
UNH selected Marsh Pond for testing and has been testing since July of 2017. Why, it is the post child for cyanobacteria in the state....

- Total phosphorus was very high in the fall 2017
- Total phosphorus was very low in the Spring 2018 (7 UGL). Where it all go? Winni?

~~Anoxia or dead zone was 50% of water column for two months in 2018~~



Distribution of Median Phosphorus in Study Lakes



The 2003 NHDES trophic data for Downing pond says it all.

Borderline meso-eutrophic pond, primarily because of very abundant rooted plant growth. The elevated phosphorus levels are likely due to an upstream fish hatchery, located just downstream of the outlet of Merrymeeting Lake.

Code of Administrative Rules

1703.14 Nutrients

(b) Class B waters shall contain no phosphorus or nitrogen in such concentrations that would impair any existing or designated uses, unless naturally occurring.

(c) Existing discharges containing either phosphorus or nitrogen which encourage cultural eutrophication shall be treated to remove phosphorus or nitrogen.

Downing
Pond 2016



At 800 lbs. per year, the US EPA, NHDES and NH F&G all agree that the Powder Mill Hatchery is discharging too much phosphorus into the Merrymeeting River.

The NH DES recognized that degradation of the New Durham ponds below the PMSFH was being caused by too much phosphorus being released from the hatchery since 1986.

The NH DES associated the toxic cyanobacteria blooms in Marsh, Jones and Downing Ponds with extremely high levels of phosphorus in the water.

During high water flow conditions, the Merrymeeting River is adding more than 12 lbs. of phosphorus into Alton Bay per day. It's only a matter of time before toxic cyanobacteria blooms appear in the Bay.

All involved parties agree that the solution to this problem is to build a permanent waste water treatment facility at the PMSFH. NH F&G plans to hire an engineering firm in 2019 to create a 15 % engineering design and specification plan and estimate the final construction cost.

The trout stamp bill introduced by Representative Michael Harrington will provide the much needed funds necessary to create this treatment facility.



New Hampshire Guide's Association

Your best source for Dedicated Professional Hunting, Fishing, and Outdoor Guides!

www.NHGuidesAssociation.com

HB 516

Chairman Cathryn Harvey
House Committee on Fish and Game and Marine Resources
New Hampshire House of Representatives
107 North Main Street
Concord, NH 03301

February 3, 2019

Chairman Harvey and Honorable Members of the Committee,

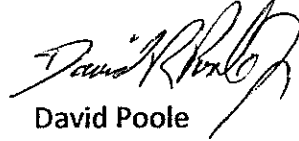
My name is David Poole, I am a resident of Rumney, and I am the Legislative Liaison for the New Hampshire Guides' Association. We are a professional organization of hunting, fishing and recreational guides that offer services to the citizens and visitors of our great state. We would like to submit this written testimony to voice our opposition to HB 516.

The New Hampshire Guide's Association is appreciative of the sponsor's concern for the work that will be needed at the Powder Mill Hatchery. However, we feel that instituting a trout/salmon stamp, in addition to the recently increased fishing license fees, would be detrimental to the overall sale of licenses. It would also be an impediment to recruiting out-of-state anglers to fish in New Hampshire as opposed to another of our neighbor states. Currently the annual non-resident annual rates are: Maine at \$64.00, New Hampshire at \$63.00, Vermont at \$52.00 and Massachusetts at \$23.50. An additional \$5.00 would make us the most expensive state to get a non-resident fishing license. As a fishing guide in the extreme northern part of the state, I hear multiple folks that are concerned about the cost of the license as it is. We assist these anglers in the planning stages of their fishing trips and license fees are certainly part of their decision process. Should that person or family decide to go to Maine or Vermont instead of New Hampshire, we lose not only the license fees but the food, lodging and all the other income realized from folks visiting our state.

In 2015, the Legislature gave the Fish and Game Department the authority to set fees. In our opinion, the Fish and Game Department has the responsibility to determine the funding for any required improvements to the state fish hatcheries once they have comprehensive reports and can establish a responsible action plan.

On behalf of the New Hampshire Guide's Association, I want to thank you for allowing us to be heard on this matter. We would request that the Committee find this HB 516 inexpedient to legislate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Poole", written in a cursive style.

David Poole

New Hampshire Guides' Association

Fiscal Note

HB 516-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Funding Source:</i>	<input type="checkbox"/> General Game Fund	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other - Fish and

METHODOLOGY:

This bill requires the purchase of a \$5 trout/salmon stamp to take trout or salmon in the fresh waters of this state and reserves the revenue collected to be used to fund the installation of pollution control equipment at the Powder Mill fish hatchery in New Durham. This requirement is repealed once the pollution control equipment at the Powder Mill fish hatchery in New Durham has been certified by the Fish and Game Department as complete and filed with the Secretary of State and the Director of the Office of Legislative Services. Since the Powder Mill fish hatchery is being permitted by the United States Environmental Protection Agency, the Department is unable to estimate the expenditures needed to meet the exact water quality standards at this time.

The Department has consistently sold approximately 151,000 fishing license a year, excluding complimentary and lifetime licenses exempt from this bill. If this bill were to pass, the Department assumes all applicable licenses would be charged the \$5 stamp and all funds would be deposited into the Fish and Game fund. Therefore, the Department estimates revenues to the Fish and Game fund would increase by approximately \$755,000 a year.

AGENCIES CONTACTED:

Fish and Game Department

Bill as
Introduced

HB 516-FN - AS INTRODUCED

2019 SESSION

19-0236

04/05

HOUSE BILL

516-FN

AN ACT

relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

SPONSORS:

Rep. Harrington, Straf. 3

COMMITTEE:

Fish and Game and Marine Resources

ANALYSIS

This bill requires the purchase of a trout/salmon stamp to take trout or salmon. The stamp revenue shall be used to fund the installation of pollution control equipment at the Powder Mill fish hatchery.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to funding for pollution control equipment at the Powder Mill fish hatchery through the purchase of a trout/salmon stamp.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Hunting, Fishing, and Trapping; Trout and Salmon Stamp. Amend RSA 214 by
2 inserting after section 1-g the following new section:

3 214:1-h Trout/Salmon Stamp.

4 I. Any person who has purchased an annual resident or nonresident fishing license
5 pursuant to RSA 214:1 who wishes to take trout or salmon in the fresh waters of this state shall also
6 purchase a trout/salmon stamp at a cost of \$5. The stamp shall be designed and approved by the
7 executive director and shall be valid for one year from the date of purchase. The stamp shall only
8 be valid when affixed or displayed on the fishing license. This paragraph shall not apply to any
9 person who takes fish under a complimentary license, excluding any administrative fee, issued
10 pursuant to RSA 214:3, RSA 214:7-a, RSA 214:13, RSA 214:13-b, or RSA 214:13-c, or a lifetime
11 license issued pursuant to RSA 214:9-c.

12 II. The executive director shall use all revenue from the sale of the trout/salmon stamp to
13 fund the installation of pollution control equipment at the Powder Mill fish hatchery in New
14 Durham.

15 2 Repeal. RSA 214:1-h, relative to a trout/salmon stamp, is repealed.

16 3 Contingency. Section 2 of this act shall be repealed on the date the executive director of the
17 fish and game department certifies to the secretary of state and the director of the office of
18 legislative services that the installation of the pollution control equipment required in section 1 of
19 this act has been completed.

20 4 Effective Date.

21 I. Section 2 of this act shall take effect as provided in section 3 of this act.

22 II. The remainder of this act shall take effect 60 days after its passage.