

LEGISLATIVE COMMITTEE MINUTES

SB76

Bill as Introduced

SB 76 - AS INTRODUCED

2019 SESSION

19-0900
08/10

SENATE BILL **76**

AN ACT relative to the prohibition of offshore oil and natural gas exploration.

SPONSORS: Sen. Fuller Clark, Dist 21; Sen. Sherman, Dist 24; Sen. Levesque, Dist 12; Sen. Kahn, Dist 10; Rep. Cushing, Rock. 21; Rep. Le, Rock. 31

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill prohibits offshore oil and natural gas exploration.

.....

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the prohibition of offshore oil and natural gas exploration.

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

1 1 New Section; Offshore Oil and Natural Gas Exploration Prohibited. Amend RSA 146-A by
2 inserting after section 2 the following new section:

3 146-A:2-a Offshore Oil and Natural Gas Exploration Prohibited.

4 I. In this section, "development" means any pipeline or other infrastructure that transports
5 oil or natural gas from production facilities located in federal waters or other coastal state waters in
6 the Atlantic Ocean through New Hampshire state waters and any land-based support facilities for
7 offshore oil or natural gas production facilities located in the Atlantic Ocean.

8 II. Offshore oil or natural gas exploration, development, and production is prohibited in
9 state waters.

10 III. No tidal or submerged lands in state waters shall be leased for the purposes of oil or
11 natural gas exploration, development, or production.

12 IV. The department of environmental services shall not:

13 (a) Issue any permit or other approval for any development associated with offshore
14 drilling for oil and natural gas whether proposed for in state waters or outside of state waters.

15 (b) Permit, approve or otherwise authorize any oil or natural gas exploration,
16 development, or production in state waters.

17 (c) Develop, adopt, or endorse any plans for the exploration, development, or production
18 of oil or natural gas in state waters.

19 2 Effective Date. This act shall take effect 60 days after its passage.

SB 76 - AS AMENDED BY THE SENATE

03/07/2019 0880s

2019 SESSION

19-0900

08/10

SENATE BILL **76**

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SB 76 - FINAL VERSION

03/07/2019 0880s

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CHAPTER 343
SB 76 - FINAL VERSION

03/07/2019 0880s

2019 SESSION

19-0900
08/10

SENATE BILL **76**

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SPONSORS: Sen. Fuller Clark, Dist 21; Sen. Sherman, Dist 24; Sen. Levesque, Dist 12; Sen. Kahn, Dist 10; Rep. Cushing, Rock. 21; Rep. Le, Rock. 31

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CHAPTER 343
SB 76 - FINAL VERSION

03/07/2019 0880s

19-0900
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to the prohibition of offshore oil and natural gas exploration.

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1 343:1 New Section; Offshore Oil and Natural Gas Exploration Prohibited. Amend RSA 146-A by
2 inserting after section 2 the following new section:

3 146-A:2-a Offshore Oil and Natural Gas Exploration Prohibited.

4 I. In this section, "development" means any pipeline or other infrastructure that transports
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18 (c) Develop, adopt, or endorse any plans for the exploration, development, or production
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343:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: September 11, 2019
Effective Date: November 10, 2019

Amendments

Sen. Giuda, Dist 2
Sen. Bradley, Dist 3
March 7, 2019
2019-0880s
08/06

Floor Amendment to SB 76

1 Amend RSA 146-A:2-a as inserted by section 1 of the bill by replacing it with the following:

2

3 146-A:2-a Offshore Oil and Natural Gas Exploration Prohibited.

4 I. In this section, "development" means any pipeline or other infrastructure that transports
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Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Martha Fuller Clark, Chair
 Sen Dan Feltes, Vice Chair
 Sen David Watters, Member
 Sen Jeb Bradley, Member
 Sen Bob Giuda, Member

Date: February 6, 2019

HEARINGS

| | Tuesday | 02/12/2019 |
|------------------------------|---------|---|
| | (Day) | (Date) |
| Energy and Natural Resources | | SH 103 |
| (Name of Committee) | | (Place) |
| | | 9:00 a.m. |
| | | (Time) |
| 9:00 a.m. SB 76 | | relative to the prohibition of offshore oil and natural gas exploration. |
| 9:15 a.m. SB 160 | | allowing swimming at non-motorized boat launches. |
| 9:30 a.m. SB 162 | | exempting commercial vessels from rafting rules. |
| 9:45 a.m. SB 163 | | relative to permits for operation of solid waste management facilities. |
| 10:00 a.m. SB 287-FN | | requiring the commissioner of the department of environmental services to revise rules relative to perfluorinated chemical contamination in drinking water. |

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 76

Sen. Fuller Clark
 Rep. Cushing

Sen. Sherman
 Rep. Le

Sen. Levesque

Sen. Kahn

SB 160

Sen. Bradley

Rep. Buco

Rep. Kanzler

Rep. Marsh

SB 162

Sen. French

Rep. Plumer

SB 163

Sen. Carson
 Rep. S. Beaudoin

Sen. Bradley
 Rep. McGuire

Sen. Feltes

Rep. Renzullo

SB 287-FN

Sen. Sherman
 Sen. Hennessey
 Rep. Malloy

Sen. Fuller Clark
 Sen. Chandley
 Rep. Bushway

Sen. Cavanaugh
 Rep. Cushing
 Rep. Murphy

Sen. Feltes
 Rep. Le

Griffin Roberge 271-7875

Martha Fuller Clark
 Chairman

Senate Energy and Natural Resources Committee
Griffin Roberge 271-7875

SB 76, relative to the prohibition of offshore oil and natural gas exploration.

Hearing Date: February 12, 2019.

Time Opened: 9:04 a.m.

Time Closed: 9:46 a.m.

Members of the Committee Present: Senators Fuller Clark, Feltes, Watters, Bradley and Giuda.

Members of the Committee Absent: None.

Bill Analysis: This bill prohibits offshore oil and natural gas exploration.

Sponsors:

Sen. Fuller Clark
Sen. Kahn

Sen. Sherman
Rep. Cushing

Sen. Levesque
Rep. Le

Who supports the bill: Senator Jay Kahn (NH Senate District 10), Senator Martha Fuller Clark (Senate District 21), Senator David Watters (NH Senate District 4), Senator Tom Sherman (NH Senate District 24), Rob Werner (League of Conservation Voters), Susan Darling (Echo Action), Sally Davis (League of Woman Voters of New Hampshire), Jim Chase (Seacoast Science Center), Representative Judith Spang (Strafford - District 6), Susan Arnold (Appalachian Mountain Club), Marcia Gorbei, Meredith Hatfield (CLF), Carol Foss (NH Audubon), Melissa Gates (Surfrider Foundation), Representative Renny Cushing (Rockingham - District 21), Representative Timothy Horrigan (Strafford - District 6), Louise Spencer, Sally Hatch, Catherine Corkery (NH Sierra Club), Matt Leahy (NH Forest Society), Dennis Lakubowskii, Cheri Falk, Liz-June Platt, Melissa Hinebauch, Deborah Sakubowski, Maura Willing, Stephanie Scherr (Echo Action).

Who opposes the bill: Alvin See

Who is neutral on the bill: None.

Summary of testimony presented in support:

*Senator Martha Fuller Clark - provided written testimony
NH Senate District 21*

- SB 76 prohibits offshore oil and gas drilling facilities, as well as any development of on-shore support facilities that advance offshore oil and gas operations.
- In January 2018, the US Department of the Interior announced plans to allow offshore drilling up and down the Atlantic and Pacific coasts. Governor Sununu is opposed to offshore drilling in New Hampshire and extracted a concession from the former Secretary of the Interior Ryan

Zinke that offshore drilling would not happen in New Hampshire. That promise does not have the force of law.

- Ten state legislatures have introduced legislation in 2019 to ban off-shore drilling in their states' waters. NH will be left vulnerable to intense coastline development if SB 76 failed and bills in other states, like Maine and Massachusetts, succeeded.
- Environmental policies in New Hampshire are focused on ending the state's dependency on fossil fuels and reducing green house gas emissions; it makes little sense to support offshore drilling and exploration for more oil and gas.
- In 1974, New Hampshire protected its coast from Aristotle Onassis' attempt to construct an offshore refinery. NH should not relive that experience.
- Senator Giuda asked if Senator Fuller Clark considered a limited use to permit offshore drilling program to address a shortage of natural gas and petroleum energy.
 - Senator Fuller Clark said she did not consider a limited use.

Senator David Watters

NH Senate District 4

- Tidal flows from an oil spill on the Piscataqua River thirty years ago brought negative environmental impacts to all communities along the river.
- Senator Watters is a member of the Atlantic States Marine Fisheries Association, which opposes offshore drilling and exploration because of the disruptive impact it has on fisheries, ecosystems, and habitats.
 - The Gulf of Maine is and has been one of the most productive fisheries in the world for four centuries. Rising ocean temperatures and the fall of cod stocks have impacted fisheries.
 - The Gulf of Maine has an \$800 million dollar lobster industry and a \$350 million dollar scallop industry. An oil spill would devastate those industries.
- Senator Giuda asked if his understanding was correct that SB 76 would limit drilling and exploration within the coastal limits of New Hampshire.
 - Senator Watters said Senator Giuda was correct. SB 76 also prevented the NH Department of Environmental Services (NHDES) from issuing any permits for any development associated with offshore drilling for oil and natural gas, whether proposed for in state waters or outside of state waters. This would impact federal waters.

Representative Robert Renny Cushing

Rockingham - District 21

- Many communities in New Hampshire are dependent on the tourism industry. Offshore drilling and exploration acts against the interest of tourist-based communities.
- Senator Fuller Clark asked if Representative Cushing could speak about a bill he introduced in the House.
 - Representative Cushing responded that he introduced a House Joint Resolution 2 (2019) that would recommend and request the President and the US Congress to exclude New Hampshire from offshore oil and gas drilling and exploration activities in the 200 miles of federal jurisdiction in the Atlantic Ocean.
- Senator Fuller Clark asked why it was important to pass HJR 2 along with SB 76.
 - Representative Cushing said both efforts would illustrate NH's opposition to offshore drilling. The US Department of the Interior would take such action into consideration when they decide what sea floor areas to open for offshore drilling.

Representative Judith Spang

Stratford - District 6

- There is value to New England being united in its opposition of offshore drilling and exploration.

Rob Werner

League of Conservation Voters

- Reiterated the importance of New England acting together, the need to codify the promise made by Secretary Zinke, and the importance of protecting the region's coastlines.

Sally Davis – provided written testimony

Former President, League of Women Voters of New Hampshire

- Offshore drilling could have a negative impact on the recreational usage of NH's coast.
- Lessening offshore drilling and exploration has the potential to promote clean energy sources and lower carbon emissions.

Jim Chase – provided written testimony

President and CEO, Seacoast Science Center

- 90,000 people have taken part in marine lessons at the Seacoast Science Center, which would be put at risk if offshore drilling were permitted off NH's coast.

Meredith Hatfield – provided written testimony

Senior Attorney, Conservation Law Foundation

- Based on a 2015 study, ocean resources account for 14,500 jobs and \$1.5 billion dollars in economic activity. NH fisherman landed a total of 10.6 million pounds of seafood in 2017 at a total value of \$35 million. Oil and gas drilling could negatively impact these industries.
- Offshore drilling and exploration could impact the Great Bay Estuary, undermining local efforts to upgrade aging water infrastructure and restoring the health of a significant water source.
- Offshore drilling and exploration could impact the limited population of the North Atlantic Right Whale.

Carol Foss - provided written testimony

Senior Advisor for Policy and Science, New Hampshire Audubon

- Any benefits of offshore oil exploration and development are outweighed by the numerous risks.

Melissa Gates - provided written testimony

Northeast Regional Manager, Surfrider Foundation

- Reiterated the importance of New England acting together, the need to codify the promise made by Secretary Zinke, and the importance of protecting the region's coastlines.

Stephanie Scherr

Director, Echo Action

- Allowing oil and gas exploration and development off NH's coasts fails to recognize the devastating impacts oil and gas spills have had on coastal communities throughout history.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

GJR, edited by Cameron Lapine.

Date Hearing Report completed: February 12, 2019.

Speakers

Testimony

FullerClark, Martha

From: FullerClark, Martha
Sent: Tuesday, February 12, 2019 8:52 AM
To: FullerClark, Martha
Subject: Off Shore Drilling

Off Shore Drilling

What does SB 76 do?

It prohibits offshore oil and gas exploration, development and production , including any land based support facilities, in state waters (within the three mile limit)

Why is this bill necessary?

Federal government / Department of Interior in January of 2018 announced a plan to permit leasing for off shore drilling for gas and oil in US waters along the entire Atlantic coast as well as the Pacific coast.

Recognizing both the environmental and economic threats of offshore drilling to fisheries, ocean life, shipping, tourism and defense, New Jersey, Delaware, Maryland and California have already ban drilling for oil and gas within their state waters. Legislators in 10 additional states, including New Hampshire, have introduced legislation that would ban such exploration in their coastal waters, which is why SB 76 is before you this morning.

Such legislation will not ban drilling in federal waters, but it will prevent coastal drilling and the building of infrastructure along the coast to support such exploration and transmission of oil and gas.

As environmental policies in New Hampshire are focused on ending our dependence on fossil fuels and reducing greenhouse gas emissions, it makes no sense for our state to support exploration for more oil and gas.

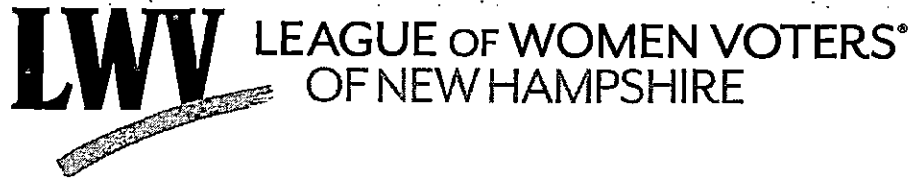
Additionally if we fail to pass such a ban and our neighboring states pass such a ban which they hope to do, New Hampshire will be exposed to intense development of oil and gas facilities along our coast. We fought this battles and won in the 1970's when Onassis wanted to build an oil refinery off the Isles of Shoals. We don't need to do it again.

Finally our governor is opposed to such oil and gas drilling off our shores and went so far as receive a promise from the previous sec of the interior that it wouldn't happen. But that was only a promise and lacks the force of law.

I urge the committee to pass SB 76 now and send it on to the full Senate so we will be able to protect our economy and our environment now and in the future.

Sent from my I-phone

Martha Fuller Clark
NH State Senator
District 21
152 Middle Street
Portsmouth, NH 03801
State House: (603) 271-2709
Cell: (603) 498-6936



4 Park St Room 200
Concord, NH 03301

www.LWVNH.org

February 12, 2019

To: Senate Energy and Natural Resources Committee

From: Sally Davis, past president, League of Women Voters NH
sally.davis36@gmail.com

Re: **SB 76 prohibition of offshore oil and gas exploration**

I am representing the League of Women Voters New Hampshire, a non-partisan organization that has studied and come to consensus on US governmental environmental policies since the 1960s. In the intervening years we have recognized how interconnected energy, air and water quality and natural resources are.

The League supports SB76 as we support HJR2 because it recognizes and addresses some of those positions. We unequivocally oppose expanding oil and gas drilling and seismic testing in public waters off the US coastline, including New Hampshire's. At the hearing on HJR 2 last week, I learned so much I did not know about the Great Bay and how water circulates there. Spills from drilling and transportation of oil would stay in the bay and harm aquatic life and recreational experiences there. We are pleased to join all Leagues along the Eastern seaboard acting together in our individual state legislatures as well as at the federal level in opposing expanding oil and gas exploration and drilling off our coasts.

SB76 states our positions well and we add one more: investing in more oil and gas as sources of fuel locks us into increased carbon pollution and delays the growing NH businesses which are now expanding and successfully marketing the sustainable energy sources of solar and wind.

The League of Women Voters NH urges the Committee to recommend **OUGHT TO PASS on SB76**. This bill will be a big step forward in a 21st century energy policy and in environmental protection, both clear priorities for NH citizens state-wide.



SEACOAST SCIENCE CENTER

INSPIRING CONSERVATION OF OUR BLUE PLANET

Chairwoman Fuller Clark
Vice Chairman Dan Feltes
Energy and Natural Resources Committee
SH103
Concord, NH 03301

February 12, 2019

Dear Chairwoman Fuller Clark & Vice Chairman Feltes,

I am writing on behalf of the Seacoast Science Center to express our support for SB-76 presently under consideration in the Senate Energy and Natural Resources Committee. The Seacoast Science Center wholeheartedly opposes oil and gas exploration and production in all state and federal waters off the coast of New Hampshire as well as the development of any associated infrastructure to intended support such activities along the New Hampshire coast. We have grave concerns about oil and gas exploration and production and the development of related processing, transfer, and transportation infrastructure anywhere in the Gulf of Maine.

We believe that oil and gas exploration and the development of infrastructure to support these activities along the New Hampshire coast represents an existential threat to Seacoast Science Center and its brand of environmental education. In 2018 alone, we hosted 90,000 visitors including over 32,000 students in our marine education programs. The majority of the students joined us for hands-on exploration of the fragile marine world found outside our doors in the tide pools and marshes of the New Hampshire coast. Most certainly, these kids left the Science Center with cold hands, salty socks, and a deeper understanding of the critical value of the marine environment and the New Hampshire coast. An oil spill or chronic petroleum discharges into the marine environment from a transportation or production accident could eliminate this type of first-person marine education experience from the New Hampshire seacoast for generations.

While the Seacoast Science Center is an integral element of the State's STEM education system it is also a flagship institution in New Hampshire's tourism and recreation industry. The National Ocean Economics Program reports that there are 14,500 New Hampshire jobs directly tied to the ocean-driven economy. Of those 14,500 jobs, 7,400 are directly related to the tourism and recreation industry, with this sector providing \$150,000,000 in wages and a contribution of \$322,000,000 to the State's GDP. The charm and coastal character of the seacoast on which tourism and recreation depend will be threatened with increased industrial activity related to oil and gas infrastructure development and devastated in the event of an oil spill.

It is also important to recognize that the water off the New Hampshire coast is one of the most rapidly changing ocean systems on planet. The Gulf of Maine is warming, surface to bottom, faster than 99.5% of all the world's oceans. Scientists are documenting an increasing number of impacts from climate-driven thermal stress in the waters off our shores. From zooplankton to right whales, invasive species to struggling seabird populations, altered ocean chemistry to sea level rise, the coastal waters are changing rapidly and we must, as a culture shaped by our relationship with the ocean, adapt and prepare for a "new normal."



Oil and gas exploration, production, and infrastructure development in New Hampshire does not need to be part of that “new normal.” These activities threaten the environment with petroleum contamination, physical and acoustic habitat destruction, and represent a continued re-investment in energy from fossil fuels. It is time to actively diversify our energy portfolio. More commitment to oil and gas marks a near-sighted, short-term investment in finite energy resources that will do nothing but drive climate change, intensifying the stress on our coastal ocean system.

The Seacoast Science Center is committed to ocean education for the long run. We intend on connecting people with the ocean and coastal New Hampshire for decades and decades to come. We believe that oil and gas exploration and infrastructure along the NH coast represents a serious threat to our ability to do our critically important work..

I would like to extend my thanks to the members of the Energy and Natural Resources Committee for considering my comments. I encourage you to advance SB-76 out of committee as a clear statement to the Bureau of Ocean Energy Management and the Federal government that the people of New Hampshire value their coastal ocean environments and oppose offshore oil and gas exploration and associated infrastructure development in any areas that might adversely impact the maritime culture or fragile marine environment of the New Hampshire coast.

Sincerely,

James E. Chase, President/CEO



For a thriving New England

CLF New Hampshire 27 North Main Street
Concord, NH 03301
P: 603.225.3060
F: 603.225.3059
www.clf.org

February 12, 2019

Honorable Martha Fuller Clark, Chairman
Senate Energy and Natural Resources Committee
State House Room 103
107 North Main Street
Concord, NH 03301

Re: SB 76, relative to the prohibition of offshore oil and natural gas exploration

Dear Chairman Fuller Clark and Committee Members:

I am writing to convey Conservation Law Foundation's (CLF's) strong support for SB 76, which would establish a prohibition on the exploration, development and production of oil and natural gas in New Hampshire ocean waters, including infrastructure that would transport oil or gas from production facilities located in federal waters or other coastal waters in the Atlantic Ocean.

CLF is a non-profit, member supported environmental advocacy organization dedicated to the protection and responsible use of New England's natural resources. CLF's members, including those who live in New Hampshire, have a deep interest in ensuring that a healthy coastal environment supports our communities and our state's quality of life.

CLF opposes oil and gas exploration, development, drilling or production in the North Atlantic due to the risks that it would pose to our fishing and tourism economies, to wildlife and water quality, and to the economic vitality of communities along the Seacoast. At a time when there is widespread understanding that we must shift away from fossil fuels, we should not risk the health of our state's valuable coastal and estuarine resources, including our Great Bay and Hampton/Seabrook estuaries, by drilling for oil or gas in the ocean.

Across New England, our ocean resources support over 250,000 jobs and \$18.3 billion in economic activity. Nearly three-quarters of these jobs and \$9 billion of this economic activity come from the tourism and recreation sector, including but not limited to the whale watching, recreational fishing and seabird viewing industries.¹ In New Hampshire, ocean resources support 14,500 jobs and \$1.5 billion in economic activity in 2015.² Nearly a quarter of that activity comes from the recreation, tourism and seafood sectors so critical to our coastal communities. New Hampshire fishermen landed a total of 10.6 million pounds of seafood in 2017 at a total

¹ The National Ocean Economics Program (NOEP), <http://www.oceaneconomics.org/>.

² Id.



conservation law foundation

value of \$35 million. Oil and gas drilling is a dirty and destructive business. From start to finish – exploratory seismic testing, drilling, oil spills, chemicals used in cleanup, and transport – the marine oil and gas exploration and drilling process is risky, harmful, and unnecessary.

The Great Bay – Piscataqua Estuary is a critical resource for our state. Its network of rivers and bays support fish and wildlife, a growing aquaculture economy, and tourist and recreational opportunities, but its shallow water and swift currents make it particularly vulnerable to pollution. As communities invest to upgrade aging infrastructure, and work collectively to reduce pollution to restore the health of this significant resource, oil and gas drilling in the Atlantic Ocean would undermine these efforts. It also poses too great a risk to the endangered North Atlantic Right Whales, one of the most endangered species in the world. Seismic tests, drilling, and associated activity and pollution could drive the extinction of this iconic species.

New Hampshire and all of New England is already at risk from climate change, and is working hard to reduce the use of fossil fuels. Sea level rise threatens our coastal communities and is already resulting in expensive damage to property and infrastructure. Rapidly warming waters are causing species to move away in search of colder temperatures, jeopardizing fisheries that have sustained regional economies for generations, including the two most significant fisheries in New England, lobsters and sea scallops. Rather than increase man-made threats to our ocean and New England's natural resource heritage, we must focus on protecting these resources for future generations, and developing clean energy sources such as offshore wind and tidal energy, to support a sustainable future.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Hatfield', is written above the typed name.

Meredith A. Hatfield
Senior Attorney



February 12, 2019

The Honorable Martha Fuller Clark
Senate Energy and Natural Resources Committee
State House Room 103
Concord, NH 03301

Re: Support for SB 76 relative to the prohibition of offshore oil and natural gas exploration

STATEWIDE OFFICES

84 Silk Farm Road
Concord, NH 03301
Phone 603-224-9909
Fax 603-226-0902
nha@nhaudubon.org
www.nhaudubon.org

REGIONAL CENTERS

**AMOSKEAG FISHWAYS
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Fax 603-644-4386

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as part of the Amoskeag
Fishways Partnership.*

MASSABESIC CENTER

26 Audubon Way
Auburn, NH 03032
Phone 603-668-2045

MCLANE CENTER

84 Silk Farm Road
Concord, NH 03301
Phone 603-224-9909

NEWFOUND CENTER

Summer Mailing Address:
50 North Shore Road
Location:
290 North Shore Road
Hebron, NH 03241
Phone 603-744-3516

Dear Chairman Fuller Clark and Members of the Senate Energy and Natural Resources Committee:

Thank you for this opportunity to provide testimony regarding SB 76 on behalf of NH Audubon. We are a statewide conservation organization dedicated to protecting New Hampshire's environment for wildlife and for people. We strongly support this bill, which has several important provisions: SB 76 prohibits offshore oil and natural gas exploration, development, and production within New Hampshire's state waters; prohibits the lease of tidal or submerged lands in New Hampshire's state waters for oil or natural gas exploration, development, and production; and prohibits the department of environmental services from approving or authorizing oil or natural gas exploration, development, or production in or outside of state waters.

The potential benefits of petroleum exploration and development in our coastal waters are questionable at best. The risks, however, are numerous and very clear. Even in the absence of a major spill, oil and natural gas exploration and development would have serious negative impacts on air quality, water quality, and marine life from plankton to whales. Leaks from offshore oil wells are a "normal" part of oil and gas production but are in no way a "normal" part of New England's ocean and coastal ecosystems, upon which the multitudes of marine species and our coastal communities rely. A spill, which would seem inevitable based on past experience on the Gulf Coast, would devastate the environment, economy, and recreational value of New Hampshire's coast. Extraction and use of additional fossil fuels is the antithesis of what New Hampshire wants and needs for its renewable energy future.

With your support we can better ensure that pollution from offshore oil and gas does not become the norm for New Hampshire.

We urge you to vote SB 76 Ought to Pass.

Sincerely,

Carol R. Foss
Senior Advisor for Science and Policy



February 12, 2019

Good morning Chairwoman Fuller Clark, Vice Chairman Veltes, and distinguished members of the Senate Energy and Natural Resources Committee:

The Surfrider Foundation has been working to protect America's coasts for over 35 years; we have 140 chapters and youth clubs across the coastal US and Great Lakes who are supported by a staff of about 50 experts. Our members here in New Hampshire are beach goers, surfers, kayakers and sand castle builders – we are beach users. Our common point of interest is a vision for healthy ocean and coastal ecosystems, and a motivation to volunteer to protect our state's ocean waters, waves and beaches through focus on beach access, clean water, climate change, coastal preservation, ocean protection and plastic pollution mitigation. Here in New Hampshire, one of the things we do is lead a statewide coalition to infuse expertise in the policy issue of offshore drilling and seismic exploration, and help coordinate efforts to oppose the inclusion of waters off from our State in the federal offshore drilling program. **We are here today to ask for your support for SB76.**

On January 4, 2018, the federal administration announced its draft proposal to open up 98% of America's outer continental shelf to new offshore drilling activity as part of the 2019-2022 National Outer Continental Shelf Oil and Gas Leasing program, including waters off from the beautiful stretches of coast here in New Hampshire. This launched a 60-day public comment period, where Americans said loud and clear that new offshore drilling is not the answer. We are currently awaiting the release of the next phase of this federal offshore drilling program, the proposed program, which will then be followed by a 90-day public comment period.

Passing SB76 is critical to codify the characterization of our State's opposition to this federal offshore drilling program and to protect New Hampshire from the very real threats of offshore drilling and seismic activity. It's not enough that our citizens came out in droves last winter to comment against the proposal or that Governor Sununu has officially opposed it. The federal government can advance seismic airgun blasting and drilling lease sales off from our coast, regardless of the State's wishes and regardless of any law we pass. This is why the matter is not only one of environmental protection and energy sustainability, but also one of State's rights, as we know that activity in the outer continental shelf and especially here in the Gulf of Maine with our currents, will have direct impact on our state waters, lands and people. State control over state waters is yet another reason why it is imperative for New Hampshire to codify opposition to the federal drilling program.

A federal law called the Outer Continental Shelf Lands Act contains 8 factors that the Secretary of the Department of Interior must consider in making recommendations and a determination on this program. One of those factors is looking at the laws, goals, and policies of affected states. This is why **SB76 is needed** to provide codified opposition from the General Court stipulating to our State's opposition and desire NOT to be included in the final program for offshore drilling, not to have drilling activity in State waters, and not to be subjected to the dangers potentially forced upon us by the federal government pursuing oil and gas drilling exploration, production and transportation across our waters. Passing SB76



and NH House Representative Cushing's HJR2 will provide us with standing to object based upon our codified laws, goals and policies, should the federal government decide to advance to its final offshore drilling program with the lease area off from our State waters intact.

Lawmakers to our north and south are currently considering similar legislation as SB76. While SB76 will not prevent the federal drilling program from advancing, if passed and in concurrence with the state bills of our coastal neighbors, it will widen our blanket of protection from this risky business by preventing future lessees from being able to transport outer continental shelf oil and gas resources across state waters to land. This makes oil and gas lease sales even more costly and less attractive, and helps safeguard our coast and communities.

The ocean is already stressed in unprecedented and accelerating ways; as the resource that helps regulate our climate and provides upward of 70% of the oxygen we need to breathe and sustain life on the planet, the ocean needs our help, not more poorly thought out development programs that would serve to distract us from our renewable energy future and permanently devastate the ecosystem with our outdated, finite energy dependent past.

The way ahead for New Hampshire and the nation to protect clean water, clean air and healthy beaches now and for future generations is clear: the future is in clean, renewable energy and heightened ocean protection.

The Surfrider Foundation and our New Hampshire Chapter members are appreciative of the unified, widespread opposition already voiced by a vast majority of New Hampshire residents, lawmakers and Governor Sununu, and we extend thanks to Senator Fuller Clark for bringing forth this important bill to the General Court, and we thank the Committee for considering support for SB76.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa E Gates".

Melissa E Gates
Northeast Regional Manager, Surfrider Foundation

Rebecca Raum O'Brien
Volunteer Chair, Surfrider Foundation New Hampshire Chapter
chair@nh.surfrider.org | Resident of Portsmouth, NH

Sunday, February 10, 2019

Dear Honorable Energy and Natural Resources Committee members,

Thank you for considering the protection of the New Hampshire coastline from oil and natural gas exploration and drilling.

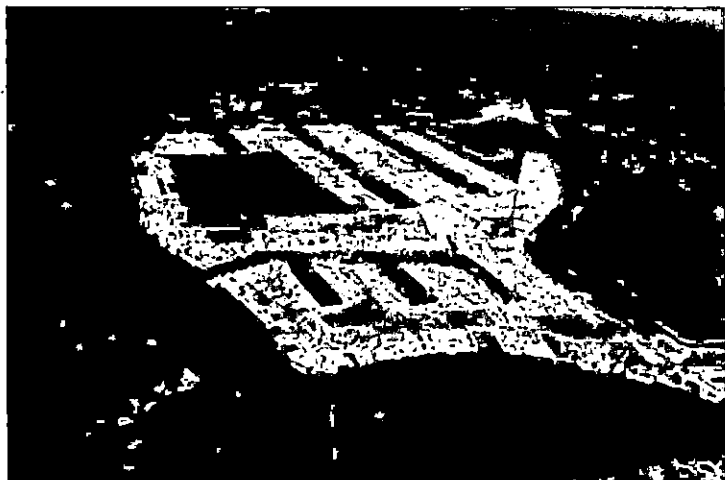
Have you ever been on location at an oil spill, seen the devastation it causes? Have you ever visited a Gulf Coast petroleum industry port? I have.

While teaching Environmental Science in Massachusetts, I had the opportunity to take water quality training at the Louisiana Universities Marine Consortium (LUMCON) in July of 2010, in the middle of the Deepwater Horizon BP oil spill crisis, and was able to be on site and view the consequences in person.

VISITING AN OIL & GAS PORT

I toured Port Fourchon on the Louisiana coastline, an area restricted to the public. Every major fossil fuel corporation had fleets of trucks and tanker ships transporting oil and gas products from the massive port. Surrounding and in between all of this carbon-shifting bustle were wetlands full of shore birds. There they were, flying, eating, breeding, amongst fossil fuel contaminated grasses. The contrast between nature and industry is startlingly telling.

Wetlands naturally filter toxins out of water, so where we live, they can do their job quite well. When wetlands are flushed full of chemical pollutants regularly, there's no way to protect wildlife and humans from exposure. This is the norm for wildlife on the Gulf Coast.



VIEWING AN OIL SPILL

The BP industrial disaster had to be seen to be understood. Photos show the devastation, but you don't see the failure of workers and so-called absorbent boom, trying to contain oil on the surface as it sinks and oozes everywhere. You see people in hazmat suits, but

you don't see workers using paper towels to sop up thick, poisonous oil. You don't smell petroleum or see floating or dying wildlife.

One would think that scientific experts would play up the inevitable devastation, but no. They see oil spills regularly. They know what living in big gas and oil country means. The facts are laid out. Wetland plants absorb or are inundated with oil. Some survive, others do not.

WETLAND DAMAGE FROM TANKER TRAFFIC

Louisiana loses a football field sized area of wetlands every hour. You read that right. Every hour.

Some land loss is due to natural causes, but most of it is due to - you guessed it - humans. Water and sediment diversion along the Mississippi is partially to blame. Diverted soils that would normally travel down the river and build up the delta, are restricted from doing so.

According to the U.S. Geological Survey's 2011 analysis, Louisiana lost an average of 16.6 square miles of land a year from 1985 to 2010, roughly a football field per hour. The state has lost 1,883 square miles of land between 1932 and 2010. That's one and a half times the size of Rhode Island.

The big hit comes from the oil and gas industry. Their tankers and boats cut through wetlands, making pathways where they don't belong. Wetland loss and subsidence causes salt water intrusion, which damages and kills life that lives in fresh water environments. It also reduces access to fresh water sources.

Terrebonne and Lafourche parishes, where freshwater marshes have long suffered erosion partly because of saltwater intrusion from the Gulf. As salt increases in wetlands, the amount of organic carbon in soil that accumulates as a buffer against sea level rise, decreases.

All of these things already threaten the land, but an oil spill is devastating. I was taken to beaches where we inspected and collected sand and brought it back to the land. It appears to be normal sand, but on close inspection, there are tiny flecks of black everywhere, remnants of petroleum spills.

MASSACHUSETTS OIL SPILLS

It may seem that the impacts of the oil and gas industry are restricted to southern states. Massachusetts has had its fair share of oil spills.

"Buzzards Bay is a major transit route for small tanker and barge traffic transporting heating and industrial oil and gasoline into Sandwich, greater Boston and northern New England markets. Nearly 1.6 billion gallons of oil pass through the canal annually (circa early 2000s), with

additional deliveries made to New Bedford. Buzzards Bay has been the site of several moderately large oil spills.

The largest spill occurred on September 16, 1969, when approximately 189,000 gallons of No. 2 fuel oil spilled when the barge Florida ran aground off West Falmouth. In recent years, improvements to navigation and more rigorous pilotage requirements are believed to be minimizing risks of spills in Buzzards Bay. Nonetheless, smaller spills from barge and vessel groundings in the bay have continued through 2013." (BuzzardsBay.org)

GULF OF MAINE

The Gulf of Maine is a vibrant, productive feeding ground for humpback, minke and endangered right whales. Toxins along migration routes or in Stellwagen bank, would devastate populations.

All this, and I haven't addressed the impacts on humans.

With little to do as the media attacked BP on the spill that continued to pump oil into the Gulf for months, a dispersant called Corexit was used in an attempt to break down the oil.

"When BP began spraying the Gulf, critics cried foul. They said Corexit is not only toxic to marine life on its own, but when combined with crude oil, the mixture becomes several times more toxic than oil or dispersant alone." (Huffington Post)

There are many articles about illness and lingering health problems related to Corexit from those who assisted in the clean up, but also from residents who were exposed to the chemical, against their will, as it was sprayed from airplanes.

BP OIL SPILL FACTS

In the BP Oil Spill, more than 200 million gallons of crude oil was pumped into the Gulf of Mexico for a total of 87 days, making it the biggest oil spill in U.S. history.

- 16,000 total miles of coastline have been affected, including the coasts of Texas, Louisiana, Mississippi, Alabama, and Florida.
- Even though the gushing well was capped in July 2010, oil is still washing up on shores, which might cause long-term damages to people living in the area.
- The initial oil rig explosion killed 11 people and injured 17 others.
- President Obama announced that his administration would create a \$20 billion spill response fund.
- Responders used 5.5 million feet of boom, a barrier placed in water, to collect and absorb oil.
- Of the 400 miles of Louisiana coast, approximately 125 miles have been polluted by the oil spill.

- A method of treating the oil spill is "in-situ burning" or burning oil in a contained area on the surface of the water, which has negative effects on the environment.
- Over 8,000 animals (birds, turtles, mammals) were reported dead just 6 months after the spill, including many that were already on the endangered species list.
- BP is responsible for close to \$40 billion in fines, cleanup costs, and settlements as a result of the oil spill in 2010, with an additional \$16 billion due to the Clean Water Act.
- Over 30,000 people responded to the spill in the Gulf Coast working to collect oil, clean up beaches, take care of animals and perform various other duties. As of 2012, the Gulf was still polluted with oil.

OIL SPILL CLEAN UP AND HEALTH

Gulf spill oil dispersants associated with health problems in clean up workers

<https://www.nih.gov/news-events/news-releases/gulf-spill-oil-dispersants-associated-health-symptoms-cleanup-workers>

Dispersants can turn oil spills into toxic mist, research shows

https://www.nola.com/environment/index.ssf/2018/03/dispersants_can_turn_oil_spill.html

"The dispersant chemicals used to clean up oil spills have the unintended effect of transforming crude oil into a toxic mist able to travel for miles and penetrate deep into human lungs, new research has found.

A study by Johns Hopkins University in Baltimore indicates that the dispersants used during the 2010 Deepwater Horizon disaster in the Gulf of Mexico and other large spills breaks down oil into particles so small that they can easily take to the air. Just agitate the oil-dispersant mixture with a bit of wind, some waves – even raindrops – and the ultrafine particles go airborne, researchers said.

BP Oil Spill

<http://topics.nola.com/tag/bp%20oil%20spill/>

"Once in the air they don't come down easily, and they can travel quite far," said Nima Afshar-Mohajer, an environmental health researcher with Johns Hopkins and the study's lead author. "Depending on wind directions, they can easily travel 50 miles away."

If inhaled, the compounds – some of which can cause cancer – are drawn to the innermost parts of the lungs where they are quickly absorbed into the body."

CONSEQUENCES OF OFFSHORE DRILLING

- Workers, water, sea life, the fishing industry and coastal economies are at risk of blowouts, explosions, and disastrous spills

- Burning oil & gas (fossil fuels) contributes to increased CO2 levels that are causing climate change, warming our oceans, raising sea levels, threatening our communities and coasts and intensify dangerous extreme weather incidents.

- Threatens Coastal Communities and Economies: Drilling off the Atlantic coast has been off the table since 1983. Tourism and recreation are major contributors to the Atlantic coast's economy and they rely on healthy oceans. In 2012, those two sectors alone generated \$40 billion in the Mid- and South-Atlantic regions. Communities in these regions should not have to risk their way of life - or their economic health - due to reckless offshore drilling. *

- The BP Deepwater Horizon disaster showed us that spill impacts are both environmentally - and economically - devastating. Following that spill, President Obama established the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling. The Commission found that "the central lesson to be drawn from the catastrophe is that no less than an overhauling of both current industry practices and government oversight is now required." Yet there have been NO major revisions to the law to increase safety since that disaster. Offshore drilling results in oil spills. The risks exposed during the Gulf disaster make it clear we can't gamble with our Atlantic and Arctic oceans. *

- Contradicts Climate Science: The international scientific consensus dictates that if we are to avoid the worst effects of climate change, including health risks and severe weather, the vast majority of known fossil fuel reserves must remain undeveloped. This includes the oil and gas in the Atlantic and Arctic oceans. Illustrating this point, a report in the top scientific journal Nature specifically found developing Arctic Ocean oil and gas is incompatible with efforts to stay within our global carbon budget. *

- To avoid far more asthma attacks and respiratory disease, degraded air quality, and more frequent, costly, and deadly extreme weather events we must protect--not drill--the Arctic and Atlantic coasts. (NRDC)

Our nation is starting to follow the lead of others in transitioning to renewable energy. A national carbon fee bill is on the table. Fossil fuels are in the decline, being quickly phased out, making oil and gas even less palatable in an energy portfolio.

Offshore wind and other forms of renewable energy offer far greater benefits, including more jobs created than with fossil fuel extraction, a boost to the seacoast and statewide economy and protecting coastal and marine life.

I ask you to please vote to protect NH's shores and the Gulf of Maine from oil and gas drilling. The risks to precious ecosystems, our economy, wildlife, the fishing industry, sea birds and wildlife are far too great to open the doors to this enormous, irreversible threat. Let's embrace the renewable energy that will protect our air, water, food and future. Thank you.

SUPPLEMENTAL INFORMATION

What is an estuary?

"Estuaries are among the most productive ecosystems in the world. Many animals rely on estuaries for food, places to breed, and migration stopovers."

<https://oceanservice.noaa.gov/facts/estuary.html>

NOAA: Estuaries

https://oceanservice.noaa.gov/education/tutorial_estuaries/welcome.html

Grand Bay National Estuary (NH)

<http://grandbaynerr.org/>

Buzzards Bay National Estuary (MA)

<https://buzzardsbay.org/buzzards-bay-pollution/oil-pollution/past-oil-spills/>

"Buzzards Bay is a major transit route for small tanker and barge traffic transporting heating and industrial oil and gasoline into Sandwich, greater Boston and northern New England markets. Nearly 1.6 billion gallons of oil pass through the canal annually (circa early 2000s), with additional deliveries made to New Bedford. Buzzards Bay has been the site of several moderately large oil spills.

The largest spill occurred on September 16, 1969, when approximately 189,000 gallons of No. 2 fuel oil spilled when the barge Florida ran aground off West Falmouth. In recent years, improvements to navigation and more rigorous pilotage requirements are believed to be minimizing risks of spills in Buzzards Bay. Nonetheless, smaller spills from barge and vessel groundings in the bay have continued through 2013. Other notable groundings in Buzzards Bay include the grounding of the Bermuda Star off Cleveland Ledge in 1990, releasing 7,500 gallons of No. 6 fuel oil. There was also a 50 gallon spill that occurred when the QEII grounded off Sow and Pigs Reef near Cuttyhunk in 1992. The volume of oil spill was so low because the particular fuel tank that ruptured during the grounding was empty. In January 1996, the barge North Cape grounded off Moonstone Beach in Rhode Island, not far from the entrance to Buzzards Bay, and released 880,000 gallons of Number 2 fuel. This event raised concerns of local officials about oil preparedness and prompted funding by the Buzzards Bay NEP to support the acquisition of oil spill containment equipment for Buzzards Bay municipalities, and oil spill response training.

The type of oil, volume of oil, the time of year, and weather conditions at the time of the spill all have important implications to living resources and the environment."

New Hampshire DES practices for a coastal oil spill emergency

<https://www.des.nh.gov/media/pr/2018/20180314-oil-spill.htm>

GULF OF MAINE

Gone in a generation

https://www.washingtonpost.com/graphics/2019/national/gone-in-a-generation/fishing-climate-change.html?utm_term=.862a08168b31

"The continental United States is 1.8 degrees Fahrenheit warmer than it was a century ago. Seas at the coasts are nine inches higher. The damage is mounting from these fundamental changes, and Americans are living it. These are their stories."

There's no doubt things are changing

https://www.washingtonpost.com/graphics/2019/national/gone-in-a-generation/fishing-climate-change.html?utm_term=.18f9c27b6ae6#lobster

The Gulf of Maine is warming faster than 99 percent of the world's oceans, dramatically disrupting fishery patterns and creating new winners — and losers.

The warming of the Gulf of Mexico (video)

<https://mail.google.com/mail/u/3/>

"As more people who care about the Gulf of Maine come to understand it as one of the fastest-warming ocean regions on the planet, one question persists: Why is the Gulf of Maine warming so rapidly?"

The answer is complicated, but can be distilled to three essential factors:

1. Man-Made Global Warming
2. Melting in the Arctic
3. Changing Ocean Circulation"

A climate calamity in the Gulf of Maine: The lobster pot heats up (video)

<https://www.youtube.com/watch?v=MF-Mmk30cOE>

Why Is the Gulf of Maine Warming Faster Than 99% of the Ocean?

<https://eos.org/features/why-is-the-gulf-of-maine-warming-faster-than-99-of-the-ocean>

Climate change to have drastic effects on Gulf of Maine lobster and clam fisheries

<https://www.pressherald.com/2018/05/23/climate-change-to-have-drastic-effects-on-gulf-of-maine-lobster-and-clam-fisheries-studies-say/>

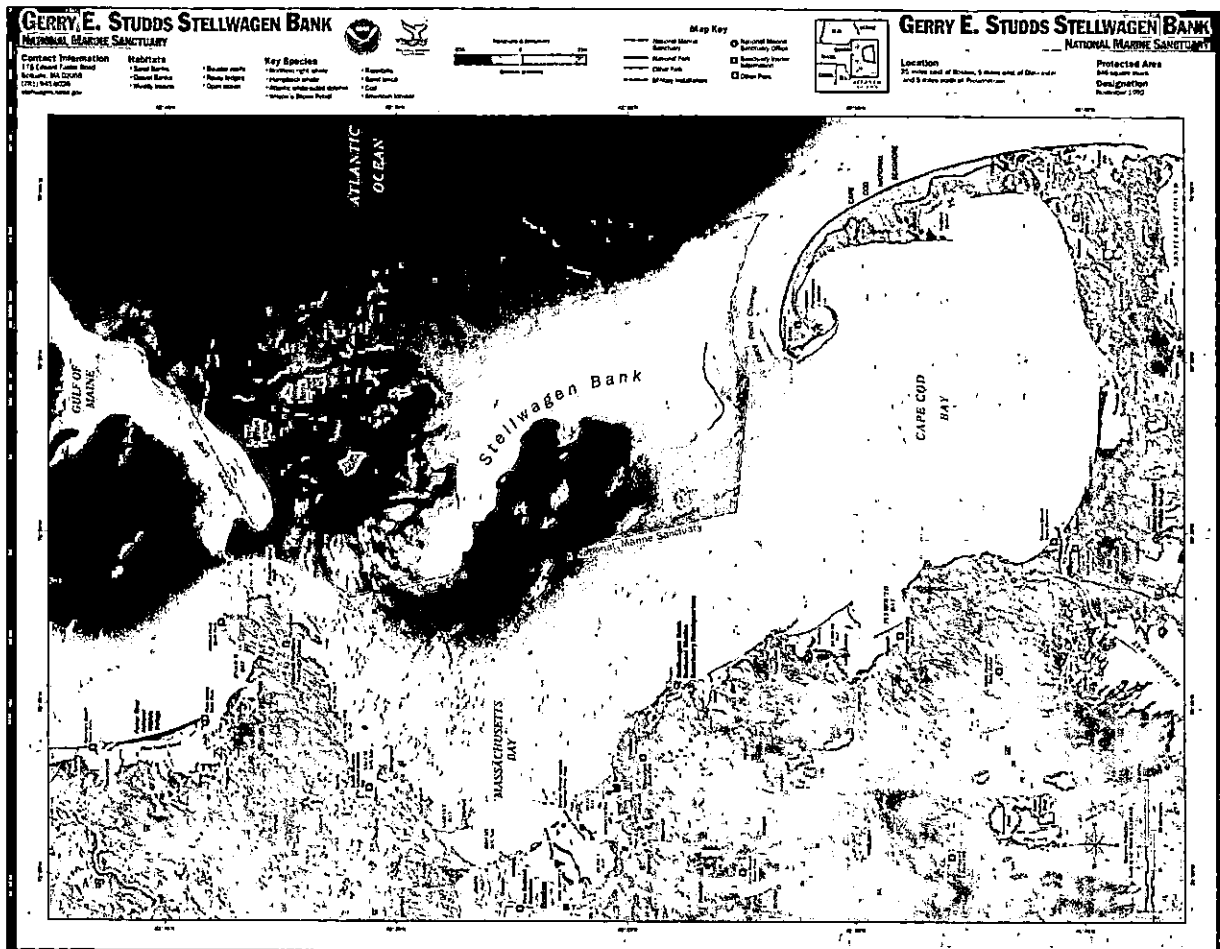
STELLWAGEN BANK

Stellwagen Bank FAQs

<https://stellwagen.noaa.gov/about/faq.html>

Stellwagen Bank Maps

<https://stellwagen.noaa.gov/pgallery/maps.html>



What species of marine mammals can be found in the sanctuary?

Some 17 species have been seen at one time or another, but there are several species that are regular visitors. These species are: humpback whale, fin whale, minke whale, northern right whale, Atlantic white-sided dolphin, harbor porpoise, pilot whale, and harbor seal.

Why was the area considered special and deemed worthy of sanctuary designation?

For centuries, Stellwagen Bank has proved to be a rich and productive fishing ground, particularly for groundfish species like cod, haddock and flounder. Fishermen have also been able to catch giant Atlantic bluefin tuna, large sharks, and large schools of herring. During the second half of the 20th century, the area gained fame as a whale watching destination. The World Wildlife Fund named Cape Cod one of the ten top whale watching sites in the world (but since there is little land-based whale watching on the Cape, we like to think that the true Top Ten site on the list is Stellwagen Bank).

Why do the whales come to Stellwagen Bank?

Stellwagen Bank serves as a sumptuous smorgasbord for marine mammals. Of particular importance is the wealth of sand lance (also known as sand eels) that burrow into the coarse sands of the bank. Schools of these fatty (calorie-rich) fish provide excellent nutrition for the whales (as well as larger fish and sea birds) that feed in these waters all summer.

WHALE WATCHING

For many years, I took my students on a whale watch in June. Every year, students would ask, "will I reaaaally see whales?" Yes, I promised, and we always did. We went on sunny days, rainy days, warm and cool. Students loved it and they always saw whales. How far away? Always close by, sometimes breaching right in front of the boat or bumping up against it.

Whale watch companies were generous in pricing for students and we often had the entire boat and all of the researchers, to ourselves due to being early in the season.

It was hands-down the most educational, transformational day of the school year and a powerful bonding experience between students and teachers. Each year I would invite chaperones from departments of the school who might not normally be invited to a science field trip - Art teachers, Drama, English. It was a great experience for all, full of awe, joy and appreciation.

To see the enormous size of the whales, feel the spray from their spouts, to see them slap their tails, wave a fin or breach into the air brought shocked, excited faces and squeals of delight.

As a scuba diver, I have had the opportunity to visit the world below, that many never see. We must protect the ocean for many reasons, including because of climate change, but first and foremost, it is the home of an extraordinary array of fascinating, intelligent and inspiring sea life we still have much to learn from. - SS

New England Basking Shark Project

<http://nebshark.org/>

LASTING IMPACTS FROM THE BP OIL SPILL

Eight years later: What's ahead for the Gulf

<https://www.edf.org/ecosystems/whats-ahead-gulf>

"BP's \$20 billion settlement funds largest environmental restoration in U.S. history
In 2010, BP's Deepwater Horizon rig exploded and created the largest offshore oil disaster in history, causing millions of barrels to leak into the Gulf of Mexico. April 2018 marked eight years since the spill.

Where are we now?

While the harrowing images of oil-soaked wildlife and beaches have subsided, science has revealed that the impacts of the spill are ongoing and significant. BP agreed to settle out of court and pay more than \$20 billion. A judge approved the settlement on April 4, 2016.

What kind of impacts are we still seeing?

The oil disaster caused incomparable damage to an already-stressed Gulf Coast ecosystem. From dolphins to sea turtles to birds, we still are seeing the real and lasting environmental impacts of one of the worst oil spills in our nation's history.

But more mysterious and just as worrying is what scientists have a much harder time measuring, like the impacts on deepwater corals, zooplankton and various marine life that lives in the middle depths of the sea, explains EDF Chief Oceans Scientist Douglas N. Rader.

"To top it off, all of this occurred near the Mississippi River Delta, an ecosystem already under enormous pressure," Rader says. This pressure is driven by century-old development choices that favored commerce and development over sustainability. And now research has shown that the rate of marsh shoreline erosion increased with oiling."

DRILLING IN THE EVERGLADES

Everglades oil well near Miramar wins court approval

<https://www.sun-sentinel.com/news/florida/fl-ne-oil-well-everglades-20190205-story.html>

"An appeals court ordered the state Tuesday to issue a permit for a controversial oil well in the Everglades west of Miramar, reviving a project that had inspired intense opposition from environmentalists and nearby cities.

A three-judge panel of the First District Court of Appeal in Tallahassee ordered the Florida Department of Environmental Protection to issue a permit to Kanter Real Estate LLC, which had previously been denied permission to drill.

In their opinion, judges wrote that DEP Secretary Noah Valenstein engaged in an "abuse of discretion" in rejecting finding of fact by the lower court, such as the degraded, isolated condition of the land. And the court said he had been wrong to enforce what appeared to be a blanket prohibition against oil drilling in the Everglades.

"We hold, therefore, that the Secretary improperly relied on an unadopted rule which would in practice prohibit all exploratory oil drilling in the Everglades, without statutory authority," wrote Chief Judge Bradford Thomas in an opinion joined by judges Harvey L. Jay III and Robert E. Long Jr.

The company had proposed to drill an exploratory well about 11,800 feet below the surface; at a 5-acre site about 5 miles west of U.S. 27 and 10 miles south of Alligator Alley. The company's expert testified that there was a 23 percent chance of finding oil, considered high by industry standards, and if oil were found, it could be possible to extract 180,000 to 10 million barrels.

Although the court ordered the state to issue a permit, the legal fight is likely to continue. Environmental groups, the city of Miramar and the Broward County Commission have all fought the project.

Miramar Mayor Wayne Messam said he planned to meet with other officials to plan next steps in fighting a project he considers a threat to the Everglades and a threat to the region's water supplies.

"I'm very, very disappointed in the ruling that was rendered today," he said. "I think it's terrible for the Everglades to even think of the prospect of oil drilling just outside of our city. The city of Miramar is analyzing all of our legal options to stop the drilling, which is a threat to our water

supply and a threat to the Everglades, and we'll continue to work with DEP and the county, who all oppose this."

Courts turn blind eye to protecting Everglades from oil, gas drilling

<https://www.sun-sentinel.com/opinion/fl-op-com-everglades-oil-drilling-20190208-story.html>

"With so much time and taxpayer dollars invested into saving the Everglades, it's disappointing that our courts — so-called "protectors" of the Everglades — have seemingly turned a blind eye to one of the greatest threats it has experienced in our lifetime: oil and natural gas drilling. Recently, drilling on a site in the Everglades was given the go-ahead by a three-judge panel in the 1st District Court of Appeals."

For a #FossilFree603, yours in climate action,

STEPHANIE A. SCHERR, M.S.

Director, ECHO Action NH

NH's Dynamic Environmental Justice Network

#FossilFree603 603-562-6025

Organize. Strategize. Mobilize. "Make Your Voice Echo!"

Voting Sheets

Senate Energy & Natural Resources Committee
EXECUTIVE SESSION RECORD
2019-2020 Session

Bill # *SB 76*

Hearing date: 02/12/2019

Executive Session date: 02/12/2019

Motion of: OTA Vote: 5-0

| Committee Member | Present | Made by | Second | Yes | No |
|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Sen. Fuller Clark, Chair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Feltes, Vice Chair | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Watters | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Bradley | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Giuda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Motion of: _____ Vote: _____

| Committee Member | Present | Made by | Second | Yes | No |
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| Sen. Fuller Clark, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Feltes, Vice Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Watters | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Bradley | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Giuda | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Motion of: _____ Vote: _____

| Committee Member | Present | Made by | Second | Yes | No |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Sen. Fuller Clark, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Feltes, Vice Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Watters | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Bradley | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Giuda | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Reported out by: Fuller Clark

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, February 12, 2019

THE COMMITTEE ON Energy and Natural Resources

to which was referred SB 76

AN ACT

relative to the prohibition of offshore oil and
natural gas exploration.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Martha Fuller Clark
For the Committee

Griffin Roberge 271-7875

ENERGY AND NATURAL RESOURCES

SB 76, relative to the prohibition of offshore oil and natural gas exploration.

Ought to Pass, Vote 5-0.

Senator Martha Fuller Clark for the committee.

Docket of SB76**Bill Title:** relative to the prohibition of offshore oil and natural gas exploration.*Official Docket of SB76.:*

| Date | Body | Description |
|-------------|-------------|--|
| 1/17/2019 | S | Introduced 01/03/2019 and Referred to Energy and Natural Resources; SJ 4 |
| 2/6/2019 | S | Hearing: 02/12/2019, Room 103, SH, 09:00 am; SC 10 |
| 2/12/2019 | S | Committee Report: Ought to Pass, 02/21/2019; SC 11 |
| 2/21/2019 | S | Sen. Feltes Moved to Special Order to the next session, Without Objection, MA; 02/21/2019; SJ 6 |
| 2/21/2019 | S | Committee Report: Ought to Pass, 03/07/2019; SC 12 |
| 3/7/2019 | S | Special Order to the end of the calendar, Without Objection, MA; 03/07/2019; SJ 7 |
| 3/7/2019 | S | Sen. Giuda Floor Amendment #2019-0880s , AA, VV; 03/07/2019; SJ 7 |
| 3/7/2019 | S | Ought to Pass with Amendment 2019-0880s, MA, VV; OT3rdg; 03/07/2019; SJ 7 |
| 3/21/2019 | H | Introduced 03/20/2019 and referred to Resources, Recreation and Development HJ 11 P. 69 |
| 3/26/2019 | H | Public Hearing: 04/02/2019 11:00 am LOB 305 |
| 4/10/2019 | H | Full Committee Work Session: 04/16/2019 10:00 am LOB 305 |
| 4/10/2019 | H | Executive Session: 04/16/2019 11:00 am LOB 305 |
| 4/18/2019 | H | Committee Report: Ought to Pass for 05/02/2019 (Vote 20-0; CC) HC 22 P. 6 |
| 5/2/2019 | H | Ought to Pass: MA VV 05/02/2019 HJ 14 P. 7 |
| 5/2/2019 | H | Referred to Science, Technology and Energy 05/02/2019 HJ 14 P. 7 |
| 5/8/2019 | H | Referral Waived by Committee Chair per House Rule 46(f) 05/08/2019 |
| 5/31/2019 | H | Enrolled 05/23/2019 HJ 16 P. 51 |
| 5/31/2019 | S | Enrolled (In recess 05/30/2019); SJ 19 |
| 9/11/2019 | S | Signed by the Governor on 09/11/2019; Chapter 343; Effective 11/10/2019 |

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: 58 76

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 0360 - amendment # _____

- amendment # _____ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # _____ - amendment # _____

- amendment # _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office JM