

LEGISLATIVE COMMITTEE MINUTES

# **SB268**

# Bill as Introduced

SB 268-FN - AS INTRODUCED

2022 SESSION

22-3012

12/08

SENATE BILL        **268-FN**

AN ACT            relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.

SPONSORS:        Sen. Watters, Dist 4; Sen. Avard, Dist 12; Sen. Kahn, Dist 10; Sen. Rosenwald, Dist 13; Sen. Whitley, Dist 15; Sen. Soucy, Dist 18; Sen. Perkins Kwoka, Dist 21; Sen. Sherman, Dist 24; Sen. Cavanaugh, Dist 16; Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5; Rep. Somssich, Rock. 27; Rep. Wall, Straf. 6; Rep. Cushing, Rock. 21

COMMITTEE:      Energy and Natural Resources

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ANALYSIS

This bill directs the public utilities commission to ensure that certain requirements relative to impact and use studies are met prior to approving power purchase agreements for energy derived from the Gulf of Maine.

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                     Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.

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

1           1 New Paragraph; Power Purchase Agreements. Amend RSA 362-H:2 by inserting after  
2 paragraph V the following new paragraph:

3                   VI. The public utilities commission shall ensure the provisions of RSA 485-I:5 and RSA 485-  
4 I:6, to the extent those provisions are completed, prior to approving power purchase agreements for  
5 offshore wind energy resources from the Gulf of Maine. The applicant shall fund the studies  
6 required in RSA 485-I:5 and RSA 485-I:6 and such expenses shall be a recoverable expense.

7           2 Coastal Fund. RSA 485-I:4, III is repealed and reenacted to read as follows:

8                   III. All moneys collected by the state to mitigate impacts to wildlife, natural resources,  
9 ecosystems, and traditional or existing water-dependent uses, including but not limited to  
10 commercial and recreational fishing, including aquaculture, and transit lanes, shall be deposited in  
11 the fund established under paragraph I.

12           IV. There is hereby established an agency advisory board to advise the department of  
13 environmental services on the distribution moneys from the coastal fund. Members of the advisory  
14 board shall include:

- 15                   (a) The commissioner of the department of environmental services, or designee;  
16                   (b) The commissioner of the department of transportation, or designee;  
17                   (c) The executive director of the fish and game department, or designee;  
18                   (d) The commissioner of the department of energy, or designee;  
19                   (e) The commissioner of the department of natural and cultural resources, or designee;  
20                   (f) The director of New Hampshire homeland security and management, or designee;

21 and

- 22                   (g) The commissioner of the department of business and economic affairs, or designee.

23           V. The department of environmental services may collect a reasonable administrative  
24 charge, not to exceed 10 percent, on moneys in the fund appropriated to the department to ensure  
25 their proper oversight and administration.

26           3 New Sections; Coastal Zone Management. Amend RSA 485-I by inserting after section 4 the  
27 following new sections:

28           485-I:5 Geographic Location Description

29                   I. The coastal program shall develop and seek approval from the National Oceanic and  
30 Atmospheric Administration (NOAA) for a geographic location description (GLD), as described in 15

1 C.F.R. 930.53, for certain activities in federal waters, including but not limited to the development of  
2 offshore wind energy in the Gulf of Maine, deemed to have reasonably foreseeable effects on New  
3 Hampshire's coastal resources and/or uses.

4 II. The coastal program shall conduct an effects analysis as described in 15 C.F.R. 923.84(d),  
5 to identify:

6 (a) The affected uses, such as:

7 (1) Commercial and recreational fishing and associated infrastructure, boating,  
8 tourism, shipping, and energy facilities, and

9 (2) Affected resources, such as fish, marine mammals, reptiles, birds, habitats, and  
10 landmarks.

11 (b) Where and in what densities the resources and uses are found.

12 (c) How the state has a specific interest in the resources or uses.

13 (d) Where the proposed activity overlaps with the resources and uses.

14 (e) Impacts to the resources or uses from the proposed activity.

15 (f) A reasonable showing of a causal connection to the proposed activity, including how  
16 the impacts from the activity results in reasonably foreseeable effects on the state's coastal resources  
17 or uses.

18 (g) Why any required mitigation may be inadequate.

19 (h) Empirical data and information that supports the effects analysis and can be shown  
20 to be reliable, visualizes the affected areas, resources and use with maps, and shows values, trends,  
21 and vulnerabilities.

22 III. The coastal program and fish and game department shall collaborate as necessary with  
23 New Hampshire Sea Grant, and other stakeholders, to develop a GLD, and to identify the partners,  
24 including New Hampshire's commercial and recreational fishing community, and resources needed  
25 to develop the GLD.

26 485-I:6 Additional Studies or Mitigation.

27 I. For the purposes of this section, "mitigation" means actions or impact fees relative to  
28 coastal resources or uses, including wildlife, natural resources, ecosystems, and traditional or  
29 existing water- dependent uses, including but not limited to, commercial and recreational fishing,  
30 including aquaculture, and transit lanes that cannot be avoided or minimized.

31 II. The coastal program in coordination with the fish and game department and other  
32 relevant state agencies shall determine, in consultation with the impacted communities, whether  
33 additional studies and/or mitigation are required under proposals for offshore wind development in  
34 the Gulf of Maine. Any required studies or mitigation shall be included in agreements with  
35 developers of offshore wind energy in the Gulf of Maine and the power purchase agreements for Gulf  
36 of Maine renewable energy resources.

37 4 Effective Date. This act shall take effect 60 days after its passage.

**SB 268-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.

FISCAL IMPACT:  State  County  Local  None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0
<i>Funding Source:</i>	<input type="checkbox"/> General Fund (RSA 485-1:4) <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Coastal			

**METHODOLOGY:**

This bill directs the public utilities commission to ensure that certain requirements relative to impact and use studies are met prior to approving power purchase agreements for energy derived from the Gulf of Maine.

The Department of Energy indicates the fiscal impact of this bill depends on whether there are purchase power agreements (PPAs) to procure power from an offshore wind development, how many, and the number of utilities requesting approval of PPAs. If no PPAs are executed, then there is no cost. If a PPA is entered into, then all of the costs associated would be covered by revenue from the utility. The utility would then be allowed to recover those expenses through the rates they charge utility customers, including the state, county, and local governments. The impact on electric rates as a result of the bill is indeterminable.

The Department of Environmental Services indicates the purpose of this bill is to provide a mechanism to collect and distribute funds generated through mitigation requirements related to the development of offshore wind energy. The future development of offshore wind energy in the Gulf of Maine may have unforeseen impacts on ocean users, such as the commercial fishing industry. The federal permits that allow for the energy development may require mitigation of those impacts. This bill would have those dollars deposited in the Coastal Fund. At this time, the best estimate of when offshore wind development would actually occur is a minimum of 5 years from now. As such, it is not possible at this moment to determine the scope, locations, and potential impacts of those facilities. It is also unknown today the number of ocean users who

could be impacted. Because of these unknowns, both revenue and expenditure predictions are indeterminable. Further, the likely timing of those revenues and expenditures is beyond 2025. The bill only refers to the state; counties and localities are not included nor are they likely to be impacted ocean users or wind energy developers.

It is assumed that any fiscal impact would occur after FY 2022.

**AGENCIES CONTACTED:**

Departments of Energy and Environmental Services

SB 268-FN - AS INTRODUCED

2022 SESSION

22-3012  
12/08

SENATE BILL **268-FN**

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SPONSORS: Sen. Watters, Dist 4; Sen. Avard, Dist 12; Sen. Kahn, Dist 10; Sen. Rosenwald, Dist 13; Sen. Whitley, Dist 15; Sen. Soucy, Dist 18; Sen. Perkins Kwoka, Dist 21; Sen. Sherman, Dist 24; Sen. Cavanaugh, Dist 16; Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5; Rep. Somssich, Rock. 27; Rep. Wall, Straf. 6; Rep. Cushing, Rock. 21

COMMITTEE: Energy and Natural Resources **OTF 5-0 KONSENT**

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ANALYSIS

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STATE OF NEW HAMPSHIRE

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3           VI. The public utilities commission shall ensure the provisions of RSA 485-I:5 and RSA 485-  
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7           2 Coastal Fund. RSA 485-I:4, III is repealed and reenacted to read as follows:

8           III. All moneys collected by the state to mitigate impacts to wildlife, natural resources,  
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26           3 New Sections; Coastal Zone Management. Amend RSA 485-I by inserting after section 4 the  
27 following new sections:

28           485-I:5 Geographic Location Description

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 AS INTRODUCED**

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**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
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<b>Expenditures</b>	\$0	\$0	\$0	\$0
<b>Funding Source:</b>	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Coastal Fund (RSA 485-1:4)			

**METHODOLOGY:**

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**AGENCIES CONTACTED:**

Departments of Energy and Environmental Services

CHAPTER 130  
SB 268-FN - FINAL VERSION

2022 SESSION

22-3012  
12/08

SENATE BILL        **268-FN**

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SPONSORS:        Sen. Watters, Dist 4; Sen. Avard, Dist 12; Sen. Kahn, Dist 10; Sen. Rosenwald, Dist 13; Sen. Whitley, Dist 15; Sen. Soucy, Dist 18; Sen. Perkins Kwoka, Dist 21; Sen. Sherman, Dist 24; Sen. Cavanaugh, Dist 16; Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5; Rep. Somssich, Rock. 27; Rep. Wall, Straf. 6; Rep. Cushing, Rock. 21

COMMITTEE:      Energy and Natural Resources

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CHAPTER 130  
SB 268-FN - FINAL VERSION

22-3012  
12/08

STATE OF NEW HAMPSHIRE

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26           130:3 New Sections; Coastal Zone Management. Amend RSA 485-I by inserting after section 4  
27 the following new sections:

28           485-I:5 Geographic Location Description.

**CHAPTER 130**  
**SB 268-FN - FINAL VERSION**  
**- Page 2 -**

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2 Atmospheric Administration (NOAA) for a geographic location description (GLD), as described in 15  
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12 landmarks.

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18 the impacts from the activity results in reasonably foreseeable effects on the state's coastal resources  
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25 New Hampshire Sea Grant, and other stakeholders, to develop a GLD, and to identify the partners,  
26 including New Hampshire's commercial and recreational fishing community, and resources needed  
27 to develop the GLD.

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29 I. For the purposes of this section, "mitigation" means actions or impact fees relative to  
30 coastal resources or uses, including wildlife, natural resources, ecosystems, and traditional or  
31 existing water dependent uses, including but not limited to, commercial and recreational fishing,  
32 including aquaculture, and transit lanes that cannot be avoided or minimized.

33 II. The coastal program in coordination with the fish and game department and other  
34 relevant state agencies shall determine, in consultation with the impacted communities, whether  
35 additional studies and/or mitigation are required under proposals for offshore wind development in  
36 the Gulf of Maine. Any required studies or mitigation shall be included in agreements with

**CHAPTER 130**  
**SB 268-FN - FINAL VERSION**  
**- Page 3 -**

- 1 developers of offshore wind energy in the Gulf of Maine and the power purchase agreements for Gulf
- 2 of Maine renewable energy resources.
- 3       130:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 27, 2022  
Effective Date: July 26, 2022



# Committee Minutes

# SENATE CALENDAR NOTICE

## Energy and Natural Resources

Sen Kevin Avard, Chair  
 Sen Bob Giuda, Vice Chair  
 Sen James Gray, Member  
 Sen David Watters, Member  
 Sen Rebecca Perkins Kwoka, Member

Date: February 2, 2022

### HEARINGS

Tuesday	02/08/2022
(Day)	(Date)
Energy and Natural Resources	State House 103
(Name of Committee)	(Time)
9:00 a.m.	9:00 a.m.
<b>SB 268-FN</b>	
	relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.
9:15 a.m.	
<b>SB 440-FN</b>	
	relative to approval of offshore wind energy contracts.
9:30 a.m.	
<b>SB 367</b>	
	relative to the regulatory status of advanced recycling and manufacturing facilities.
9:45 a.m.	
<b>SB 429-FN</b>	
	relative to the site evaluation committee.

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

**SB 268-FN**

Sen. Watters	Sen. Avard	Sen. Kahn	Sen. Rosenwald
Sen. Whitley	Sen. Soucy	Sen. Perkins Kwoka	Sen. Sherman
Sen. Cavanaugh	Sen. D'Allesandro	Sen. Prentiss	Rep. Somssich
Rep. Wall	Rep. Cushing		

**SB 440-FN**

Sen. Watters	Sen. Sherman	Sen. D'Allesandro	Sen. Avard
Sen. Rosenwald	Sen. Whitley	Sen. Soucy	Sen. Cavanaugh
Sen. Prentiss	Rep. Cali-Pitts	Rep. McGhee	Rep. Wall

**SB 367**

Sen. Avard	Sen. Watters	Sen. Hennessey	Sen. Bradley
Sen. Soucy	Sen. French	Sen. Cavanaugh	Rep. Pearl

**SB 429-FN**

Sen. Giuda	Sen. Watters	Sen. Ward	Rep. Harrington
Rep. Vose	Rep. Leishman		

Daley Frenette 271-3042

Kevin A. Avard  
Chairman

# Senate Energy and Natural Resources Committee

*Daley Frenette 271-3042*

**SB 268-FN**, relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.

**Hearing Date:** February 8, 2022

**Members of the Committee Present:** Senators Avard, Giuda, Gray, Watters and Perkins Kwoka

**Members of the Committee Absent :** None

**Bill Analysis:** This bill directs the public utilities commission to ensure that certain requirements relative to impact and use studies are met prior to approving power purchase agreements for energy derived from the Gulf of Maine.

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**Sponsors:**

Sen. Watters	Sen. Avard	Sen. Kahn
Sen. Rosenwald	Sen. Whitley	Sen. Soucy
Sen. Perkins Kwoka	Sen. Sherman	Sen. Cavanaugh
Sen. D'Allesandro	Sen. Prentiss	Rep. Somssich
Rep. Wall	Rep. Cushing	

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**Who supports the bill:** Senator Watters, Senate District 4, Josh Elliot, NH Department of Energy, Meghan Hoskins, League of Conservation Voters, Representative Peter Somssich, Rockingham-District 27, Kelly Buchanan, CENH, Suzanne Butcher, Carol Foss, New Hampshire Audubon, Jerry Beck, Jane Glass-Crandell, Jonathan Glass, David Dinzeo, Catherine Koning, Cora Quisumbing-King, Phil Hatcher, Susan Chase, Laura Aronson, Fran Kelly, Denise Clark, Barbara Reed, Eileen English, Sally Hatch, Senator Rosenwald, Senate District 13, Elizabeth Corell, Bridget Mooney, Sara Smith, Patricia Martin, Helina Josephson, Bruce Berk, Gail Laker-Phelps, Susan Shamel, Linda Mattlage, Patricia Beffa-Negrini, Janet Moore, Lynn Merlone, Anne Thomas, Jane Hershey, Senator Soucy, Senate District 18, Julia Thompson, Mel Hinebauch, Ruth Perencevich, Cindy Milne, Nancy Brennan, Annie Rettew, Louise Spencer, Susan Richman, Rob Spencer, Kate Coon, James Verschueren, Matthew Couture, Judith Saum, Marcella Termini, Leslie Bergevin, Joseph Kwasnik, Donna Reardon, Deaglan McEachern, Portsmouth City Councilor, Ed Friedrich, Senator Perkins Kwoka, Senate District 21, Marianne Tilli-Pauling, Benjamin Stinson, Deborah Leavitt, Senator Sherman, Senate District 24, Bruce Clendenning, TNC. Mark Sanborn, DES.

**Who opposes the bill:** Rocco Castellano.

**Who is neutral on the bill:** None.

**Summary of testimony presented:**

Senator Watters

- Offshore Wind has been an evolving issue after Governor Sununu called for the formation of the Gulf of Maine Offshore Wind Task Force. The state has taken steps to prepare for the development of the offshore wind. The first meeting of the Gulf of Maine Offshore Wind Task Force took place in December of 2019. It is likely that the Task Force's next meeting will attempt to move forward with the siting selection process in the spring of 2022. There has been an acceleration in development of offshore wind in New England and it will certainly be coming to the Gulf of Maine in the near future.
- In preparation for the development of offshore wind, New Hampshire will need to consider the energy, economic, and environmental concerns that come with it.
- New Hampshire may exert its authority over waters out to three miles from the coastline. The federal government has jurisdiction over waters passed three miles and out to 200 miles.
- There is a federal process called consistency in which New Hampshire may declare that it has certain economic and environmental interests out to the 200-mile limit. Declaring consistency allows the state to be part of the regulatory process. Federal statutes 15 C.F.R. 930.53 and 15 C.F.R. 923.84 allow this.
- Discussions with DES and Fish and Game have led to the conclusion that declaring consistency will set New Hampshire up for success when offshore wind development begins. It will allow New Hampshire to protect our fisherman as well as other economic, maritime, and environmental interests.
- The states established coastal program was put in statute and was an important step in being able to take advantage of this process.
- The PUC will ultimately deal with offshore wind purchase power agreements and contracts. SB 268-FN directs the PUC to ensure that certain requirements relative to impact and use studies are met prior to approving power purchase agreements for energy derived from the Gulf of Maine. It also uses the existing coastal fund which uses money collected by the state to mitigate impacts to wildlife, natural resources, ecosystems, and traditional or existing water-dependent uses, including but not limited to commercial and recreational fishing, including aquaculture, and transit lanes, shall be deposited in the fund. An advisory group will determine what uses will best protect NH fisherman and other actors who rely on the waters that may be affected by the development of offshore wind.

- The statutes that define the consistency process requires that NH must provide an analysis of what the states interests are and how that analysis will be conducted. This will justify declaring state regulation. This will require resource mapping, analysis, and determination of impacts to the resources or uses from a proposed activity.
- DES Assistant Commissioner Sanborn has been working with other coastal states that have been brought together by the Bureau of Ocean Energy Management to establish a stakeholder process for each state, including New Hampshire.
- Overall, using this authority to protect our fisheries and act proactively on protecting New Hampshire's interests. Other states have faced a great deal of concern from their fisherman when offshore wind is introduced. New Hampshire will ensure that our fisherman and other actors effected by offshore wind are heard and protected.
- Senator Giuda asked if there is anything the state can do to ensure that offshore wind facilities are protected from terrorism and other related dangers. Senator Watters clarified that Homeland Security and the Coast Guard would handle this and he believes there would be coordination between Federal Homeland Security and State Homeland Security.
- Senator Giuda asked if the administrative charge of 10 percent on page 1 of the bill is an appropriate amount. Senator Watters clarified that other speakers may be able to address that question, however, he believes that 10 percent is reasonable.
- Senator Perkins Kwoka asked Senator Watters to explain the consistency process. Senator Watters clarified that the process involves reporting on evidence through fisheries, biomass mapping, and subsurface mapping. It also involves talking to fishermen and other actors to see if offshore wind development will impede on their interests.
- Senator Perkins Kwoka asked if this bill allows us to seek consistency or if that would be through another piece of legislation. Senator Watters clarified that the authority to do consistency exists and SB 268-FN instructs us to engage in that process.
- Senator Perkins Kwoka asked how the funding for this will be developed and how the purposes were chosen. Senator Watters clarified that the fund already exists. It was authorized when the coastal program was created last year. It is an existing vehicle that can receive the funds. The bill sets up how the funds will be equitably distributed and used.

Mark Sanborn, DES

- Mr. Sanborn argue that this bill should be supported. Whether offshore wind is supported or not, the bill ensures that New Hampshire's interests are protected.

As a coastal state, New Hampshire can claim federal consistency to ensure that New Hampshire's interests are addressed outside of the three-mile range.

- To claim federal consistency, there needs to be a state statute in place. We need laws that demonstrate how New Hampshire would handle impacts to commercial and environmental concerns. This bill ensures that New Hampshire has a seat at the table regardless of what any other states or the federal government does.
- DES strongly supports the bill.
- The offshore wind facilities will be in federal waters therefore the Coast Guard would handle security interests.
- The Bureau of Ocean Energy Management under the U.S. Department of the Interior is currently developing national guidance on addressing issues particularly impacts on commercial fishing, especially compensatory mitigation.
- Senator Giuda asked if the compensatory mitigation would be from state or federal funds. Mr. Sanborn clarified that there is no specific federal rule for how compensatory mitigation is delivered. The current process involves the developer and whichever states are leasing on behalf of their interests both commercial and public to negotiate what will be the result of the deployment of offshore wind. Some developers put money into workforce development for the state. Part of those negotiations are for negatively impacted commercial interests. At this point, the developers will be finding a way to compensate commercial losses.
- Senator Perkins Kwoka asked if there have been any discussions with other states on how they implement consistency. Mr. Sanborn clarified that there have been a few efforts. New Hampshire has joined with nine other states and worked with the Bureau of Ocean Energy Management. The tri-state task force has also addressed this.
- Senator Perkins Kwoka asked if other states have moved forward with development agreements and how New Hampshire would follow suit. Mr. Sanborn clarified that New Hampshire is in the very early stages of the siting and leasing processes through the Bureau of Ocean Energy Management. The siting process is working with the stakeholders, states, and federal agencies to identify the map of areas of concern. In New Hampshire's case, this would be the Gulf of Maine. Areas of concern can be relative to commercial, security, environmental, and the negative impacts on habitats. The leasing process is the process that involves having the necessary conversations with the stakeholders involved and to identify all the issues. It also ensures that that environmental, socioeconomic, and other relevant research has been done. At the end of the processes, the Bureau of Ocean Energy Management will release the opportunity for developers to get involved. The state would then go through BOEM with the leasing application.
- Mr. Sanborn clarified that overall, this bill establishes New Hampshire as a stakeholder in this process and ensures that our interests are protected.

Representative Peter Somssich, Rockingham-District 27

- New Hampshire is currently behind in developing offshore wind when compared to other states. If we want to benefit economically, guarantee energy security, and provide good jobs for NH residents, we need to participate.
- Over the next ten years, offshore wind is positioned to create an enormous impact off the coasts of Maine, New Hampshire, and Massachusetts. Manufacturers in Europe are already having business discussions with states in the northeast. They want to manufacture the turbines here in the United States.
- New Hampshire will benefit from the large amount of energy this will create. It will benefit NH companies and create jobs.
- There should be protection and mitigation for impacts on the fishing industry and we should seize this great opportunity.

Josh Elliot, DOE

- The DOE supports the bill. It is another tool in New Hampshire's toolbox.
- The issues that arise are mainly due to siting issues. This becomes complicated out on the ocean when compared to land siting.
- This bill ensures that New Hampshire has a seat at the table and that this process is done correctly. It also ensures that any impacts to New Hampshire interests are properly accounted for.

DF  
Date Hearing Report completed: February 11, 2022

# Speakers







# Senate Remote Testify

## Energy and Natural Resources Committee Testify List for Bill SB268 on 2022-02

Support: 56 Oppose: 1

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Butcher, Suzanne	A Member of the Public	Myself	Support
Foss, Carol	A Lobbyist	New Hampshire Audubon	Support
Beck, Jerry	A Member of the Public	Myself	Support
Crandell-Glass, Jane	A Member of the Public	Myself	Support
Glass, Jonathan	A Member of the Public	Myself	Support
Dinzeo, David	A Member of the Public	Myself	Support
Koning, Catherine	A Member of the Public	Myself	Support
QUISUMBING-KING, Cora	A Member of the Public	Myself	Support
Hatcher, Phil	A Member of the Public	Myself	Support
Chase, Susan	A Member of the Public	Myself	Support
Aronson, Laura	A Member of the Public	Myself	Support
Kelly, Fran	A Member of the Public	Myself	Support
Clark, Denise	A Member of the Public	Myself	Support
Reed, Barbara	A Member of the Public	Myself	Support
English, Eileen	A Member of the Public	Myself	Support
hatch, sally	A Member of the Public	Myself	Support
Rosenwald, Cindy	An Elected Official	SD 13	Support
Corell, Elizabeth	A Member of the Public	Myself	Support
Mooney, Bridget	A Member of the Public	Myself	Support
Smith, Sara	A Member of the Public	Myself	Support
Martin, Patricia A	A Member of the Public	Myself	Support
Josephson, Helina	A Member of the Public	Myself	Support
Berk, Bruce	A Member of the Public	Myself	Support
Laker-Phelps, Gail	A Member of the Public	Myself	Support
Shamel, Susan	A Member of the Public	Myself	Support
Mattlage, Linda	A Member of the Public	Myself	Support
Beffa-Negrini, Patricia	A Member of the Public	Myself	Support
Moore, Janet	A Member of the Public	Myself	Support
Merlone, Lynn	A Member of the Public	Myself	Support
Thomas, Anne	A Member of the Public	Myself	Support
Hershey, Jane	A Member of the Public	Myself	Support
Soucy, Donna	An Elected Official	SD 18	Support
thompson, julia	A Member of the Public	Myself	Support
Hinebauch, Mel	A Member of the Public	Myself	Support
Castellano, Rocco	A Member of the Public	Myself	Oppose
perencevich, ruth	A Member of the Public	Myself	Support
Milne, Cindy	A Member of the Public	Myself	Support
Brennan, Nancy	A Member of the Public	Myself	Support
Rettew, Annie	A Member of the Public	Myself	Support
Spencer, Louise	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support
Spencer, Rob	A Member of the Public	Myself	Support
Coon, Kate	A Member of the Public	Myself	Support
Verschueren, James	A Member of the Public	Myself	Support
Couture, Matthew	A Member of the Public	Myself	Support
Saum, Judith	A Member of the Public	Myself	Support
Termini, Marcella	A Member of the Public	Myself	Support

Bergevin, Leslie	A Member of the Public	Myself	Support
kwasnik, joseph	A Member of the Public	Myself	Support
Reardon, Donna	A Member of the Public	Myself	Support
McEachern, Deaglan	An Elected Official	City of Portsmouth	Support
FRIEDRICH, ED	A Member of the Public	Myself	Support
Perkins Kwoka, Senator Rebecca	An Elected Official	Myself	Support
Tilli-Pauling, Marianne	A Member of the Public	Myself	Support
Stinson, Benjamin	A Member of the Public	Myself	Support
Leavitt, Deborah	A Member of the Public	Myself	Support
Sherman, Senator	An Elected Official	SD24	Support

# Voting Sheets

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# Senate Energy & Natural Resources Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # 268

Hearing Date: 2/8/22

Executive Session Date: 2/8/22

Motion of: Consent OVP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<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. Perkins Kwoka	<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. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<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. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Watters

Notes: \_\_\_\_\_

# Senate Finance Committee

## EXECUTIVE SESSION

Bill # SB 268-FN

Hearing date: N/A

Executive session date: 02/22/22

Motion of: OTP

VOTE: 5-0

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input checked="" type="checkbox"/>	<u>by Senator:</u> Reagan <input checked="" type="checkbox"/>
Giuda <input checked="" type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>

Motion of: \_\_\_\_\_

VOTE: \_\_\_\_\_

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>	Hennessey <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Daniels, Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Reagan, Vice-Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Giuda	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Hennessey	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Rosenwald	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Morse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator D'Allesandro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendments: \_\_\_\_\_

Notes: \_\_\_\_\_

# Committee Report



STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, February 10, 2022

THE COMMITTEE ON Energy and Natural Resources

to which was referred **SB 268-FN**

AN ACT

relative to the approval of power purchase  
agreements for offshore wind energy resources from  
the Gulf of Maine.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator David Watters  
For the Committee

Following Governor Sununu's call for the formation of the Gulf of Maine Offshore Wind Task Force, offshore wind energy has been an evolving issue. In efforts to prepare for the development of offshore wind facilities, this bill aims to protect New Hampshire's fisheries, coastal economic, and environmental interests. Many offshore wind facilities fall under Federal jurisdiction and because of this, it is prudent to ensure New Hampshire's interests are secured by directing the NH Department of Environmental Resources to initiate the Federal consistency process. The bill also establishes the Coastal Fund as the location for any funding secured for mitigation and other uses. SB 268-FN directs the PUC to ensure that requirements relative to impact and use studies are met when approving power purchase agreements for offshore wind energy derived from the Gulf of Maine.

Sonja Caldwell 271-2117

FOR THE CONSENT CALENDAR

**ENERGY AND NATURAL RESOURCES**

**SB 268-FN**, relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.

Ought to Pass, Vote 5-0.

Senator David Watters for the committee.

Following Governor Sununu's call for the formation of the Gulf of Maine Offshore Wind Task Force, offshore wind energy has been an evolving issue. In efforts to prepare for the development of offshore wind facilities, this bill aims to protect New Hampshire's fisheries, coastal economic, and environmental interests. Many offshore wind facilities fall under Federal jurisdiction and because of this, it is prudent to ensure New Hampshire's interests are secured by directing the NH Department of Environmental Resources to initiate the Federal consistency process. The bill also establishes the Coastal Fund as the location for any funding secured for mitigation and other uses. SB 268-FN directs the PUC to ensure that requirements relative to impact and use studies are met when approving power purchase agreements for offshore wind energy derived from the Gulf of Maine.



## General Court of New Hampshire - Bill Status System

**Docket of SB268**

Docket Abbreviations

**Bill Title:** relative to the approval of power purchase agreements for offshore wind energy resources from the Gulf of Maine.

*Official Docket of SB268.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
12/14/2021	S	To Be <b>Introduced</b> 01/05/2022 and Referred to Energy and Natural Resources; <b>SJ 1</b>
2/2/2022	S	<b>Hearing:</b> 02/08/2022, Room 103, SH, 09:00 am; <b>SC 6</b>
2/10/2022	S	Committee Report: Ought to Pass, 02/16/2022; Vote 5-0; CC; <b>SC 7</b>
2/16/2022	S	Ought to Pass: MA, VV; Refer to Finance Rule 4-5; 02/16/2022; <b>SJ 3</b>
2/22/2022	S	Committee Report: Ought to Pass, 02/24/2022; <b>SC 8A</b>
2/24/2022	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 02/24/2022; <b>SJ 4</b>
3/23/2022	H	Introduced 03/17/2022 and referred to Science, Technology and Energy
3/30/2022	H	Public Hearing: 04/11/2022 09:00 am LOB 306-308
4/15/2022	H	Executive Session: 04/11/2022 09:00 am LOB 306-308
4/15/2022	H	Committee Report: Ought to Pass (Vote 21-0; CC)
5/4/2022	H	<b>Ought to Pass:</b> MA VV 05/04/2022 <b>HJ 11</b>
5/24/2022	H	Enrolled (in recess of) 05/12/2022 <b>HJ 13</b>
5/24/2022	S	Enrolled Adopted, VV, (In recess 05/12/2022); <b>SJ 13</b>
6/1/2022	S	Signed by the Governor on 05/27/2022; Chapter 0130; Effective 07/26/2022

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: SB 268-FN

Senate Committee: FINANCE

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 # \_\_\_\_\_  - 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:

Debra A. Martore  
Committee Aide

06/16/22  
Date

Senate Clerk's Office jm

## Senate Inventory Checklist for Archives

Bill Number: SB 268 - FN

Senate Committee: Energy

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 # \_\_\_\_\_      \_\_\_ - 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:

Daly  
\_\_\_\_\_  
Committee Aide

6/27/22  
\_\_\_\_\_  
Date

Senate Clerk's Office \_\_\_\_\_