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Robert R. Scott, Commissioner

November 18, 2019

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

**REQUESTED ACTION**

Authorize the Department of Environmental Services to **RETROACTIVELY** pay 2020 membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA (VC # 162774-B001), in the amount of \$16,181, upon Governor and Council approval through June 30, 2020. 100% Other Funds, Clean Water Revolving Loan Management Funds.

Funding is available in the account as follows:

	<u>FY 2020</u>
03-44-44-441018-4788-026-500251	\$16,181.00
Dept. Environmental Services, CWSRF Loan Management, Organizational Dues	

**EXPLANATION**

The New England Interstate Water Pollution Control Commission (NEIWPCC) is a not-for-profit interstate agency formed by Congress that assists its seven member states, including New Hampshire, in a number of ways. NEIWPCC is unique to interstate organizations in that the relationship between Department of Environmental Services (DES) and NEIWPCC is specifically addressed in New Hampshire statutes, RSA 484:17 through 21, as part of a multi-state compact specifically focused on helping to resolve interstate water pollution issues. NEIWPCC supports the member states in many ways by coordinating activities that ensure cooperation among the states, educating the public about key water quality, drinking water, wetlands and coastal issues, supporting research projects, training environmental professionals, and providing overall leadership in water management and protection across many water-related programs. This request is delayed because the invoice was not received until October 2019, well after the start of the fiscal year.

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

1. **How long has this organization been in existence and how long has this agency been a member of this organization?**  
The organization was founded in 1947. DES (and previously as one of its predecessor agencies, the Water Supply and Pollution Control Commission) has been a member since the organization was founded.
2. **Is there any other organization which provides the same or similar benefits which your agency belongs to?**

No. This is the only regional organization to which DES belongs that is dedicated to supporting and providing state input on national and regional water policy issues and funding under the federal Clean Water Act, the Safe Drinking Water Act and federal Underground Storage Tank requirements.

**3. How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?**

Seven states belong to this organization, the six New England States and New York. DES is the sole New Hampshire state agency that is a member.

**4. How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc)**

State dues are assessed annual based on a longstanding formula based on state population and other size factors. New Hampshire falls into the lowest dues tier due to our relatively small size and, therefore, pays the lowest of several possible dues rates.

**5. What benefit does the state receive from participating in this membership?**

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

**6. Are training or educational/research materials included in the membership? If so, is the cost included? Explain in detail.**

Yes. DES regularly receives educational/research materials, training and national water policy updates from NEIPWCC and the cost is typically included, except for travel costs for occasional multi-day regional seminars, training sessions and meetings. This training is through meetings and seminars, materials available on the Commission website, documents forward by e-mails or internet links, and conference calls on specific topics concerning regional and national water policy, water quality, state program management and many water program issues. DES also receives real-time information on federal budgets and policy changes that may require comment to EPA separately or together by the seven member states. NEIWPCCC staff will also provide specific policy research to DES upon request. This is all part of the service provided for payment of the annual dues.

**7. Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams? Explain.**

No.

**8. Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.**

No travel is included for employees. However, as a member of the NEIWPC Board and leadership team, Thomas O'Donovan, DES Water Division Director, participates in high level meetings with EPA on regional and national water policy and funding issues. These meetings are to ensure that states issues are considered during the development of federal water policy. NEIWPC has other meetings attended by DES staff from different programs at their offices in Lowell, Massachusetts. These meetings are on many water topics including water monitoring, NPDES permits, stormwater, wetlands and drinking water. Funding for travel to these meetings is typically from federal program grants. These provide an opportunity for DES to receive updates on regional and national water policy and funding matters pertinent to New Hampshire and to give direct input to senior EPA officials.

**9. Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members, and/or officers of the organization.)**

Thomas O'Donovan, DES Water Division Director, is currently a voting member of the NEIWPC Commission and Executive Committee. Other Water Division employees are involved with other program committees include Sarah Pillsbury (water supply), Sarah Yuhas-Kirn (wetlands), Ted Diers (water quality and coastal), Steve Landry (nonpoint source), and Amy Smagula (exotic species) as well as Chuck Corliss (underground storage tanks) of the Waste Management Division. Typically, these staff would travel to NEIWPC offices in Lowell for 1 to 3 times/year for meetings with other discussions by conference call.

**10. Explain in detail any negative impact to the State if the Agency did not belong to this organization.**

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

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

We respectfully request your approval.

  
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Robert R. Scott, Commissioner



Working for Clean  
Water Since 1947  
  
Regional and State Initiatives  
Program Support  
Project Management  
Informational Resources  
Training and Certification  
Research  
Education and Outreach

October 22, 2019

**IN ACCOUNT WITH:**

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

Atten: Thomas O'Donovan


**EIN #04-6004735**

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**COVERS:**

The state of New Hampshire's appropriation toward the operating expenses of the  
New England Interstate Water Pollution Control Commission for the fiscal year  
2020.

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

  
Susan J Sullivan  
Executive Director

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