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NH Audubon’s Environmental Policy Committee members were frequent visitors to the Legislative Office Building and the State House during the 2017 legislative session. Committee members provided testimony on seven bills, which met a variety of fates (see Table 1). Legislative committees have been working on bills that were retained or re-referred during the summer and fall for reconsideration in the 2018 session. Bills voted “Inexpedient to Legislate” cannot be reconsidered. Full text and docket details for these bills are available through the New Hampshire General Court website www.gencourt.state.nh.us. In addition, we signed in on 17 bills without submitting testimony (see Table 2).

At the federal level, we signed on to letters supporting continued funding for the Department of Interior’s National and Regional Climate Adaptation Centers and urging passage of the Wildfire Disaster Funding Act (H.R. 2862; S. 1842).

We attended a hearing of the Atlantic States Marine Fisheries Commission to provide input and submitted written comments on Draft Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The menhaden is a keystone species in Atlantic marine ecosystems, playing an important role in maintaining water quality and providing prey for larger fish, eagles, osprey, loons, whales, and porpoises. The early stages of population recovery have already resulted in increased near shore whale and seabird activity in the Gulf of Maine.



Humpback whale feeds on menhaden near shore at Salisbury Beach, MA. Photo by Mike Laptew.

We are participating in the Conservation Funding Caucus, which is working for passage of the Recovering America’s Wildlife Act. This legislation would make revenues from energy and mineral development on federal lands available for funding state wildlife conservation and restoration programs for fish and wildlife species of greatest conservation concern. The Recovering America’s Wildlife Act would make a huge difference in New Hampshire by supporting efforts to conserve declining species, such as bats, for which no funding is currently available.

We are monitoring the status of Portland Pipe Line Corporation’s lawsuit against the City of South Portland. South Portland adopted a “Clear Skies” ordinance in July 2014 that banned crude oil exports from the city’s port and effectively blocked flow reversal on the 236-mile pipe line between Portland and Montreal. Portland Pipe Line Corporation filed suit in February 2015 to challenge the ordinance. A federal judge put a hold on the suit in May 2017, but denied the city’s motion

to dismiss the case in August. Then, in October, TransCanada announced their abandonment of plans to build the Energy East Pipeline, which would have carried bitumen from collection points in Alberta, Saskatchewan and North Dakota to refineries and port terminals on the Atlantic Coast. The effects of this decision on potential incentives to reverse flow on the Portland-Montreal Pipe Line remain unclear. We will continue to monitor this situation closely in the coming months.

A grateful thank you to the following donors for supporting NH Audubon’s policy work: Paul Nickerson, Larry Sunderland, and Margaret Watkins.

Table 1. NH Audubon provided testimony on these bills.

Bill Number	Intent	NH Audubon Position	Outcome
HB225	Repeal the electric renewable portfolio standard	Opposed	Re-referred to committee
HB317	Require legislative approval to increase a charge to support strategies that minimize distribution costs for electricity	Opposed	Retained in committee
HB462	Require the Site Evaluation Committee to revise certain rules pertaining to proposed energy facilities	Opposed	Tabled
HB540	Original bill prohibited Department of Health and Human Services from applying for, accepting, or expending federal funds for climate change adaptation; subsequently amended and retitled to repeal the voluntary greenhouse gas reductions registry	Opposed	Enacted, Chapter 0074
HB592	Repeal the Regional Greenhouse Gas Initiative	Opposed	Retained in committee
HB627	Establish the position of energy efficiency advocate (would eliminate investments in energy efficiency for municipalities and low-income housing)	Opposed	Inexpedient to legislate
SB48	Establish a commission to study changes to the Fish & Game Commission and Department	Supporting	Retained in committee

Table 2. NH Audubon registered a position on these bills but did not provide testimony.

BILL NUMBER	INTENT	NH AUDUBON POSITION	OUTCOME
HB342	To establish a commission to study the transfer of regulatory authority regarding municipal separate storm sewer general permits from the US EPA to the NH Department of Environmental Services (DES)	Opposing	Re-referred to committee
HB352	To change the name of the Energy Efficiency Fund to the Energy Fund and add project categories that may be funded	Supporting	Enacted, Chapter 0135
HB359	To return a percentage of the LCHIP fee to the municipality where the associated real estate transaction occurred	Opposing	Inexpedient to legislate
HB376	To require that persons seeking a permit for major dredging projects in estuarine waters first analyze the sediment characteristics and submit a report to the Department of Environmental Services	Supporting	Inexpedient to legislate
HB380	To clarify that the oil discharge and disposal cleanup fund is non-lapsing, clarify eligibility requirements, and increase reimbursement limits for tank upgrade costs	Supporting	Enacted, Chapter 0102
HB401	To require the Public Utilities Commission to implement modernization of the electric transmission grid	Supporting	Retained in committee
HB463	To regulate groundwater pollution caused by deposition of air pollutants and to require standards for emerging drinking water contaminants	Supporting	Sent to conference committee
HB485	To require that the NH DES use exposure scenarios in children and other vulnerable populations to determine ambient groundwater quality standards	Supporting	Retained in committee
HB486	To identify and define different types of wetlands protected under the Wetlands Protection Act	Supporting	Retained in committee
HB488	To re-establish the State Park System Advisory Council	Supporting	Enacted, Chapter 0181
HB518	To eliminate the cap on net metering	Opposing	Retained in committee
HB535	To raise the total peak generating capacity for group net metering by municipalities	Supporting	Tabled
HB559	To modify the allocation of rebates to retail electric customers and require allocation of certain funds to school districts for energy efficiency projects	Supporting	Retained in committee
HB591	To define recreational prospecting and prohibit the use of suction dredging for the purpose of recreational prospecting	Supporting	Inexpedient to legislate
SB30	To define woodland buffers and make changes to the measurement of woodland buffers and waterfront buffers	Supporting	Enacted, Chapter 0225
SB126	To include hospitals in the non-residential sector eligible for renewable energy fund award	Supporting	Inexpedient to legislate
SB129	To require a portion of the funds in the renewable energy fund to benefit low-moderate income residential customers and make changes to renewable energy classes	Supporting	Enacted, Chapter 0226