

**STEERING COMMITTEE
COASTAL RISKS AND HAZARDS COMMISSION**

Friday, October 2nd, 2015

9:00AM – 11:00AM

NHDES Portsmouth Regional Office – Room A

Pease International Tradeport
222 International Drive, Suite 175
Portsmouth, NH

MEETING NOTES

Attending: Sherry Godlewski, Representative Fred Rice, Cory Riley, Ann Scholz, Cliff Sinnott, Roger Stephenson, Kirsten Howard

Note: the number scheme on the recommendations has changed since this meeting.

1. Call to Order

With no quorum present, Sinnott suggested that continue with discussing ideas for potential legislative proposals. No votes will be taken, meeting notes will be recorded.

2. Approval of Minutes from June 5th, 2015 Meeting (*Attached*)

Did not approve minutes due to lack of quorum present.

3. Potential Legislation from CRHC Draft Recommendations – *All (Recommendations Attached)*

This discussion was focused on the hypothetical question: If Commission recommendations were to be proposed as legislation this session, which ones would make the most sense at this point in time?

Steve Couture, Sherry Godlewski, Cory Riley, and Cliff Sinnott suggested the following recommendations be considered as priorities for legislation:

1.1 Require a legislatively-authorized state agency to convene a Science and Technical Advisory Panel to update sea-level rise, storm surge, and precipitation and other relevant projections and planning recommendations every three to five years.

3.2 By 2019, state agencies will consider and use science-based climate projections in their activities and plans. (repeated)

3A.1 Enact/implement regulatory standards (e.g. statutes, rules, regulations) to ensure that the best available science-based climate projections and flooding risks are used for the siting and design of new, reconstructed, and rehabilitated state and municipal structures and facilities and state-funded structures and facilities. (repeated)

- Require through legislation/track progress that the Site Evaluation Committee and Public Utilities Commission take sea-level rise into account in project siting decisions and other planning.

3.3 Encourage state agencies and municipalities to develop policies for response and recovery plans (plan for recovery over time after an extreme event) (repeated)

- Pass legislation to enable state agencies and municipalities to develop response and recovery plans.

4.2 Establish a state-wide adaptation coordinator to coordinate implementation of these recommendations and elevate the visibility of NH's efforts.

It was suggested to hold off on 4.1 until it's more clear what 3.2 means.

Cliff suggested that proposed legislation could direct state agencies to make a report related to the implications of 3.2.

Cory asked what the follow through is. Said she's hesitant to have state agencies write a report because we don't know who is going to read it. If we just required state agencies to do it without requiring a report, that could be another option.

Rep. Rice cautioned that we can't make one size fits all because everyone has their own requirements.

Cory highlighted that 4.2 almost needs to happen first. We need a person to coordinate the effort.

Rep. Rice asked if we could find a person in an existing agency to do this.

Ann mentioned that other agencies review NHDOT work, like NHDES.

Cory pointed out that most agencies already have a climate-ish point person or a couple people. Once it becomes part of the way we do things at that point things get to be smooth. You have to make sure someone is accountable for it.

Sherry agreed that there is a check built in already with agency work.

Rep. Rice suggested that we could build in to existing requirements for reporting for emergency management. Add a paragraph in an existing preparedness report would be one way to do it.

Cliff mentioned that 3A.1 could be included in an executive order.

Cory mentioned that 3.2, 2.2, and 3.3 are really similar except for municipalities in 3.3. She suggested we encourage municipalities and be stricter with state agencies. Split it out into two things. Action for state agencies under 3.2.

General recommendation language/terms discussion

Rep. Rice suggested a different term like pertinent, proven, or appropriate information rather than science-based climate projections. Doesn't know whose science it's referring to.

Cliff explained that that phrase is based on the Commission legislation.

Discussion ensued about scientific consensus, the use of the word science and whether it has become a trigger word for some.

Kirsten suggested inserting the term “best available” like best available climate science or best available science projections. There was agreement that this would work but that we should not feel that it is necessary to avoid the reference to science when that is the correct term.

Cliff stated that the tricky part is the uncertainty. In this case science gives us a range of outcomes that are plausible or even likely but cannot provide certainty.

Roger mentioned that the uncertainty lies in the inability to project our greenhouse gas loading.

Cliff agreed and that there is enough certainty in the science to know that we face higher risks for coastal flooding in the relatively near future and enough to know we need to actively prepare for it. What we are using are best available projections based on climate science.

Back to discussion of hypothetical legislation

Cory: The intent of 3A.1 is to implement something similar to what other states have done. Establish the standards first. Does that come first and then we have state statutes reviewed.
1.1, 3A.1, 2.2, 3.2

Rep Rice asked could we incorporate 2.2 into 3A.1?

Cory responded that 3A.1 is quite narrow. It’s just about infrastructure siting.

Rep. Rice suggested (conceptually) state agencies will consider and use best available science projections in their siting and plans and will implement standards...

Cory agreed: you could lump those.

Cliff turned it over to state agency participants pointing out that the three of you represent state agencies that are among the most likely to need some legislation. DOT, F&G, DES

Ann mentioned that liability is the biggest thing for NHDOT.

Cory mentioned that the Commission at Fish & Game is powerful. When Gail gave her presentation, she made a great point that we need to change the cost and spending structure in the state. Having to wait 2 months for fiscal approval really impacts how quickly they can respond to slide and slope issues, and they need money for planning.

Cliff asked Should we ask each agency for legislation specific things?

Ann suggested no—she said she can’t think of anything for NHDOT aside from authority and funding.

Cliff agreed—Kevin Nyhan at NHDOT said that higher standards are fine and good as long as we understand that things will cost more and there will be allowances for that.

Roger asked Who decides if a fiscal note is put on a bill? We have 10/13 through 11/3 window. LSR is put in. Who decides if a fiscal note is put on it?

Rep Rice responded that it's legislative services.

Cory mentioned that 1.1 is a little time sensitive. Maybe we can find some external funds to pull it together. Maybe panel members would be paid? If we want it authorized, we need to get going.

Cliff committed to write up a memo summarizing the the 3-4 things we want to recommend for legialtive consideration. He will send it to the 5 of you for comment before the legislators meeting.

The list consisted of:

1.1; 2.2/3.2/3A.1; 4.2—put it on the list and let others decide. What's the relationship between 1.1 and 4.2? Cory: part of 4.2 is that it makes it ok for one person to work on this full time. Consider reassigning could be the language. Gives it sanction.

Sherry agreed, pointing out that there is a parallel State Energy Coordinator.

Cory summarized: Take 1.1: two bullets—assign a state agency, assign/reassign a state coordinator

- 4.2 + 1.1
- 2.2 + 3.2 + 3A.1

Folding happens just for memo. Keep separate for recommendations.

Rep Rice cautioned, it needs to be very very specific on what you want to have done and what you want the outcome to be. Sometimes you have to go back a couple times with Legislative Services.

Cliff mentioned that 3.2 would look something like: "Any construction, siting, planning—whether federal or state funding."

Are we prepared to speak to specifically what we want those numbers to be?

Kirsten mentioned the culvert example in Lubberland Creek where the engineers used the Army Corps circular to determine the numbers themselves for the timeframe they were interested in, so we want to be careful about laying out the numbers now.

Cory agreed stating that I'm not sure we are ready. That might be one thing we want to ask of the next STAP. This is another thing we want the STAP to do. Design criteria.

Cory also mentioned that On new state buildings, we could be comfortable making some requirement...FEMA based floodplain thing. Critical infrastructure. 2 foot freeboard. Ask Jennifer for specific suggestion.

Rep Rice: General agreement.

Cliff will dig up the example from North Carolina.

Cory: MA just passed something also.

Ann: One comment: 1.1, can we say something different like every time an IPCC report comes out. Every 3-5 years. NCA is every 5 years. NCA rather than IPCC. Added in accordance with the National Climate Assessment. At a minimum of 5 years. Mention the NCA.

Discussion about

4. Draft Report – – *Kirsten Howard*
 - a. Planned revisions and next steps

- b. Coastal Program funding for report design, layout and printing
- c. Integration of Climate Ready Culvert Project
- d. Other

Kirsten will send note to full Commission for comments by 11/9 and will send meeting options for report writing group.

Cliff asked how to deal with inland community gap in information.

Cory said that we need to be specific about types of vulnerabilities. We should categorize them and speak to them but we don't need to make it into a vulnerability assessment. Tides to Storms should be summarized but in a way similar to the natural resources section.

Cliff suggested including the CAPE project and Lamprey Watershed Study.

Kirsten will reach out to Dave Bjerkle for subwatershed data on USGS study

Kirsten will ask Kyle for summary for inland communities.

Rep Rice agreed—Let's address all the communities, not so much in depth.

5. Further discussion and planning, as needed:

- a. Municipal Focus Groups

Sherry they will be held between November and January

Steve Miller and Sherry will get together to develop questions.

6. Other Business

- a. Communication re Legislative Services Re: Alternative Member designation

Cliff: We were questioned by UNH about the authorization in our legislation for designation of alternates. The Commission votes to do so almost immediately. Record is clear in our notes, starting with the first meeting. But something to be aware of. Cameron Wake is likely going to be appointed.

Fred: I do not like the appointment of alternates; they don't usually provide good continuity

- b. RPC Legislative Forum on Coastal Risks and Hazards – November 18

Cliff will be presenting with Julie, Sherry and Cam Wake.

Suggestion to cancel the October Commission meeting.

Action items:

- Cliff will reach out to Jennifer to get guidelines on FEMA requirements
- Cliff will send memo to group
- Roger will follow up memo with invitations to legislators and Steve Couture and possibly others for meeting on legislation
- Roger and *Kirsten* will prepare something for Communications Plan for November Commission meeting
- Cliff will send an email updating on new Commission date and reminder on comments
- *Kirsten* will schedule report writing meeting date
- *Kirsten* will start ironing out vulnerability section and reach out to Kyle and Cultural and Historic Division

7. Public comment

No comment.

8. Adjourn

Meeting adjourned.