

THE ENVIRONMENT AND THE NEW HAMPSHIRE GOVERNOR



Photo credit Ned Therrien

AN ASSESSMENT OF GOVERNOR CRAIG BENSON
BY
THE GRANITE STATE CONSERVATION VOTERS ALLIANCE
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ABOUT THE GRANITE STATE CONSERVATION VOTERS ALLIANCE

GSCVA is a non-partisan, statewide non-profit organization dedicated to protecting New Hampshire's environment by making it a priority for our elected representatives. GSCVA was established with the advice and encouragement of many of New Hampshire's conservation leaders to perform a critical role -- hold state elected officials accountable for their performance in protecting the environment.

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ABOUT THIS REPORT

To create *The Environment and the New Hampshire Governor* GSCVA met with and solicited information from conservation advocates, policy specialists outside the conservation community, representatives of state agencies and reporters. Believing it to be important to hear from officials most directly involved with relevant state initiatives and accomplishments, **we sent letters of inquiry** to the Attorney General; Commissioner of Agriculture, Markets and Food; Commissioner of the Department of Environmental Services (NH DES); Commissioner of Resources and Economic Development; and Director of the Office of Energy & Planning. **We received replies from** Commissioner Taylor (Agriculture, Markets and Food) and the Attorney General's office. **We did not receive replies from** Commissioners Michael Nolin (Department of Environmental Services), George Bald or his successor Sean O'Kane (Department of Resources and Economic Development) or Director Mary Ann Manoogian (Office of Energy & Planning).

We discuss eight issue areas in this report and with each issue we describe accomplishments and areas of concern. The GSCVA board examined the collected information and assigned grades to reflect Governor Benson's performance.

A NOTE ON GUBERNATORIAL APPOINTMENTS

Appointments made by a governor of people to various commissions and departments have a significant effect on the tone and direction of conservation and environmental protection. With the exception of the Commissioner of Agriculture each leading policy maker in key areas of state government responsible for environmental protection was appointed by Governor Benson (Environmental Services; Energy and Planning; Fish and Game; Transportation; Attorney General; and Resources and Economic Development.) Adding to these marquee appointments are dozens of gubernatorial appointments to commissions and task forces that in turn provide advice and information to policy makers. A closer examination of appointments by the Governor, beyond the scope of this report, is being considered.

A LEADERSHIP VACUUM

Governor Benson received grades ranging from C to D; his overall grade is C minus. According to one senior state official, agencies are being “bled down”. Legislative priorities *and* executive decisions create the problems of hiring freezes and unfilled vacancies within the state agencies responsible for enforcing existing environmental laws and regulations. From a broader perspective, **the infrastructure within state government that supports environmental protection is being “dismantled.”** Of great concern is that this dismantling of those agencies established to protect the environment is happening below the radar without the public scrutiny it deserves. For this we fault Governor Benson. His office provides the prestige and opportunities to communicate with the public, to initiate legislation and prod the legislature for the resources and laws to protect this special place in which we live. He simply has not used his position to do so.

A visit to Governor Benson’s website shows that the environment simply does not exist among his initiatives. “Fuel Up For Fun” is one initiative found on Governor Benson’s website. Fuel Up For Fun is a weekly prize drawing; to enter the Governor’s contest one must first qualify by submitting proof of purchase of 11 or more gallons of gasoline. At best this is an unfortunate promotion for gasoline consumption; at worst it hints of a disconnect from good public policy on energy and the environment.

New Hampshire does have a strong history of executive leadership on the environment. For example, environmental leadership 100 years ago saved the White Mountains. A generation ago two conservationists in the corner office embraced a far-reaching amendment to our state constitution so that open land might be taxed at a lower rate – saving thousands of acres from development. More recently, New Hampshire governors championed the Land Conservation Investment Program (LCIP) and signed into law important environmental legislation including the Rivers Management and Protection Program, the Shoreland Protection Act, the Lakes Preservation and Restoration Program, New Hampshire Clean Power Act and Land and Community Heritage Investment Program (LCHIP).

The return today on conservation investments made many years ago is real: over \$9 billion in direct tourism spending (2000); \$619 million spent in New Hampshire on wildlife-related recreation (2001). Another laudable result is that New Hampshire is considered the “most livable state” (2004). **Unfortunately, absent executive leadership, we are squandering these returns. New Hampshire simply cannot remain an A+ state with a C- governor.**

CLOSING THE GAP

Each of us can do two important things to improve how the Executive Branch addresses environmental protection: **inform ourselves and share our priorities with Governor Benson.**

1. **Learn more** about critical environment issues affecting our air, our drinking water, and wildlife habitat protection by visiting websites included at the back of this report.
2. **Write or call Governor Benson** and share your thoughts about environmental protection: <http://oit.nh.gov/goveforms/betternh.asp>

or by land-mail:

Office of the Governor

107 North Main Street Room 208

Concord, NH 03301 1-603-271-2121

We face a land conservation crisis. Rapid population growth combined with “sprawl” development is putting unprecedented pressure on the state’s natural landscapes. Simultaneously, steeply escalating land values mean that public conservation investments must increase just to maintain current levels of activity. Yet during the past year and a half--a period when neighboring states managed to maintain essentially level support for land conservation despite their own budget problems--the state of New Hampshire largely withdrew its support for land conservation. As is made clear below, the Benson Administration is by no means solely responsible, but it has clearly failed to support land protection.

Accomplishments

Connecticut Lakes Headwater project completed. The closing ceremony celebrating the 171,000-acre Connecticut Lakes project was in the fall of 2003, and at that time Governor Benson spoke strongly in favor of the project. In his state of the state address Governor Benson called the project one of the top five achievements of his first year in office – yet **most of the state’s actions on the Connecticut Headwaters project took place during the previous administration.**

Areas of Concern

Land & Community Heritage Investment Program (LCHIP) Cut 90%. Governor Benson recommended \$8 million for the state’s flagship land conservation program in the state’s FY 04-05 biennial budget, a **33 percent cut from previous funding levels.** As the budget made its way through the legislative process, the Governor’s recommended LCHIP funding level was further slashed by the State Senate to just \$1.5 million, a level ultimately adopted by the legislature and approved by the Governor. **The Benson Administration did not defend its own budget position** with the Legislature, and never publicly spoke in opposition to the Senate cuts. LCHIP experienced a cut of nearly 90%, more than almost any other program in state government.

Water Supply Land Protection Program (WSLP) Cut 80%. In his first budget proposal **Governor Benson cut 15 percent from the Water Supply Land Protection program**, a key state grant program designed to protect undeveloped land around drinking water supplies. As with LCHIP, the House of Representatives left the Governor’s recommendation unchanged. But the Senate diverted additional funds from the program, reducing total funding to roughly \$1.6 million. Another \$1 million was raided from the program and transferred to the general fund by the House-Senate budget conference committee. In the final budget approved by the legislature, the WSLP program was reduced to approximately \$600,000 over two years, an 80 percent cut from previous levels. Again, although the Senate made the most substantial cuts, **Governor Benson never defended his budget position or spoke in support of the program.**



Ninety percent of all rural residents obtain their water from bedrock wells. In addition, approximately 55 separate surface water sources (lakes and streams) are used as sources of public water supply in New Hampshire. There is no state requirement for testing the water quality of private wells, but the NH DES website lists a dozen “more commonly found” contaminants including arsenic and MtBE.

Accomplishments

The Benson Administration, through the office of Attorney General Peter Heed, filed a damage claim lawsuit in the fall of 2003 against twenty-two major oil companies that added MtBE to New Hampshire’s fuel supplies. MtBE from spills and leakage of gasoline has been found to contaminate water supplies throughout the state, and it has been the subject of numerous administrative and legislative efforts to control its impacts since it came into widespread use to make cleaner-burning fuel in the mid-1990s. The suit is the first brought by a state in its capacity as trustee of public water resources against the oil industry for all costs of remediation and restoration of the State’s waters.

On the legislative front, the NH DES did support a bill this year to ban MtBE use by 2007, though the version that passed the legislature (SB 397) still conditions that ban on federal approval for opting out of the reformulated gas program and leaves discretion to NH DES to set alternative measures to meet the state implementation plan for air pollution reduction. **The bill became law without Governor Benson’s signature.**

Drinking water source protection: NH DES has completed *federally-required* assessments for all of the state’s community systems, and this information is available on their website. The federal Safe Drinking Water Act does not require that communities plan to protect their water sources by using these assessments, but NH DES does waive the water testing requirement for communities that do pursue protection plans, thus providing a cost-saving incentive to participating communities.

Areas of Concern

While the state’s MtBE lawsuit, if successful, may discourage gasoline producers from using MtBE in the future and could provide a significant revenue stream for clean up and other state needs, it only addresses one side of the problem. **The Governor has not used his position** to challenge the U.S. EPA over its reformulated gasoline program, or move quickly to ban MtBE rather than waiting to opt out under EPA’s terms. Agreeing to wait three years or more to finally get MtBE out of our gasoline means many more opportunities for water supply contamination and increased public exposure to MtBE.

Groundwater withdrawals: The Benson Administration is basing its MtBE lawsuit on the primacy of the state’s public trust over groundwater resources, but a favorable decision on a much-reported commercial water withdrawal permit application would be at odds with this very same trust doctrine. The ongoing battle over state-permitting of USA Springs to withdraw groundwater in Nottingham and Barrington (to bottle and ship overseas) has been a focal point for water supply concerns. Despite having its permit request rejected, USA Springs has re-applied and may get a more favorable hearing.



While NH DES had been working through existing regulations over the past two years to deal with the central issues of USA Springs' proposal, there is now a change of attitude evident among decision makers in the Administration. According to affected residents, procedures for public review and participation in the process have not been upheld in recent months. In the original permit denial, NH DES identified 27 key objections. All but one "key objection" has been re-classified as an "uncertainty", to be dealt with later. Other critical issues such as prime wetlands impacts are being ignored in the process. **Governor Benson has declined to meet with community opponents.**

Lack of monitoring: The hiring freeze threatens drinking water safety: a senior state official explained that while the state must issue pesticide permits to those who qualify, **there are simply no staff resources to monitor the applications of chemical pesticides** to ensure water supplies remain safe.

Great Bay Sewer District: The NH DES supported SB 481 creating the Estuary Alliance for Sewage Treatment, a huge wastewater project that will discharge treated effluent from 44 communities (Derry to Wolfeboro) into the ocean. NH DES Commissioner Michael Nolin requested the House Environment and Agriculture Committee give his agency, and not local communities, authority over the district. His request was ultimately unsuccessful. **NH DES supported this bill without the benefit of a still un-completed and essential study of the issue**, authorized by the legislature last year. Groundwater quality and quantity are high priorities in New Hampshire. A pipeline to the ocean could be detrimental to groundwater levels because millions of gallons of treated waste water would not be recharged into the ground and would bypass the rivers flowing into Great Bay.

New Hampshire's surface waters are under attack. Invaders such as milfoil and rock bass are seriously compromising the ecological health of the state's public waters. Increased shoreline development is encroaching upon protected wetlands and shoreline buffer zones that hold back pollution from fertilizers. Recreational use is growing to the point where people are starting to feel "the squeeze." A 2003 study published for the Lakes, Rivers, Streams and Ponds Partnership showed that five uses of the state's surface waters contribute an estimated \$1.8 billion *annually* to the state's economy.

Accomplishments

Governor Benson appointed Sean O'Kane as the new Commissioner of the Department of Resources and Economic Development. Many are encouraged that O'Kane, who will oversee state parks and forests, will prove to be an advocate for conservation, and the protection of natural resources, so important to sustaining the tourism and hospitality industries -- where O'Kane has most of his professional experience.

Governor Benson reactivated the Public Water Access Advisory Board by filling the chairman position -- vacant for nearly two years.

Conservationists are encouraged with the direction the state may be taking on invasive species, as communicated by the Governor's aide at N.H. Fish & Game's Wildlife Summit. Governor Benson was invited but did not attend the summit.

Governor Benson signed the lead sinker bill to help protect New Hampshire's threatened loon population and keep toxic lead products out of the state's waters.

Areas of Concern

New wetlands rules are considerably weaker. Governor Benson, through the NH DES, promulgated wetlands mitigation rules that, over the course of several years in drafting, are now less protective of wetlands resources. The Department is also moving toward "permit-by-notification" for many wetlands permits, which threatens the protection of a diminishing natural resource.

Despite his public support for the US EPA's proposal to approve a rule allowing New Hampshire to opt out of the Federal Reformulated Gasoline Program, **Governor Benson wavered on his position by failing to sign Senate Bill 397**, a law requiring the NH DES to adopt rules to prevent gasoline containing MtBE from being sold in New Hampshire.

The Benson Administration demonstrates disregard for the Shoreland Protection Act by failing to enforce the Act's provisions -- especially with regard to the required vegetative buffer zone. The Administration's lack of enforcement is most notable on the state's three big lakes where large mansion-style homes meet the waters edge.



New Hampshire is home to dozens of game animals and hundreds of species of nongame wildlife that is managed, monitored and protected through the New Hampshire Fish and Game Department. Wildlife represents our natural heritage and its diversity signals a healthy environment. Money to protect and manage game fish and animals is derived from the sale of licenses and federal taxes on equipment. Money to protect endangered species and nongame wildlife comes from federal and state sources as well as from private contributions to New Hampshire Fish and Game.

Accomplishments

Governor Benson appointed Lee Perry as the new Director of the New Hampshire Fish and Game Department in 2003. Perry served for five years as the Maine Commissioner of Inland Fisheries and Wildlife. Under his stewardship, the Maine Department was recognized for progressive promotion of sound resource management and won the 2002 Ernest Thompson Seton Award for best conservation information program in the nation.

New Hampshire Fish and Game has begun a process to develop a comprehensive state wildlife plan. If completed, this will be a major step forward in order to provide the basis for a coordinated set of future actions to conserve wildlife.

Governor Benson signed SB 487 into law – banning the sale of lead sinkers and protecting waterfowl and loons by keeping lead out of New Hampshire’s freshwater lakes and streams.

Areas of Concern

Wildlife conservation is largely about good habitat and the biggest threat to wildlife is the rapid development occurring in New Hampshire (see our section on land protection). Permanent protection of land through fee or conservation easement acquisition is a key tool in conserving our wildlife. The ninety percent cut in LCHIP funding in the current biennium is a major blow to meaningful habitat protection.

Policy by executive fiat: A more systemic problem concerns pulling items off the Governor & Council (G&C) agenda (numerous agencies refer to this problem). The G&C process contains multiple layers of repetitive review – for the purpose of assuring the taxpayer’s money is spent wisely. But **Governor Benson has simply pulled items** off the G&C approval agenda (or kept them off indefinitely) for no apparent reason.

One example of where Governor Benson’s actions have been detrimental to wildlife and endangered species has to do with the Concord airport and the endangered Karner Blue butterfly. Despite agreement among multiple agencies at the city, state and federal levels to restore the endangered Karner Blue (the State Butterfly), Governor Benson on 5 separate occasions pulled from the Governor & Council agenda the renewal agreement between the Fish and Game Department and New Hampshire Air National Guard, thereby **preventing the transfer of federal funds to protect endangered species**.



The umbrella of transportation covers a variety of issues critical to the health of New Hampshire's environment: air quality and ozone alerts; impacts to water bodies, wetlands, wildlife and drinking water sources; and land development patterns. Today fully 33 percent of New Hampshire workers commute to work outside of their resident community – well above the 27 percent national average.

Accomplishments

The Department of Transportation and the Attorney General's office **demonstrated commitments to restore commuter rail service** in New Hampshire by actively opposing the NH Motor Transport Association's lawsuit to preclude the use of gasoline-tax revenues for rail purposes as unconstitutional under Article 6-a of the New Hampshire constitution. The agencies took a broad interpretation of Article 6-a, acknowledging the importance of rail and a balanced, multi-modal transportation system. Regrettably, the Supreme Court adopted a narrower view, holding that the use of gasoline-tax dollars for rail purposes violates Article 6-a on the theory that it would not directly benefit highway users. **It remains to be seen** how the Governor will respond to this decision and the challenges it poses for funding rail, transit and other alternative forms of transportation.

The Benson Administration is exploring a new approach to developing the State's Long-Range Statewide Transportation Plan that would involve numerous stakeholders in determining what the state's transportation future should look like. If this new approach is embraced by the administration, a 20-year plan would address transportation and its benefits and costs in a more holistic way, would focus on the intersection between land use and transportation, and provide a blueprint for a more balanced and environmentally and fiscally sustainable transportation system, which the state currently lacks.

The Benson Administration **effectively addressed significant community and environmental concerns** associated with a proposed major expansion of the Keene bypass in Keene and Swanzey. The Department of Transportation and Attorney General's office, through a negotiated settlement, subsequently agreed to a project addressing local traffic concerns with significantly less environmental impact. A tangible result will be at least one modern roundabout on the state highway system—a new design technology which reduces fuel consumption and vehicle air emissions and avoids impacts to wetlands. As originally outlined, the project would have impacted nearly 30 acres of wetlands with a road inconsistent with the character of the local communities.

The Benson Administration has acknowledged the importance of context-sensitive transportation solutions. Early examples include working with the non-profit Project for Public Spaces in Littleton, Meredith and Tamworth to encourage transportation planning and design approaches more sensitive to the character of local communities and to meet transportation needs more cost effectively.

Areas of Concern

The Governor has **actively supported doubling the width of Interstate Highway 93 between Salem and Manchester from 4 to 8 lanes.**

- According to recent news reports the Governor's goal is to make sure the widening moves forward as quickly as possible.



- Governor Benson telephoned U.S. EPA Administrator Michael Leavitt to express his hope that the issue of the additional winter salting did not delay the widening of I-93.

At a cost of more than \$420 million, and with significant environmental impacts, the proposed widening represents an uncreative, unsustainable way to accommodate traffic needs in this important corridor.

Despite the actions of the Department of Transportation and Attorney General's office in seeking a broad interpretation of Article 6-a to fund the restoration of rail service with gasoline-tax revenues, **the Governor refused—over the urgings of the Department of Transportation and others—to acquire a critical link of railroad right-of-way** in Salem which, as part of the historic Manchester-Lawrence branch railroad line, could play an important role in addressing transportation needs in the Interstate 93 corridor. The Governor's refusal runs counter to a long-standing state policy of preserving railroad right-of-ways.

The Governor has failed to convene the Intermodal Transit & Rail Advisory Council (ITRAC), an advisory body of stakeholders established to address the issue of multi-modal transportation in New Hampshire.

The Governor held up funding approval for Regional Planning Commissions which are charged with collecting local input on transportation policy and projects and with helping communities plan for growth and development.

The Governor supported legislation designed to chill the ability of concerned citizens to initiate court actions challenging state highway construction projects, effectively preventing communities from averting unnecessary impacts to natural and cultural resources (Senate Bill 169).

A recent report by the National Policy Research Council ranks New Hampshire **dead-last in the nation** on transit and related infrastructure.

State decisions on clean air and energy policy carry far-reaching consequences for public health, the environment and the economy. Absence of engagement and leadership characterize Governor Benson's record on both issues; there is scant evidence of support and guidance from the Governor's office.

Accomplishments

Attorney General Peter Heed sought to protect New Hampshire's health and environment by opposing federal attempts to weaken cornerstone clean air laws, and continued New Hampshire's participation in a lawsuit against the EPA over the agency's decision to roll back a key provision of the federal Clean Air Act. The Attorney General organized his counterparts in other states to stop a badly-flawed EPA proposal that relaxes power plant mercury pollution standards. Mercury contamination in lakes and rivers has led to advisories warning people to limit consumption of fish caught in *any* freshwater body in New Hampshire.

As required by the 2002 New Hampshire Clean Power Act, the NH DES put forth a proposal to reduce mercury pollution from power plants. At this writing many of the proposal details have yet to be finalized, including the important question of whether reductions in mercury pollution will come from New Hampshire power plants. In 2005 legislators will decide whether to enact these recommendations.

The Governor proclaimed Air Quality Awareness Week in May yet made no mention of an existing statewide and voluntary greenhouse gas registry program available to any New Hampshire business that wants to measure and get credit for early reductions in energy use and CO₂ emissions. (To date, only one private company and one organization have taken advantage of this program.)

Governor Benson and NH DES released a report on air pollution transport and its impact on New Hampshire. The report emphasizes pollution sources *outside* New Hampshire. With respect to in-state efforts to reduce air pollution the report encourages "all New Hampshire residents and businesses to do their share to make New Hampshire's air clean and healthy."

The Governor signed legislation (Senate Bill 443) establishing an advisory board to assist in the implementation of the state energy plan. SB 443 provides that this advisory board shall be comprised of state officials, a representative from the university system, the consumer advocate and two representatives from the business and industry community.

Areas of Concern

The Governor transferred the State Energy Manager position to the Department of Administrative Services and **has left this key post empty**. The state government is the largest consumer of energy in New Hampshire, and reducing energy use to cut air pollution and save taxpayer money through lower state energy bills is a central focus of the energy manager's job.

The Governor has done little to implement recommendations in the State Energy Plan prepared at the request of the Legislature and completed in November 2002. The energy plan includes well-supported policy recommendations that would reduce air pollution, initiate a shift toward clean, renewable energy, and realize as much as \$1.6 million in energy costs annually, very much in line with the Governor's stated priority of reducing state spending.



By one definition, *smart growth* involves the planning necessary to accommodate a growing population which includes land use, resource investment and development within a regional context. Smart growth is intended to promote livable communities and sustainable development.

New Hampshire is the fastest growing state in New England. Now more than ever, how we respond to increasing population will determine what the “future New Hampshire” looks like. Effective planning is critical to protecting our tourism industry and our top ranking as the most livable state. The Executive Branch has enormous influence over how resources are used to assist in promoting smart growth.

Accomplishments

In November, 2003 the Governor created a “Smart Growth Advisory Committee” charged with working with the Governor’s Office of Energy and Planning to develop a “Smart Growth Initiative.” The Advisory Committee includes representatives from diverse groups, including the Society for the Protection of New Hampshire Forests, New Hampshire Legal Assistance, local government, the building industry, and Regional Planning Commissions.

The Governor’s Office of Energy and Planning released “Achieving Smart Growth in New Hampshire,” a report on pilot projects conducted in three New Hampshire towns together with information and examples for communities working to integrate smart growth principles into local planning.

The Department of Transportation’s proposed Community Technical Assistant Program, developed under the 10 Year Transportation Plan approved two years ago, is intended to help communities deal with the sprawl-inducing impacts of the widening of I-93. This is DOT’s first attempt to proffer this level of support.

Areas of Concern

The first meeting of the Smart Growth Advisory Committee did not occur until six months after it was announced by Governor Benson. The mission of the group is unclear; the group has not produced any results and does not have a public presence.

The smart growth “toolkit” lacks tools – which New Hampshire communities must have in order to put good information into practice.

The proposed level of funding (\$3.5 million) for the Community Technical Assistance Program is not sufficient to help the 26 communities likely to be affected by the I-93 widening address unprecedented growth in the region.

The Governor’s Office of Energy and Planning has failed to release the updated (and statutorily required) State Development Plan.

Despite being positioned within the Executive Office of the Governor, **the Office of Energy and Planning appears to lack the political support from the top** to require that all state agencies “act in ways that encourage smart growth” (also required by statute). According to the statute, the Governor and the Council on Resources and Development (CORD) must review the progress of all state agencies’ procurement policies, capital improvement projects, and construction, rental or



lease of facilities. No such review is currently taking place and state agencies are not following the requirement of the statute to foster smart growth in spending and policy decisions.

The proposed I-93 widening project fails to seize smart growth opportunities such as transit oriented development, rail, or other creative approaches to decrease automobile dependence and to use transportation planning to build livable, walkable communities as an alternative to sprawl.

The Governor continues to hold up contracts for pass-through funding from the federal government to assist the Regional Planning Commissions. The Governor has also withheld funding from GRANIT, the UNH-based statewide GIS system that all communities in the state use for local planning. Without this federal funding, local communities can not access innovative tools to plan for future growth while preserving quality of life.

The Governor opposed funding for GRANIT and the Office of Energy and Planning necessary for these agencies to provide the hands-on technical assistance to New Hampshire cities and towns now grappling with the pressures of unprecedented growth.

Governor Benson **failed to support incentives** for communities to reinvest in town centers and prevent sprawl; this despite support for the Downtown legislation from a diverse group of local planners.



The carbon pollution that causes global warming is already impacting New Hampshire. The state of New Hampshire completed an inventory of sources of greenhouse gas emissions in 1997 through a NH DES initiative funded by the US EPA. In 2001, New England governors and eastern Canadian premiers adopted a Regional Climate Change Action Plan. In the following months NH DES completed a study of local impacts of climate change on New Hampshire. As *required* under the 2002 Clean Power Act, NH DES recently proposed to reduce by 25 percent the level of CO₂ emitted by older fossil fuel plants after 2010.

Accomplishments

Attorney General Peter Heed maintained New Hampshire's position among those states involved in litigation with the US EPA to uphold existing Clean Air Act regulations of air pollutant levels. The Attorney General has been a vocal opponent of two efforts by the current administration in Washington to weaken the Clean Air Act: the Clear Skies initiative and the "New Source Review" proposal which allows older coal-burning plants to continue to generate electricity without being required to invest in new technologies to reduce pollution.

Areas of Concern

Under Governor Benson the state has stalled in terms of action on global warming. From the time Governor Benson took office, interest and levels of engagement **have been drastically reduced** with respect to meeting state obligations called for in the Regional Climate Change Action Plan. **As a result of his lack of support to NH DES and the Office of Energy and Planning**, New Hampshire lags behind other New England states where governors actively support specific greenhouse gas reductions and targets.

New Hampshire is now perceived as a follower and not a leader in the Regional Greenhouse Gas Initiative (RGGI) at a time when leadership will shape a wide range of policies affecting commerce and air pollution allowances.

Despite recent regulations for more stringent, tighter air quality measurements and regulations, the NH DES has dropped the requirement for written authorization from the agency for open burning by any city or town of brush or untreated wood from construction or demolition of a building.



**CONSERVATION INFORMATION RESOURCES
FOR NEW HAMPSHIRE CITIZENS**

Audubon Society of New Hampshire

www.nhaudubon.org

Appalachian Mountain Club

www.outdoors.org

Carbon Coalition

www.carboncoalition.org

Citizens for New Hampshire Land and Community Heritage

www.specialplaces.org

Clean Air-Cool Planet

www.cleanair-coolplanet.org

Conservation Law Foundation

www.clf.org

League of Conservation Voters

www.lcv.org

New Hampshire Clean Water Action

www.cleanwateraction.org/nh

New Hampshire Lakes Association

www.nhlakes.org

New Hampshire Public Interest Group

www.nhpirg.org

New Hampshire Timberland Owners Association

www.nhtoa.org

New Hampshire Wildlife Federation

www.nhwf.org

S.P.A.C.E (Statewide Program of Action to Conserve our Environment)

www.nhspace.org

Society for the Protection of New Hampshire Forests

www.spnhf.org

The Nature Conservancy – New Hampshire chapter

<http://nature.org/wherewework/northamerica/states/newhampshire>





GRANITE STATE CONSERVATION VOTERS ALLIANCE

*The Political Voice of the New Hampshire
Conservation Community*

For more information on making the environment a priority for
our state elected officials visit our website
www.voteconservation.org