

Senate Ways and Means Committee

Sonja Caldwell 271-2117

SB 159-FN, establishing a marine habitat fee.

Hearing Date: January 29, 2025

Members of the Committee Present: Senators Lang, Sullivan, Rosenwald and Fenton

Members of the Committee Absent : Senator Murphy

Bill Analysis: This bill establishes a marine habitat fee and a marine habitat fee fund.

Sponsors:

Sen. Watters

Sen. Altschiller

Sen. Perkins Kwoka

Rep. Bixby

Rep. Ouellet

Rep. C. Harvey

Who supports the bill: Sen. Watters, Renee Zobel (NHFG), Weldon Bosworth, Sarah McCarthy, Andrea LaMoreaux (NH LAKES), Sen. Altschiller, Martha Fuller Clark, Oliver Matte, Hannah Willcutt, Brea Arvidson (NH LAKES), Curtis Register

Who opposes the bill: Simon Berrio

Who is neutral on the bill: No one

Summary of testimony presented:

Sen. Watters

- Sen. Watters explained that this bill was a request of the Fish and Game Department to establish a marine habitat fee.
- The Fish and Game Dept. authorizes the director to set the fee level once the legislature has authorized it.
- This will parallel the existing freshwater habitat fee we already have in place to address the needs of marine habitat. The freshwater is \$2.50, which is a small amount, but goes to important purpose.
- Under this legislation an account will be set up and will be continually appropriated for the purposes outlined in the bill.
- The rest of bill deals with the issue of salt marsh or other habitat acquisition.
- There are guidelines about the fiscal committee and reporting requirements.
- Sen. Watters presented a minor amendment that corrects an error in the language used to describe licenses.

- With regard to why this fee is needed, he explained that challenges in the marine environment with regard to certain species have been identified in the last decade.
- The typically cool Gulf of Maine is one of the fastest warming regions in the global oceans. The Gulf of Maine experienced its warmest two years on record in 2021 and 2022 with a 3.72 above average temperature and this is already having dramatic effects. We have lost northern shrimp as a harvestable species. Southern species are moving north with predation and other impacts as well. Marine habitats are changing faster than many resident and migratory marine species can adapt.
- NH marine stakeholders are continuing to fish commercially and recreationally and we want to make sure that is sustainable.
- The mission of NH Fish and Game is to manage protect and restore the state's natural resources and habitats. Senator Watters pointed to one example that some may enjoy in restaurants and that is what has been done for oyster restoration in Great Bay. Extraordinary work in that habitat means we now have strong commercial harvest.
- Currently in statute there are two established dedicated accounts: the Wildlife Habitat License and Fish Habitat Fee, which are focused on terrestrial wildlife and freshwater fish habitats. The marine habitat fee will provide the same opportunity to fund habitat work and studies for the marine and diadromous species environment and protect or rebuild habitats.
- Many funding opportunities that become available to protect NH estuaries often require a funding match and this fund should provide that.

Sen. Lang said NH statute has a fisheries habitat fee of one dollar for a fishing license. He asked why not just increase that rather than establish a new fee and fund.

Sen. Watters explained that is for freshwater and covers freshwater habitat. We do not have one for marine areas, nor do we have a dedicated fund and source to fund it from those licenses. There is no fee associated with a saltwater license. There are several different types of saltwater licenses, but we do not have a habitat fee attached to them.

Renee Zobel - Fish and Game Department

- The Fish and Game commission supports the bill.
- Ms. Zobel addressed the need for the amendment presented by Sen. Watters, explaining that in saltwater they work differently from other license types in that their licenses are not restricted to those 16 years or older, so they asked for that language to be struck in order to be consistent with their licensing structure.

- Their job is to protect, manage, and restore NH natural resources and in their case, that includes the marine fisheries and habitat of the state. This involves partnerships to get the work done in the saltwater world.
- We have some of the fastest warming waters in the world and that is causing species to shift, including from south to north. Northern Shrimp is an example of a species we are losing because there is no longer a habitat for them. With some species, there are things we can do to help. This fee would help them get more engaged in restoration efforts. One example is the partnership working to restore oyster beds in Great Bay. Others include dam removals to support native species to access their natural grounds.
- Funds almost always require a match from the department and this fund would help them manage that.
- There are corresponding funds in statute for wildlife and freshwater. Those fees range from \$1 to \$2.50. They looked at the impact that those types of fees on their licenses could have and found that in the case of a \$1 fee, it could add about \$38,000 or in the case of a \$2.50 fee it would add \$95,000 based on last year's licenses. This would help them leverage more funding.

Sen. Lang asked how they deal with saltwater party boats and if we would charge that boat one dollar.

Ms. Zobel said yes, if the fee was set at \$1 and the boat was licensed as a vessel, that is correct. She added that many folks who go on party boats have saltwater licenses.

Sen. Lang asked for clarification that if he cast offshore he would have to get a license and pay this fee but if he were one of 80 people on a party boat, he would not pay any fee, only the boat owner would pay the fee.

Ms. Zobel said that was correct

Sen. Rosenwald asked if the dept. would be able to set different fees for individuals versus party boats

Ms. Zobel said she did not believe so, not as written. This fee applies to licenses under the statutes that are listed, and her interpretation is that the fee would apply equally to those. They are asking that the executive director be able to set those fees as makes sense for the department and the climate. She wasn't sure if that would be something they could do in rules once those fees are set.

Sen. Rosenwald asked if it is something the department would be interested in doing.

Ms. Zobel was unsure as they have never had a fee like this and had not thought of that.