

**BOARD OF NATURAL SCIENTISTS
PUBLIC MEETING MINUTES
February 16, 2023**

A meeting of the New Hampshire Board of Natural Scientists was held on February 16, 2023. The meeting was held at the OPLC offices at 7 Eagle Square, Concord, NH. The public may join in-person as well as via video/teleconference.

Board Members present in-person: Damon Burt, Christopher Albert, James Long, Abigail Fopiano and Gregory Howard.

Also present in-person from OPLC: Board Administrators Dawn Couture, Marla Pike and Board Counsel Elizabeth Eaton.

- I. Call to Order – 9:03 a.m.**
- II. Review of Public Minutes from the December 6, 2022, meetings –** Board Member Albert made a motion which was appropriately seconded by Board Member Fopiano to approve the public minutes as written. The motion passed 4-0. Board Member Howard abstained.
- III. New Business**
 - A. Welcome Gregory Howard – The Board welcomed Mr. Howard. Board Member Howard provided a brief history to the Board.
 - B. Next wetland written exam date is March 31, 2023 – Noted.
 - C. Schedule wetland field exam date – The wetland field exam will take place on June 23, 2023.
- IV. Licensure**
 - A. Wetland written exam:
 1. Christopher Lea – The Board would have liked to see more information added onto the Function & Value form such as notes and comments. The Board does not feel that should hold up his application; however, the Board will expect Mr. Lea to provide comments during the filed exam. Board Chair Burt made a motion to approve Mr. Lea to sit for the next scheduled written exam. The motion was seconded by Board Member Albert. The motion passed unanimously.
 2. Jamie O’Brien – Board Chair Burt made a motion to approve Ms. O’Brien to sit for the next scheduled written exam. The motion was seconded by Board Member Albert. The motion passed unanimously.
- V. Administrative Rules & Legislative Topics**
 - A. Administrative Rules
 1. Conditional Approval Soil 100-200 – The Board reviewed the corrections on feedback received from OPLC. Board Member Fopiano made a motion to approve the conditional approval response. The motion was seconded by Board Member Albert. The motion passed unanimously.
 2. Draft Initial Proposal Soil 300 – The Board noticed a grammatical error in Soil 301.02. Board Member Albert made a motion to accept the draft initial proposal as amended. The motion was seconded by Board Member Fopiano. The motion passed unanimously.

3. Adoption Soil 400 – Board Member Fopiano made a motion to adopt Soil 400. The motion was seconded by Board Chair Burt. The motion passed unanimously.
4. Schedule Hearing for Soil 500 – Scheduled for April 20, 2023.

B. Legislation Topics – Discussion with Board Counsel

1. **HB 152(LSR 379)** Relative to Soil and Plant additives – No purview
2. **HB 205(LSR 459)** Relative to Testing Private Wells – No purview
3. **HB 247(LSR 503)** Relative to Protective Well Radii – Relates more towards the Septic System Evaluators Board
4. **HB 372(LSR 306)** Establishing a Commission to Study the short- and long-term impacts of pending National and Regional Carbon Pricing Mechanisms on New Hampshire’s Citizens, Businesses, institutions, and Environment – Does not affect this Board
5. **HB 414(LSR 581)** Relative to Health Insurance Coverage for Preventative PFAS care – Does not affect this Board
6. **LSR 334** Relative to Buffers around Wetlands – HB 592: To be voted down.
7. **LSR 792** Relative to the use of OHRVS on designated trails and requiring a permit to operate certain OHRVS from before sunrise to after sunset – Amended to an existing bill. SB 161 voted to pass on February 9, 2023 in the Senate, will go to the house next.

VI. Non-Public Session

At 10:31 a.m. upon the motion of Board Member Howard and the second of Board Member Long, to go into a non-public session the Board, by roll call, voted to conduct a non-public session for the purpose of the reading and approval of the non-public minutes of the December 6, 2022 meeting, and evaluating complaints against licensees, accredited individuals, institution, or organizations, or persons charged with practicing unlawful activity, and noting that such a non-public session is authorized by RSA 91-A:3, II(c), RSA 91-A:5, IV, *Lodge v. Knowlton*, 118 N.H. 574 (1978), and the Board’s executive and deliberative privileges. Each Member recorded his or her vote on the motion, which passed by the vote of all members present.

VII. Resume Public Session

At 11:30 a.m. upon the motion of Board Member Howard and the second of Board Member Albert, and the Board unanimously voted by roll call, to reconvene the public meeting.

VIII. Seal the Minutes of the Non-Public Session

Upon the motion of Board Member Howard and the second of Board Member Albert, by roll call voted to seal the minutes of the non-public session from the public disclosure pursuant to RSA 91-A:3, III(c), on the grounds that public disclosure would be likely affect adversely the reputation of licensees, accredited individuals, institutions, or organizations, or persons charged with practicing unlawful activity, RSA 91-A:5, IV, *Lodge v. Knowlton*, 118 N.H. 574 (1978), and the Board’s executive and deliberative privileges. The motion passed with each member recording his or her vote on the motion.

IX. Adjournment – Board Member Howard made a motion which was appropriately seconded by Board Member Long to adjourn at 11:42 a.m. The motion passed unanimously.

Respectfully Submitted,



Dawn Couture
Board Administrator II

DRAFT