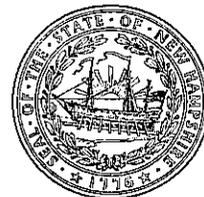




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 6, 2010

The Honorable Judith Spang, Chairman
Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, New Hampshire 03301

RE: SB 56, relative to financial responsibility for large groundwater withdrawals

Dear Representative Spang:

Thank you for the opportunity to comment on Senate Bill 56, which would expand the scope of work of the Commission to Study Issues Relative to Groundwater Withdrawals established by Senate Bill 155 of 2003 to include an assessment of financial responsibility requirements that an applicant for a large groundwater withdrawal permit would have to demonstrate.

Since 1998, New Hampshire has had a regulatory process in place to address concerns about the impact of new large groundwater withdrawals on surrounding water resources and users. The purpose of the permitting process is to ensure that new large groundwater withdrawals do not adversely impact existing water resources and users, including wells, wetlands and surface waters. These requirements apply to both withdrawals for public water supply and withdrawals for commercial purposes such as golf courses, bottled water production and industrial water use. This regulatory process has been strengthened several times since 1998 and has been effective in proactively preventing and addressing adverse impacts associated with new large groundwater withdrawals. It clearly provides the Department authority to reduce or halt a withdrawal should an unanticipated impact occur so that any surrounding water use or water resource may recover and be protected.

The Department believes that the current permitting process ensures the mitigation of adverse groundwater impact. However, the Department, of course, defers to the legislature on the need to study if financial assurance to ensure that funding for interim mitigation is readily available.

Again, thank you for this opportunity to comment on this bill. Please feel free to call Sarah Pillsbury at 271-1168 or me at 271-2958, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack
Commissioner

cc: Senator Cilley