



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

March 10, 2011

The Honorable Bob Odell, Chairman
Senate Energy, Environment and Economic Development Committee
Legislative Office Building, Room 102
Concord, New Hampshire 03301

Re: SB 142-FN, relative to reorganizing the permitting process within the Department of Environmental Services.

Dear Senator Odell and members of the Committee:

Thank you for the opportunity to testify on SB 142, relative to reorganizing the permitting process within the Department of Environmental Services. SB 142 establishes a new integrated land development permit option, with a coordinated, user-friendly review process. SB 142 also authorizes the Department to establish an ombudsman position within Land Resources Management to efficiently resolve applicant concerns that may arise regarding any permit issued by the Land Resources Management programs. The Department worked with various stakeholders and Senator Odell to bring forward SB 142 and the proposed amendment, and strongly supports the bill, as amended.

SB 142 establishes a new integrated permit option to be sought at the discretion of the applicant as an alternative to one or more individual permits and approvals issued by the Department that would otherwise be required, including wetlands, comprehensive shoreland, alteration of terrain, subsurface, wastewater engineering, and possibly others. The integrated land development permit will refer to the existing technical requirements of the individual programs. The option to pursue individual permits will remain.

SB 142 provides for a coordinated approach and holistic perspective in reviewing land development projects. This approach is intended to improve communication and coordination between and among the multiple individuals and entities involved in the permitting of proposed projects and to provide for enhanced guidance for applicants earlier in the project design process. We expect this approach will facilitate compliance, streamline the permitting process, and provide for improved environmental outcomes.

Over the past two years, the Land Resources Management programs have cross-trained staff, analyzed existing processes and requirements, and made process changes and improvements that have laid the groundwork for implementing this new approach. One of the reasons for pursuing legislation to establish a new permit program is that there are significant statutory constraints that currently limit the ability of the department to better coordinate with municipalities and other local, state, and federal entities and between and among existing individual permits, including inconsistent timeframes, application procedures, and technical requirements. Establishing a new integrated permit and coordinated review process is the most expeditious approach for accomplishing better coordination for our clients and stakeholders.

For the above reasons, the Department urges the Committee to support SB 142 as amended. Thank you again for the opportunity to comment on this bill. If you have any questions, please call Rene Pelletier of my staff at 271-2951 or me at 271-2958.

Sincerely,

A handwritten signature in black ink that reads "Thomas S. Burack". The signature is written in a cursive, slightly slanted style.

Thomas S. Burack
Commissioner

cc: Senator James Luther