



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 17, 2011

The Honorable Bob Odell, Chairman
Energy and Natural Resources Committee
Legislative Office Building, Room 102
Concord, NH 03301

RE: SB 144 relative to extending certain permits and approvals

Dear Senator Odell:

Thank you for the opportunity to comment on SB 144, which would extend certain permits and approvals for subdivision of land, fill and dredge of wetlands, and activities under the Comprehensive Shoreland Protection Act. The Department of Environmental Services (DES) has no position on Section 1 of this bill that proposes changes to RSA 674:39, V because it addresses local land use regulation and has no impact on DES programs. DES supports the other sections of the bill which amend RSA 482-A and RSA 483-B with one suggested clarification to ensure SB 144 can be effectively implemented by DES should the bill be enacted.

DES is not clear what is intended by the proposed language: "The project is proceeding towards completion ..." under XIV-a (c) and VI (c). We are concerned that this could be interpreted to mean either construction must continue through to project completion once started or that construction may stop and start again at the discretion of the permit holder so long as the conditions specified in the bill are met. DES requests that this language be clarified to ensure no future confusion if SB 144 is enacted.

Thank you for the opportunity to comment on this legislation. If you have any questions or need additional information, please do not hesitate to call Collis Adams at 271-4054 or me at 271-2958.

Sincerely,

Thomas S. Burack
Commissioner

cc: Senator Carson
Representative Patten
Representative Renzullo