

Summary of 2013 Environmental and DES Related Legislation

Adopted in the 2013 New Hampshire Legislative Session

HB 2 [Chapter 144](#) **Section 101 Effective: 7/1/2013**
Section 122 Effective: 9/26/2013

Relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services

- Requires the Department of Environmental Services to discontinue the first in, first out delayed and deferred infrastructure project list for state aid grants for the biennium ending June 30, 2015 and identifies those infrastructure projects that are on the list and eligible for payments
- Limits the liability of landowners and salt applicators who opt for certification and employ winter maintenance best practices

HB 111 [Chapter 17](#) **Effective Date: 7/15/2013**

Relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services

- Allows the Fish and Game Department to acquire an easement at the Akers Pond dam in Errol for the purpose of improving and controlling the water rights for the benefit of the state
- Allows the Department of Environmental Services to acquire easements at the Northwood Lake dam in the town of Epsom and the Hermit Lake dam in the town of Sanbornton for the purpose of improving and controlling the water rights for the benefit of the state

HB 184-FN [Chapter 37](#) **Effective Date: 7/1/2013**

Relative to the oil discharge cleanup fund

- Adds a motor oil discharge cleanup fund coverage limitation based on facility storage capacity
- Allows for the waiver of interest by the oil fund disbursement board for good cause
- This bill is a request of the oil fund disbursement board

HB 185-FN [Chapter 145](#) **Effective Date: 7/1/2013**

Relative to the fuel oil discharge cleanup fund

- Increases the fuel oil discharge cleanup fund fee
- This bill is a request of the oil fund disbursement board

HB 196 [Chapter 138](#) **Effective Date: 6/27/2013**

Relative to weight of commercial vehicles with idle reduction devices

- Increases the additional weight allowed a commercial vehicle that utilizes an auxiliary power or idle reduction technology unit

HB 295 [Chapter 250](#) **RSA 485-A:25 Effective: 8/23/2013**
Remainder Effective: 1/1/2014

Requiring criminal background checks for volunteers and employees at youth skill camps

- Requires youth skill camp operators to certify to the department of environmental services that their employees and volunteers have undergone a criminal background check
- Establishes a recreation camp and youth skill camp fund and increases the license fee for recreation camps

HB 306 [Chapter 236](#) **Effective Date: 1/1/2014**
Relative to New Hampshire's regional greenhouse gas initiative

- Modifies New Hampshire's regional greenhouse gas initiative

HB 393 [Chapter 42](#) **Effective Date: 1/1/2014**
Relative to effluent limitations with regard to nitrogen and phosphorus

- Limits the nitrogen and phosphorus content of fertilizers sold at retail and intended for use on turf

HB 416 [Chapter 43](#) **Effective Date: 8/3/2013**
Shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands

- By removing the requirement to request reconsideration

HB 428 [Chapter 45](#) **Effective Date: 8/3/2013**
Relative to funds for dam maintenance, removal and improvement

- Allows all dam owners, excluding the state, to receive money from the dam maintenance, removal and improvement revolving loan fund

HB 507-FN [Chapter 151](#) **Effective Date: 7/1/2013**
Relative to the maximum permit application fee for certain municipal dredging projects

- This bill limits the maximum permit application fee for certain municipal dredging projects

HB 510 [Chapter 50](#) **Effective Date: 8/3/2013**
Relative to backflow prevention valves

- Requires the installation of a backflow device at every connection to a public water system under certain conditions
- Requires testing of such devices under certain conditions

HB 513 [Chapter 153](#) **Effective Date: 8/27/2013**
Relative to the shoreland protection act

- Modifies several provisions of the shoreland protection act relative to minimum shoreland protection standards

HB 517 [Chapter 52](#) **Effective Date: 8/3/2013**
Relative to the incidental combustion of untreated wood at certain municipal transfer stations

- Extends the exemption for incidental combustion of untreated wood from the ban on combusting the wood component of construction and demolition debris

HB 542 [Chapter 279](#) **Effective Date: 7/27/2013**
Relative to the renewable energy fund and regulation of telephone, Voice Over Internet Protocol, and IP-enabled service providers and relative to electric renewable portfolio standards

- Makes certain changes to renewable energy fund payments and clarifies state regulation of telephone, Voice over Internet Protocol (VoIP), and IP-enabled service providers
- Makes adjustments in the purchase percentage requirements and the alternative compliance payment amount and mechanism under the electric renewable portfolio standards law
- Establishes a renewable portfolio standards study committee

HB 588 [Chapter 241](#) **Section 8 Effective: 11/1/2013**
Remainder Effective: 7/19/2013

Extending the instream flow pilot program for 2 years and establishing a commission to study opportunities and options to improve the sustainability of the fish and game department

- Extends the date for completion of the instream flow pilot program for 2 years.
- Extends the committee to study the impact of water withdrawals on instream flows
- Extends the commission to study water infrastructure sustainability funding for one year
- Establishes a commission to study opportunities and options to improve the sustainability of the fish and game department

HB 634 [Chapter 202](#) **Effective Date: 9/7/2013**

Relative to water resource management and protection plans in municipal master plans.

- Permits a municipality to include in its master plan a local water resource management and protection plan

SB 44 [Chapter 222](#) **Effective Date: 1/1/2014**

Relative to the disposal of controlled drugs by law enforcement officers

- Amends the procedure for disposal of controlled drugs in the possession of a law enforcement officer
- Makes the Department of Justice responsible for adopting rules for the pharmaceutical drug take-back program

SB 64 [Chapter 91](#) **Effective Date: 8/19/2013**

Relative to public informational meetings on dams

- Changes the public notification requirements for the breaching of a dam or lowering of a water body

SB 74 [Chapter 8](#) **Effective Date: 7/6/2013**

Relative to an exemption for entities that furnish hot water through a district energy system

- Exempts any entity that manufactures, furnishes, or sells hot water through a district energy system from being a public utility

SB 99 [Chapter 134](#) **Effective Date: 6/26/2013**

Requiring a study of the site evaluation committee and process, and developing regulatory criteria for the siting of energy facilities

- Requires the Office of Energy and Planning to contract with an outside vendor for a study of the Site Evaluation Committee and its processes
- Requires the Site Evaluation Committee to adopt rules by January 1, 2015
- Funds the study and the rulemaking process from funding sources under the jurisdiction of the Public Utilities Commission

SB 123-FN-L [Chapter 269](#) **Effective Date: 7/24/2013**

Relative to the use of proceeds from the regional greenhouse gas initiative program

- Allocates certain proceeds from the regional greenhouse gas initiative (RGGI) program to municipal and local government energy efficiency projects
- Permits return of unused allowance sale proceeds to business and municipal customers who fund the system benefits charge

SB 124-FN [Chapter 270](#) **Sections 1, 5-6 Effective: 1/1/2015**
Sections 2-4 Effective: 9/22-2013
Remainder Effective: 7/24/2013

Establishing an integrated land development permit

- For applicants seeking one or more land development permits from the Department of Environmental Services

SB 131-FN-L [Chapter 96](#) **Effective Date: 8/19/2013**

Establishes a permitting process for the removal of submerged logs from certain great ponds

- The governor and council, may grant to the governing body of a municipality the right to remove submerged logs from the portion of the bed of any great pond
- That is located within the municipality's boundaries as delineated in the NH Granit database, Complex Systems Research Center, University of New Hampshire

SB 148-FN [Chapter 272](#) **Sections 5-6 Effective: 1/1/2014**
Remainder Effective: 7/24/2013

Relative to electric renewable portfolio standards and relative to group and individual health insurance market rules

- Makes adjustments in the purchase percentage requirements and the alternative compliance payment amount and mechanism under the electric renewable portfolio standards law
- Establishes a renewable portfolio standards study committee
- Makes changes to the statute applicable to health insurance carriers offering major medical health insurance coverage in the group and individual markets in New Hampshire

SB 163 [Chapter 188](#) **Section 2 Effective: 12/1/2016**
Remainder Effective: 7/2/2013

Establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards

- The commission shall recommend legislation, rules, and other actions to prepare for projected sea level rise and other coastal and coastal watershed hazards such as storms, increased river flooding, and storm water runoff, and the risks such hazards pose to municipalities and state assets in New Hampshire
- The commission shall review National Oceanic and Atmospheric Administration and other scientific agency projections of coastal storm inundation, and flood risk to determine the appropriate information, data, and property risks

SB 164 [Chapter 189](#) **Effective Date: 8/31/2013**

Authorizing coastal management provisions in master plans

- May address planning needs and property loss resulting from projected coastal risks due to increased frequency of storm surge, flooding, and inundation