



The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 5, 2013

The Honorable Shannon Chandley, Chairman  
Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, NH 03301

**RE: HB 513, Relative to the shoreland protection act.**

Dear Chairman Chandley:

Thank you for the opportunity to comment on HB 513, an act relative to the Shoreland Water Quality Protection Act. The Department of Environmental Services (DES) generally supports HB 513 but requests that the Committee consider the following minor modifications.

Paragraph 1 would replace the term "Natural ground cover" and its definition in the statute with "Ground cover" and a new definition. This change would clarify and improve the statute. However, in Paragraph 1, Line 2 of the bill, DES recommends that the word "natural" in the beginning the second sentence be deleted for consistency.

In Paragraph 2, Line 8 of the bill, DES recommends that the word "native" be used in place of "noninvasive" in the definition of "unaltered state" to make clear that the intent of the statute is to protect remaining buffer areas comprised of native species.

In Paragraph 7, Page 2, Lines 25-28, DES recommends that the target storm event be the "10 year, 24 hour storm" rather than proposed "25 year, 24 hour storm." This would make the proposed standard consistent with those of the DES Alteration of Terrain Program.

Thank you for the opportunity to comment on this bill. Please contact Rene Pelletier, Assistant Director, Water Division, at 271-2951 or [rene.pelletier@des.nh.gov](mailto:rene.pelletier@des.nh.gov), or me at 271-2958 or [thomas.burack@des.nh.gov](mailto:thomas.burack@des.nh.gov) if you have any questions or need additional information.

Sincerely,

Thomas S. Burack  
Commissioner

cc: Rep. Spang                      Rep. Renzullo  
Rep. Lovett                      Rep. Borden  
Rep. Beaulieu                    Sen. Bradley  
Sen. Odell                        Sen. Fuller Clark