



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 13, 2024

The Honorable Judy Aron
Chair, House Environment and Agriculture Committee
Legislative Office Building, Room 301
Concord, NH 03301

RE: HB 1221, AN ACT relative to including solid waste landfills in the definition of development of regional impact.

Dear Chair Aron and Members of the Committee:

Thank you for the opportunity to testify on HB 1221. This bill seeks to amend RSA 36 to affirm that development of solid waste landfills are projects having a regional impact and would require local land use boards in receipt of an application for such a development to provide notice to all municipalities within 20 miles of the proposed landfill as well as municipalities within the watershed in which the landfill is to be developed. The New Hampshire Department of Environmental Services (NHDES) does not take a position on this bill but has concerns about the potential impacts on local planning boards and regional planning commissions.

Because this bill would require local planning boards to provide notice to and solicit comments from municipalities within a 20-mile radius, as well as municipalities located within the same watershed as the proposed landfill, it would likely increase the complexity of the local planning board notification and hearing process. Depending on how someone were to define the extent of a watershed, it could potentially encompass hundreds of communities spanning across state borders. NHDES is concerned that the notification requirements envisioned in this bill, although well-intentioned, may be overly expansive and burdensome for the local planning boards tasked with implementing them in accordance with RSA 36.

Thank you again for the opportunity to comment on HB 1221. Should you have questions or need additional information, please feel free to contact either Michael Nork, Solid Waste Management Bureau (michael.a.nork@des.nh.gov, 271-2906) or Michael Wimsatt, Waste Management Division Director (michael.wimsatt@des.nh.gov, 271-1997).

Sincerely,

Robert R. Scott
Commissioner

ec: Sponsors of HB 1221: Representatives Grassie, Germana, Grote, Muns, Rung, Bixby, N. Murphy; and Senator Watters