



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Robert R. Scott, Commissioner

January 30, 2024

The Honorable Andrew Renzullo
Chairman, Resources, Recreation and Development Committee
State House, Room 305-307
Concord, NH 03301

Re: HB 1229 An Act Relative to the Purchase and Sale of Any Interest in Real Property Abutting Public Waters.

Dear Chairman Renzullo and Members of the Committee:

Thank you for the opportunity to testify on HB 1229. This legislation would require that purchasers of property with shorelands protected under RSA 483-B sign a document, to be filed with the New Hampshire Department of Environmental Services (NHDES), acknowledging that they have been made aware of the requirement of the Shoreland Water Quality Protection Act. The NHDES supports this bill with amendments.

Education is the foundation of voluntary compliance with regulations. Transmitting information pertaining to the protected shoreland during real estate transactions would be helpful in this regard. Therefore, NHDES supports lines 1-13 in this bill.

Lines 14-21 require the filing of a certification with NHDES and creates a new administrative penalty structure for shoreland violations. The certification requirement would be challenging for the Department to administer without an appropriation. Similarly, the proposal for a fine of \$1,000 for an administrative requirement is high compared to the fines for more material violations of the law. Therefore, NHDES recommends the bill be amended to remove these sections.

Thank you again for the opportunity to comment on HB 1229. Should you have questions or need additional information, please feel free to contact Darlene Forst, Wetlands Bureau Administrator at Darlene.c.forst@des.nh.gov or (603) 271-4054.

Sincerely,

Robert R. Scott
Commissioner

cc: Sponsors of HB 1229: Representatives Rung, J. MacDonald, Crawford, Coker, and Wolf, and Senator Watters