



The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

February 12, 2024

The Honorable Andrew Renzullo  
Chairman, House Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, New Hampshire 03301

RE: HB 1483, AN ACT allowing subdivision regulations concerning water supply

Dear Chairman Renzullo and Members of the Committee:

Thank you for the opportunity to comment on House Bill (HB) 1483 which would enable, but not require, municipalities to assess the adequacy of water supply for proposed subdivisions of land. HB 1483 would only apply to water uses associated with proposed subdivisions that currently are not regulated by the New Hampshire Department of Environmental Services (NHDES) under state law.

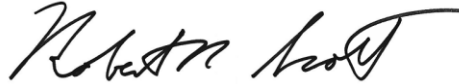
NHDES evaluates the adequacy of water supply for new community water systems and large groundwater withdrawals (groundwater withdrawals that exceeds 57,600 gallons over any 24-hour period). HB 1483 would not impact groundwater withdrawals that NHDES currently regulates under state law and proposes to amend statutes associated with municipal land use planning. Accordingly, NHDES does not take a position on this bill. However, we would like to provide you with a summary of previous legislative studies that evaluated the role of municipalities in regulating groundwater withdrawals.

Chapter 176 of the Laws of 2008 required that the Legislature's Commission to Study Groundwater (Groundwater Commission) assess what the role of a municipality should be when NHDES is reviewing an application for a large groundwater withdrawal permit. The Groundwater Commission completed this work and expanded the scope of its assessment to include recommendations on how groundwater can be holistically managed in the state. There was an emphasis on approaches to enable municipalities to have authority to regulate proposed groundwater withdrawals that NHDES does not have statutory authority to regulate. The Groundwater Commission issued a report in November 2010 and some of the components proposed by this bill are consistent with the content of the Groundwater Commission's report. The report also includes a model ordinance/regulation for approving water supply wells for municipal subdivision and site plan review processes. The Groundwater Commission voted to accept the report as complete. However, there was not a consensus among commission members, which represented a diverse group of stakeholders, regarding the question if local regulation of groundwater withdrawals was appropriate and/or necessary.

Honorable Andrew Renzullo  
Chairman, House Resources, Recreation and Development Committee  
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Thank you again for the opportunity to comment on HB 1483. Should you have any questions or require more information, please contact Brandon Kernen, Administrator of the Drinking Water and Groundwater Bureau at 603-271-1168 or [Brandon.Kernen@des.nh.gov](mailto:Brandon.Kernen@des.nh.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Robert R. Scott  
Commissioner

ec: Sponsors of HB 1483: Representatives McGhee, Ming, Rung, Cole, Wolf, Boyd and Paige