

The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



*Celebrating 25 Years of Protecting
New Hampshire's Environment*

February 9, 2012

The Honorable Beverly Ferrante, Chair
House Municipal and County Government Committee
Legislative Office Building Room 301
Concord, NH 03301

RE: HB 1561 discontinuing regional planning commissions

Dear Chairman Ferrante:

Thank you for the opportunity to testify on HB 1561 discontinuing the regional planning commissions (RPCs). The Department of Environmental Services (DES) strongly opposes this bill.

The RPCs have provided valuable services to DES, other state agencies, and New Hampshire's communities for decades. The discontinuation of RPCs would have direct negative impacts on a number of programs that DES implements. A few examples of the services provided by RPCs that support DES programs, and that would no longer occur if HB 1561 were enacted, are summarized below:

- Four RPCs¹ have been designated as Metropolitan Planning Organizations (MPOs) for their regions. This is one of the most important roles for these four RPCs. The MPOs support efforts by New Hampshire Department of Transportation (NHDOT) for transportation planning and by DES to promote statewide clean air initiatives for mobile sources of air pollution. MPOs are the transportation policy-making organizations that are required, under the Federal-Aid Highway Act of 1962, for any urbanized area that has a population greater than 50,000. MPOs include representatives from local governments and transportation authorities, including NHDOT, the Federal Transit Administration, the Federal Highway Administration and urban transit authorities. MPOs administer the federal transportation process and ensure that investments in transportation projects and programs are based on a continuing, cooperative, and comprehensive ("3-C") planning process. MPOs must successfully administer this process in order for these regions to acquire and spend Federal money on transportation improvements. If RPCs were to be discontinued, federal funding for transportation projects would eventually be discontinued until these MPOs were recreated under some other organizational structure.
- RPCs work closely with the DES, the US Environmental Protection Agency Brownfields Program and their member communities to facilitate the clean up and reuse of contaminated sites to their highest potential. Brownfields are abandoned properties for which expansion, redevelopment, or reuse is complicated by the presence or potential presence of hazardous substances, pollutants, or contaminants from

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historical industrial activity. Brownfields sites may include former manufacturing facilities, abandoned gasoline stations, abandoned industrial dumps and closed small businesses such as dry cleaners or printers. For these sites, the RPCs provide expertise to member towns to help determine redevelopment options to ensure the highest economic development potential is realized. Brownfields sites are often critical redevelopment projects to recreate jobs that have been lost in our municipalities. There are numerous examples of successful partnerships over many years across the state involving DES, the RPCs, municipalities and the Department of Resources and Economic Development (DRED). For example, attached for your consideration is a Brownfields New Hampshire Success Story that describes work by the Southwest Region Planning Commission in 2003 in Peterborough and Keene. More recently, the North Country Council has provided outstanding work in Berlin and Groveton, under grants for the Environmental Protection Agency, to assess, cleanup and move brownfields sites toward redevelopment. In conclusion, across New Hampshire, brownfields redevelopment efforts could not occur as expeditiously or effectively without the direct support of the RPCs.

- RPCs support efforts by the New Hampshire Office of Homeland Security and DES by providing hazard mitigation planning services to member communities to help prevent flood damage. Tropical Storm Irene and other recent disasters caused by storm events in New Hampshire have demonstrated the critical need for this expertise on a regional basis to help communities to reduce damage from future flood events. It is important to note that these types of evaluations are more appropriately performed on a regional or watershed basis rather than stopping at town boundaries. The RPCs have demonstrated an ability to address these issues at a regional level.
- Some RPCs actively support DES's statewide efforts to provide opportunities for all residents to easily properly dispose of household hazardous wastes (HHW) by implementing HHW collection programs. RPCs have the ability to rotate HHW collection locations through the towns within their regions. For small towns, these regional programs can be more efficient and economical because regional expertise and equipment can be shared.
- DES and the RPCs have worked in partnership for many years on planning initiatives that recognize the value of regional planning to help support our communities and address New Hampshire's environmental and economic issues. In fact, by coordinating our efforts and funding provided historically through the DES Regional Environmental Planning Program, a number of work products developed by one RPC have been, by design, developed and made available for use by all New Hampshire communities. For example, a guide was developed by the Upper Valley Lake Sunapee Planning Commission in 2008 that provides guidance that is available to all New Hampshire communities on innovative land use planning techniques that are authorized by RSA 674:21 so that every community does not have to perform initial independent research "from scratch."

The Honorable Beverly Ferrante, Chair
Re: HB 1651 discontinuing regional planning commissions
February 9, 2012
Page 3 of 3

In conclusion, the RPCs play a highly productive and valued role for New Hampshire's citizens that is well demonstrated by decades of outstanding performance. Discontinuation of the RPCs by enactment of HB 1561 would leave a tremendous gap in New Hampshire's planning capacity and substantially diminish support for our communities, especially those that are the smallest. This would have lasting negative effects on New Hampshire's environment, economy and quality of life. Therefore, we strongly oppose enactment of HB 1561.

Thank you for the opportunity to comment on this proposed legislation. If you have any questions or require additional information, please contact Harry Stewart, Water Division Director at 271-3308.

Sincerely,



Thomas S. Burack
Commissioner

Attachment

cc. Representative Kingsbury
Representative McGuire

¹ The Nashua (1973), Southern NH (1973), Rockingham (2007) and Strafford (2007) Regional Planning Commissions (RPC) have all been designated as the MPOs.

BROWNFIELDS NEW HAMPSHIRE Success Stories



www.des.nh.gov/BrownfieldsNH

Southwest Region Planning Commission

Success in DES/Grantee Brownfields Partnership

Overview

In 2003, the Southwest Region Planning Commission (SWRPC) received a \$200,000 Brownfields Assessment Grant from the U.S. Environmental Protection Agency. The grant supports the development of a program to inventory and assess brownfields sites within 36 contiguous municipalities in southwestern New Hampshire. A

fundamental goal of this project is to characterize the nature of contamination and the level of threat posed by contaminated soil, water and/or structures. Achieving this goal will be a critical first step in remediating environmental hazards and returning derelict or underutilized properties to municipal tax rolls and the regional economy. The N.H. Department of Environmental Services (DES) is providing technical assistance and support to SWRPC with respect to implementation of SWRPC's work plan.

At A Glance:

Site Locations: Four sites within the SWRPC region

Site Profiles: Former Boston & Maine rail yard, and lumber yard, Keene; Wilder Thermometer Factory, Peterborough.

Brownfields Financial Assistance:

\$200,000 Brownfields Assessment Grant (2003)

\$316,000 Brownfields Assessment Grant (2005)

History

Redevelopment of abandoned and underutilized industrial properties in the southwest region of New Hampshire during the past two decades has been a cornerstone for village and neighborhood

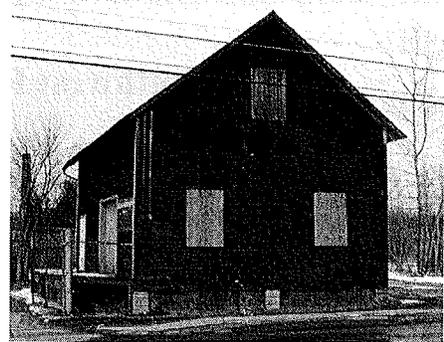


Former Boston and Maine Railroad property circa 1920, Keene.

revitalization. In some cases, old buildings have provided low-rent space for a variety of new or small businesses, including artisans, high-tech industry, service businesses, office and retail. Others have been demolished and the site redeveloped for community facilities and green space. The SWRPC is confident that the brownfields redevelopment process initiated with the Assessment Grant will lead to job creation, business expansions or start-ups and enhanced property values of brownfields and surrounding properties.

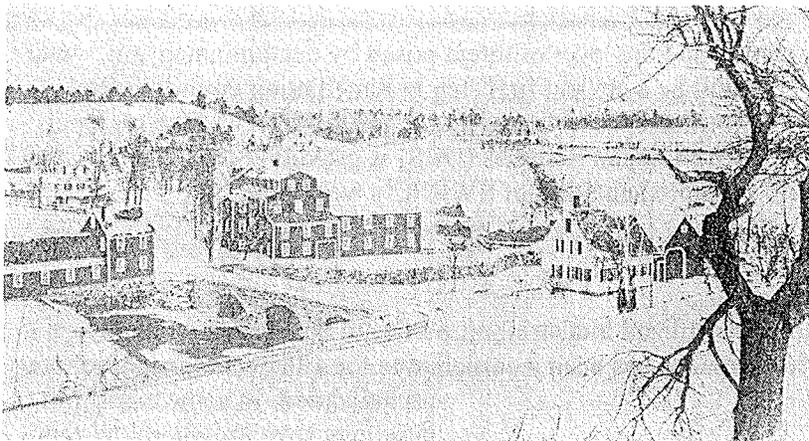
Site Assessment

The Brownfields Advisory Committee of the SWRPC selected several sites for assessment based on criteria such as the property's potential for redevelopment, the potential for job creation through redevelopment, community support for reuse, and the presence of a willing owner or buyer who is not responsible for the contamination. Under the Assessment Grant, the committee focused on Phase I and/or Phase II site assessments performed at four properties: Avilite #4, Marlborough; the former Wilder Thermometer Factory, Peterborough; 124 Water Street, Keene; and the former B&M Railroad property, Keene. Development of cleanup plans is underway at the former Wilder Thermometer factory to remediate the mercury found in the soil.



Former lumber yard building at 124 Water Street, Keene.

SWRPC also successfully competed for a second Brownfields Assessment Grant for petroleum sites in 2005 in the amount of \$158,000. Another assessment grant of \$158,000 was awarded to SWRPC for work on hazardous waste sites.



Former Wilder Thermometer factory, Peterborough.

for DES's Brownfields Cleanup Revolving Loan Fund. By forming a coalition, DES was able to request more than the \$1 million maximum, and ultimately was awarded \$1.6 million in new funding for the BCRLF. DES believes the Brownfields Assessment Grant Program, along with the BCRLF, will leverage additional resources to solve the environmental problems at a number of these brownfields sites, and facilitate their redevelopment as valuable community resources.

Brownfields Partnerships

DES and SWRPC's partnership was augmented in 2005, when they joined with N.H. Department of Resources and Economic Development to pursue additional federal funding

For further assistance please contact the:

Brownfields Program

New Hampshire Department of Environmental Services

29 Hazen Drive, Concord, New Hampshire 03301

(603) 271-2908

www.des.nh.gov/BrownfieldsNH