



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner
January 23, 2014

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

RE: HB 1467 relative to large groundwater withdrawal permits

Dear Representative Chandley and Members of the Committee:

Thank you for the opportunity to comment on HB 1467. This bill would change the permitting process under RSA 485-C for large groundwater withdrawal permits issued by the Department of Environmental Services (DES) by requiring that DES actively terminate any permit for a large groundwater withdrawal immediately upon learning that any local building permit related to the DES permit expires or becomes null or void. DES does not support this bill.

Under RSA 485-C and related regulations, permits for large groundwater withdrawals are issued for a period of ten years (if the withdrawal becomes active) but may expire five years after issuance (if the owner has not initiated the use of the permitted withdrawal). In practice, a statutory link between the permit periods for building permits and large groundwater withdrawal permits would serve no practical purpose because both types of permits are independently required for the owner of a permitted large groundwater withdrawal to initiate operations. Consequently, HB 1467 would place an administrative burden on local officials, DES and permit holders while providing no discernable public benefit. Moreover, even if enacted, such a provision could only be applied prospectively and could not be applied to a permit that had already been issued by DES.

Thank you again for this opportunity to comment on this bill. Please feel free to call me at 271-2958, or Sarah Pillsbury at 271-1168, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack
Commissioner

cc: Representative Mann
Representative Danais
Representative Ebel
Senator Reagan