



The State of New Hampshire
Department of Environmental Services



Clark B Freise, Assistant Commissioner

March 29, 2017

The Honorable Chris Christensen
Chair, Resource, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: SB30, An act defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act.

Dear Chair Christensen and Members of the Committee:

Thank you for the opportunity to testify on SB30. This bill would modify the current vegetated buffer standards in a manner intended to improve the distribution of trees and saplings in the waterfront buffer, more clearly state the current requirement for the maintenance of a natural woodland buffer, redefine which projects are exempt from application fees, and bring the time frames for response to a Request for More Information and the subsequent processing of information received into correlation with the timeframes for response established for other Land Resource Management Programs. The New Hampshire Department of Environmental Services (NHDES) supports the proposed changes.

The modifications to the vegetation maintenance requirements within the waterfront buffer are meant to result in a more even distribution of trees and saplings across waterfronts. This legislation would not increase the amount of vegetation required.

The proposed changes to the language relative to the definition of natural woodland buffer, woodland buffer, and the maintenance of a vegetated buffer between 50 and 150 feet from the reference line do not change the current buffer standards but rather more clearly articulate what the current standard requires.

The changes relative to the timeframes for response to a Request for More Information and the subsequent processing of information received after such a request will bring Shoreland permitting procedure timeframes in line with those established within the Wetlands Impact Application process. Bringing the timeframes for steps within these two permitting processes into agreement will facilitate the integration of the processes in the future.

Finally, this legislation would redefine which projects are exempt from Shoreland application fees. Currently public roads, public utility lines and associated structures and facilities, and

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The Honorable Chris Christensen
Chair, Resource, Recreation and Development Committee
March 29, 2017
Page 2

public water access facilities are exempt from the application fees. The proposed changes would extend the fee exemption to all projects that are funded solely through public funds. These are projects that can all be reasonably expected to have some public benefit, but are unlikely to profit any particular private interest.

Thank you again for the opportunity to comment on SB30. Should you have further questions or need additional information, please feel free to contact either Rene Pelletier, Assistant Director, Water Division (Rene.Pelletier@des.nh.gov, 271-2951) or Darlene Forst, Shoreland Section Supervisor, Land Resource Management Programs (Darlene.Forst@des.nh.gov, 271-4067).

Sincerely,

A handwritten signature in black ink, appearing to read 'Clark B. Freise', written over a circular stamp or seal.

Clark B. Freise

Assistant Commissioner

cc: Sponsors of SB30: Senator Bradley