



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 4, 2018

The Honorable Sharon Carson, Chair
Senate Executive Departments and Administration Committee
State House, Room 101
Concord, NH 03301

RE: HB 1104-FN, An Act relative to certain regulatory permits and forms and relative to time limits under RSA 541-A.

Dear Chair Carson and Members of the Committee:

Thank you for the opportunity to testify on HB 1104-FN, relative to certain regulatory permits and forms and relative to time limits under RSA 541-A. The Department of Environmental Services (NHDES) supports this bill as amended but wishes to highlight some concerns.

NHDES supports the establishment of a voluntary Certified Application Preparer Program as it would provide benefits to both applicants and NHDES by creating an expedited approval process for projects having only minimal environmental impacts. The associated language in this amended bill was requested by NHDES after consultation with the NH Association of General Contractors.

Other language in this bill would reduce the maximum time for NHDES to process applications for permits under RSA 482-A:3 (Dredge and Fill Permits) from 75 days to 50 days for projects with under one acre of jurisdictional impacts and from 105 to 75 days for all other projects. Given the complexity of these applications and the involvement of other stakeholders in the review process, it is typical that more time is needed in order to properly review an application. Meeting the more aggressive timeframes for review of permit applications would be problematic for more complex applications. In such cases, NHDES may, at times, need to base and render its decision without the benefit of clarifying additional information. This could lead to more denials of permit applications, and/or more appeals of issued permits, which could cause increased costs to applicants for lost time and additional fees for the re-submittal of applications. Given the reduced timeframes currently proposed in the amendment, this change could have little positive impact as we expect that

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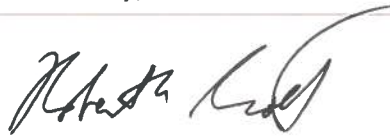
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The Honorable Sharon Carson, Chair
Senate Executive Departments & Administration Committee
April 4, 2018
Page 2

few applicants will invoke RSA 482-A:3,XIV, (b) asking that the permit be issued within 14 days.

NHDES welcomes efforts to improve our processes in order to better accomplish our mission of protecting public health and the environment and thanks the bill's sponsors. If you have further questions or need additional information, please contact Collis Adams, Wetlands Bureau Administrator, Water Division, (collis.adams@des.nh.gov 271-4054) or Eugene Forbes, Director, Water Division, (Eugene.Forbes@des.nh.gov 271-3308).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott", is written over a horizontal line. The signature is fluid and cursive.

Robert R. Scott
Commissioner

cc: Representatives Hinch, Leishman, McConkey, Avellani
Senators Bradley, Daniels, Giuda