



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 23, 2018

The Honorable Carol McGuire
Chair, House Executive Departments and Administration Committee
Legislative Office Building, Room 306
Concord, NH 03301

RE: HB 1708-FN-A, An Act relative to requiring the state to remove standing deadwood trees and making an appropriation therefor

Dear Chair McGuire and Members of the Committee:

Thank you for the opportunity to testify on HB 1708, which would require the Commissioner of the Department of Natural and Cultural Resources (DNCR) to develop rules relative to the removal of certain standing deadwood trees and would make an appropriation for the clearing of deadwood trees. Because the bill requires that the DNCR develop rules for the practice, the details of the rules and how they will be implemented are uncertain at this time. Nevertheless, the intent, as indicated in the title of the bill and in the stated purpose of the appropriation, is to require state agencies to remove deadwood trees from along the boundary lines of state-owned properties as well as along recreational trails. The New Hampshire Department of Environmental Services (NHDES) opposes this bill.

NHDES is responsible for the management of over 125 state-owned properties, which total approximately 10,000 acres. Most of these properties are associated with the state-owned dams that NHDES operates and maintains. NHDES estimates that within these properties, there are approximately 96 miles of property line that would be impacted by this legislation.

The cost of surveying 96 miles of property line on a yearly basis for the purpose of identifying dead trees to be removed is difficult to estimate but is expected to be in the order of tens of thousands of dollars a year and could exceed the \$50,000 appropriation for each year of the current biennium, which is the amount currently proposed in the bill for tree removal. The number of dead trees identified will vary from year-to-year, and the costs associated with the removal of all standing dead trees are difficult to estimate, but they could also exceed the proposed appropriation in the bill. In addition, the funding provided under the bill would only be provided to the DNCR, and not NHDES, leaving NHDES responsible for the costs it would incur as a result of the bill.

It is the current practice of NHDES to address hazard trees when alerted to them. When an abutter calls NHDES with a concern about a standing dead tree on state property, NHDES will

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evaluate the tree and either remove it or authorize the abutter to remove the tree. Typically, this happens no more than two or three times per year. Since this procedure has worked well for both NHDES and the owners of property abutting NHDES land, the costs associated with implementing the new procedures intended under the bill do not appear justified. For this reason, NHDES opposes the bill.

Thank you again for the opportunity to testify on HB 1708. Should you have further questions or need additional information, please feel free to contact either Mark Stevens, NHDES Land Agent, (Mark.Stevens@des.nh.gov) or Jim Gallagher, Dam Bureau Administrator, (James.Gallagher@des.nh.gov, 271-1961) in our Water Division.

Sincerely,



Robert R. Scott
Commissioner

cc: Sponsors of HB 1708: Representative Fedolfi