



The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

January 9, 2018

The Honorable Kevin Avard  
Chair, Senate Energy and Natural Resources Committee  
State House, Room 103  
Concord, NH 03301

**RE: SB 368, Establishing an Exemption from Shoreland Permitting for Certain Road Maintenance Projects.**

Dear Chair Avard and Members of the Committee:

Thank you for the opportunity to testify on SB 368, establishing an exemption from shoreland protection permitting requirements for maintenance and repairs of existing roads and for borings and test wells. Current Shoreland Program Rule section Env-Wt 1406.04 already exempts repair and maintenance projects that do not expand the area of impact or impervious surface from the Shoreland Protection permitting requirements. Geotechnical borings have already been designated by rule as qualifying for the five business day Shoreland Permit by Notification process outlined in RSA 483-B:5-b. While not necessary, the Department of Environmental Services supports the legislation as written as further clarification of our existing authorities.

Thank you again for the opportunity to comment on SB 368. If you have further questions or need additional information, please contact Darlene Forst ([Darlene.forst@des.nh.gov](mailto:Darlene.forst@des.nh.gov) 271-4067) or Eugene Forbes ([Eugene.Forbes@des.nh.gov](mailto:Eugene.Forbes@des.nh.gov) 271-3308).

Sincerely,

Robert R. Scott  
Commissioner

cc: Senator Bradley