



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 13, 2020

The Honorable Suzanne Smith, Chair
Resources, Recreation and Development Committee
Legislative Office Building, Room (305)
Concord, NH 03301

RE: HB 1347, AN ACT relative to addressing impacts to other water users from new sources of water for community water systems

Dear Chair Smith and Members of the Committee:

Thank you for the opportunity to testify on HB 1347. This bill would authorize the New Hampshire Department of Environment Services (NHDES) to establish criteria within the administrative rules for new small community water supply wells to ensure that if these wells cause an adverse impact to nearby private water supply wells, NHDES can require the owner to perform an investigation and mitigation. The NHDES supports the concept of this legislation and provides the following information to assist the committee in its considerations.

The Safe Drinking Water act (RSA 485) requires NHDES approval for the design, testing, monitoring and operation for all community water systems in the state to ensure that the water supply needs of consumers are met and the public health is protected. Community water supply wells have specific siting, testing and sampling criteria under administrative rules that require an applicant demonstrate that a well, when connected to a community water system, is able to provide an adequate quantity of water that meets drinking water quality standards. Community water supply wells are designated as large or small based on their approved withdrawal volumes, whereby wells approved to withdraw less than 57,600 gallons per day of groundwater are designated small community water supply wells. Unlike large community water supply wells, small community water supply wells are not subject to requirements to demonstrate that before using the well, no adverse impacts to surrounding water users or resources will occur. The testing process for small community water supply wells is currently solely focused on evaluating the capacity and water quality of the production well.

Currently, NHDES does not have authority to require that a small community water supply well applicant/owner mitigate potential adverse impacts to private water supply well(s) in the event that such impacts occur. Although there are neither widespread reports nor a long record of small community well impacts to private wells, the increasing density of development within the state and the use of small community water supply systems at subdivisions to increase land development increases the likelihood for these impacts in the future. The language in HB 1347 would provide NHDES authority to require that a mitigation plan be developed and implemented when impacts to private water supply wells are observed.

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Thank you again for the opportunity to comment on HB 1347. Should you have questions or need additional information, please feel free to contact either Sarah Pillsbury, Drinking Water and Groundwater Bureau Administrator (Sarah.Pillsbury@des.nh.gov or 271-1168) or Stephen Roy (Stephen.Roy@des.nh.gov or 271-3918).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott", with a long horizontal flourish extending to the right.

Robert R. Scott
Commissioner

cc: Sponsors of HB 1347: Representatives Pearson, Welch, Weyler, Green, Guthrie, Hobson, Salloway, Somssich; Senators Clark, Morgan, Birdsell