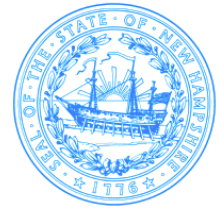




The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 10, 2022

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

RE: SB 346-FN – Pier Feasibility Study on Hampton Beach

Dear Chairman Avard and Members of the Committee:

Thank you for the opportunity to comment on Senate Bill 346-FN. This bill proposes to require the NH Department of Environmental Services (NHDES) to conduct a feasibility impact study for the construction of a pier on Hampton Beach. NHDES does not take a position on this legislation but has suggestions for improving the bill.

First, because the Department of Natural and Cultural Resources (DNCR) manages the infrastructure and parking at Hampton Beach State Park, it would be more appropriate for DNCR to take the lead role on this potential project. NHDES does not have the expertise in-house to conduct the feasibility study and would have to contract out for the services. In addition, NHDES does not have expertise in managing handicap accessible facilities or the issues associated with the Americans with Disabilities Act (ADA). DNCR, on the other hand, manages many such facilities and has extensive parks management expertise. NHDES' primary role in the project would be to provide regulatory guidance to support future permitting of the proposed pier.

Second, the Hampton Beach Area Commission should play an active role in the development of the feasibility study and associated public engagement. Per RSA 216-J:1, the Commission *"...shall assist the Town of Hampton and the state of NH, its agencies and departments in the long range planning for the Hampton Beach area..."* Per RSA 216-J:3, the Commission shall *"Provide advice and counsel to the state and the town on proposed land use developments and capital projects..."* The Commission is comprised of members of the Town of Hampton, the Hampton Beach Village District, the Hampton Area Chamber of Commerce, DNCR, NHDOT and others.

Finally, it appears that the proposed appropriation of \$20,000 is inadequate to complete the required study. NHDES has approached marine construction engineers and internal staff who are familiar with the New Hampshire coast to get a better idea of the cost of a feasibility and impact study. The general elements of this feasibility study would be:

- a. Site description (note that the cost information is based on a single site, the identification and analysis of alternatives would dramatically increase the study costs);

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- b. Site survey;
- c. Desktop analysis of available geotechnical information (collecting geotechnical data would dramatically increase costs but would reduce design risk);
- d. Preliminary estimate of water heights and environmental forces (primarily storms, waves and sea level rise);
- e. Traffic and parking analysis;
- f. Conceptual design to accommodate the desired use and access; and,
- g. Preliminary drawings and cost to construction estimate.

The estimated cost of a contract, with an appropriate consultant to perform such a study, based on expert opinion, would likely be in the \$75,000 - \$125,000 range. An example of a minimum contracted study would be the recent traffic and parking study for the piers at Rye Harbor was \$24,000. In addition, the legislation calls for a final report and recommendations by November 1, 2022. Given the time needed for this legislation to be enacted and the subsequent state procurement process, it is highly unlikely that the required November 1, 2022 timeframe would be achievable.

Thank you again for the opportunity to comment on SB 346-FN. Should you have questions or need additional information, please feel free to contact Rene Pelletier, Assistant Water Division Director, at rene.pelletier@des.nh.gov or (603) 271-2951.

Sincerely,



Robert R. Scott
Commissioner

ec: Sponsor of SB 346-FN: Senators Avard, Bradley, Hennessey, Perkins Kwoka, Watters, Gannon, Rosenwald, and Sherman; and Representatives Lang, Pearl and Hill.