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NH Dept. of Safety

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Mark Hemmerlein
NH Dept. of Trans.

**David Rousseau/
Bob Wolff**
NH Dept. of
Ag, Markets & Food

Staff:

Tracie Sales
Rivers & Lakes Programs
Manager, NHDES

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Rivers & Lakes Programs
Assistant, NHDES

N.H. Lakes Management and Protection Program

N.H. Lakes Management Advisory Committee

March 27, 2018

The Honorable Chris Christensen
Chair, House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: **SB 368** *An act establishing an exemption from shoreland protection permitting requirements for maintenance and repairs of existing roads and for borings and test wells.*

Dear Chair Christensen and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) appreciates the opportunity to comment on Senate Bill 368, which exempts the New Hampshire Department of Transportation (DOT) from Shoreland Water Quality Protection Act permitting requirements for road maintenance, geotechnical borings, and test wells. The LMAC supports this bill.

The LMAC understands that it is burdensome for DOT to acquire a Shoreland permit for simple road repair activities as well as for borings and test wells with no permanent increase in impervious surface. With maintenance of structures already excluded from the permitting requirements in the Shoreland Program rules, Env-Wq 1400, and geotechnical borings qualifying for Shoreland Permits-by-Notification, the LMAC has no objection to these permit exemptions being codified in statute as long as DOT follows best management practices to prevent polluted run-off from entering the lakes and rivers which are a key component of New Hampshire's tourism industry.

The LMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483-A, the Lakes Management and Protection Program. The Governor and Council appointed Committee is comprised of 19 members representing academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors, municipal government as well as several state agencies. Among its other responsibilities, the LMAC reviews legislation relevant to the Program and the state's lakes and ponds, and advises the NHDES Commissioner on the merits of such legislation.

The Honorable Chris Christensen
Chair, House Resources, Recreation and Development Committee
SB 368 March 27, 2018
Page 2

In conclusion, the LMAC supports Senate Bill 368 which writes into statute practices which are already allowed in Shoreland Program rules.

Should you have further questions about this testimony, please feel free to contact me at (603) 634-2299 or david.packard@graniteshorepower.com.

Sincerely,

A handwritten signature in black ink that reads "David W. Packard". The signature is written in a cursive style with a horizontal line underneath.

David Packard
Chair

cc: Sen. Jeb Bradley
LMAC Representatives
Governor Chris Sununu
Robert R. Scott, Commissioner, NHDES
Eugene Forbes, Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES