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NH Lakes Assn.

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Conservation
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Tourism Industry

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Tiffany Grade
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Community

Kimberly Hallquist
Municipal Official

Frank Lemay
NH Business and Industry
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Richard Smith
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NH Association of
Realtors

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NH Dept. of Safety

Eric Feldbaum
NH Dept. of Natural and
Cultural Resources

Jennifer Gilbert
NH Office of Strategic
Initiatives

Garret Graaskamp
NH Fish & Game Dept.

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

April 4, 2018

The Honorable Sharon Carson
Chair, Senate Executive Departments and Administration Committee
Legislative Office Building, Room 101
Concord, NH 03301

RE: **HB 1104** *An act relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office.*

Dear Chair Carson and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) appreciates the opportunity to comment on House Bill 1104, which will reduce the amount of time in which the New Hampshire Department of Environmental Services (NHDES) must respond to wetlands dredge and fill permit applications and other petitions, reduces the timeframe on retroactive enforcement, and requires online form filing. The LMAC opposes this bill.

The reduction of time in which NHDES staff must process wetland dredge and fill permit applications, from 75 days to 50 days for projects less than one acre and from 105 days to 75 days for larger projects, poses a potential threat to lake ecology and water quality. HB 1104 does not identify funds required to employ the additional wetlands permitting staff to handle the load during busy periods. Without this staff, permit applications may not receive the detailed analysis required to protect lakes, which are key to New Hampshire's tourism industry.

Similarly, the HB 1104 also does not identify the funding necessary to develop online permit application filing. While the LMAC supports efforts that will simplify the permitting process and increase the availability of documentation for the public, developing a comprehensive user interface will require both more funding and more time than is allowed by the January 1, 2020 deadline.

The LMAC is a legislatively created body charged to work with 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.

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In conclusion, the LMAC opposes House Bill 1104 because of the financial implications not addressed in this bill, including the additional NHDES staff needed to complete permit application review within the shortened timeframe as well as adequate funding and time to develop an online permit application submission system.

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: Rep. Richard Hinch
Sen. Jeb Bradley
Sen. Gary Daniels
Sen. Bob Guida
Rep. Lino Avellani
Rep Peter Leishman
Rep. Mark McConkey
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