

January 26, 2014

Rep. Harry Merrow, Rep. Jane Beaulieu and Rep. Gottling
HB1467 Subcommittee
House Resources, Recreation and Development Committee (RR&D)
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB1467 – relative to large groundwater withdrawal permits

Dear Rep. Merrow, Rep. Beaulieu and Rep. Gottling:

Since a subcommittee comprised of yourselves has been formed to work on HB1467, I am submitting this letter to provide additional information from the original testimony I provided to the RR&D Committee. I have seen firsthand the adverse impacts that Nottingham and Barrington have gone through with the USA Springs debacle and believe that this bill when amended properly (as described below) can prevent any future community from having to go through the same unnecessary expenses and roadblocks.

Although DES opposes this bill, it is important and ironic to note that when I filed a similar bill (SB369) in 2009 with my then state senator Jack Barnes, DES remained neutral. Their only concerns then were procedural. Following my testimony on HB1467 I provided Chairman Chandley with a copy of the DES position on SB369 in their letter dated February 4, 2010. **I believe an amendment can easily be prepared to address the concerns DES had at that time as follows:**

1. Includes building permits for new construction only that require a large groundwater permit.
2. Notice made by local governing body within 30 days to DES that the local building has expired.
3. Notice by DES to the permit holder that the large groundwater withdrawal permit has expired.
4. If building permit has been reinstated or reissued, governing body will notify DES within 30 days and DES will issue notice to the permit holder that the groundwater permit has been reissued.

Also included in an amendment as indicated in my previous testimony can be as follows:

1. The termination of the large groundwater withdrawal permit by DES should not be based on, 'provided no construction activities have commenced'... Rather it should be based on, 'provided no water bottling withdrawal activities have commenced'... A clearer definition of 'commenced' may have to be incorporated into this bill. This was my original intent when I had the LSR filed but it was changed by Legislative Services.
2. This bill exempts municipalities, water districts, precincts, other businesses, etc. It only pertains to those entities in the water bottling withdrawal business which do not provide drinking water.

Please let me know when your subcommittee will be meeting to discuss this important legislation.

Very truly yours,



Jim Hadley, Chair ~ Neighborhood Guardians
MPA, MBA, MS in Community Economic Development

Cc: Rep. Chandley, Chairman, RR&D, Rep. Mann, Rep. Danais, Rep. Ebel, Sen. Reagan,
Nottingham Board of Selectman, Nottingham Water Alliance, Save Our Groundwater