

HB 235 - AS INTRODUCED

2021 SESSION

21-0222

08/06

HOUSE BILL                    **235**

AN ACT                    relative to community small groundwater withdrawal.

SPONSORS:            Rep. M. Pearson, Rock. 34; Rep. Guthrie, Rock. 13; Rep. Green, Rock. 13; Rep. Welch, Rock. 13; Rep. Hobson, Rock. 35; Rep. Weyler, Rock. 13; Rep. Salloway, Straf. 5; Sen. Birdsell, Dist 19

COMMITTEE:        Resources, Recreation and Development

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ANALYSIS

This bill requires the department of environmental services to adopt rules relative to certain withdrawals of groundwater.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                    relative to community small groundwater withdrawal.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 New Section; Groundwater Withdrawals. Amend RSA 485-C by inserting after section 25 the  
2 following new section:

3            485-C:26 Groundwater Withdrawals Less than 57,600 Gallons Over Any 24-hour Period for  
4 Community Water Systems.

5            I. The department shall adopt rules pursuant to RSA 541-A specifying criteria and  
6 procedures relative to groundwater withdrawals less than 57,600 gallons over any 24-hour period  
7 from a new source of water for a community water system as defined by RSA 485:1-a and subject to  
8 RSA 485:8. Such rules shall protect against an unmitigated impact to an existing public or private  
9 water supply well in accordance with RSA 485-C:21, V-c(a), RSA 485-C:21, V-c(b), RSA 485-C:21, V-  
10 c(c), or RSA 485-C:21, V-c(k).

11            II. The adopted rules shall not diminish protections provided under current rules.

12            III. In addition to rules adopted by the department under this section:

13            (a) The person requesting approval for a new well planned to withdraw less than 57,600  
14 gallons over any 24-hour period for a community water system shall send notification describing the  
15 applicable activity and a copy of the preliminary report via certified mail to the municipality or  
16 municipalities in which the activity is located at the same time as submission of the preliminary  
17 report to the department.

18            (b) The preliminary report provided to the department shall include a delineation of the  
19 estimated "zone of influence", a description of how it was delineated, and identification of potential  
20 adverse impacts to groundwater users in the zone of influence.

21            (c) The person requesting approval for a new well planned to withdraw less than 57,600  
22 gallons over any 24-hour period for a community water system shall send notification describing the  
23 applicable activity and a copy of the final report via certified mail to the municipality or  
24 municipalities in which the activity is located at the same time as submission of the final report to  
25 the department.

26            (d) Comments to the preliminary report and final report received by the department  
27 within 15 days of the date of receipt by a recipient community of the preliminary report or the final  
28 report, respectively, shall be addressed by the department in its' responses to those reports.

29            2 Effective Date. This act shall take effect 60 days after its passage.