

Testimony of Paul Montrone
SB 154-FN Legislative Hearing

February 17, 2011

I am Paul Montrone, representing the NH Shoreline Coalition and I appreciate the opportunity to testify today. We have testified at numerous hearings over the past three years, encouraging NH legislators to amend the Comprehensive Shoreland Protection Act.

As we have stated before, although this act is well-intentioned, it mistakenly positions shoreline property owners as an enemy to be punished, and not the most important ally in protecting New Hampshire's precious waterways. The Act contains many requirements that interfere with normal family life that have nothing to do with water quality, including provisions that are impractical and virtually unenforceable, and burden property owners with expensive application requirements even for small projects.

In addition, one unintended consequence of this Act has been the slowdown of legitimate maintenance and construction activity on the shorefront, costing our communities tax revenues and good jobs during a time of major recession.

Some amendments were wisely made over the past two years, and they were a move in the right direction. We congratulate the legislature on this action. They did not, however, resolve most of the underlying problems with the Act. More changes are clearly required.

SB154-FN contains many positive amendments that will place the law on a solid footing that can then be supported by the thousands and thousands of shoreland owners that are the first line of defense in protecting our water quality.

In addition to making the Act more practical and useful under SB 154, we are particularly gratified to see the penalties have been modified so they only apply to property owners who knowingly, rather than inadvertently, violate this complicated law, and furthermore, we do not have to worry about potentially going to jail for pruning a branch of our tree or planting our flowers in the wrong place.

We are also happy to see that with SB 154 property owners who have been denied a permit by the DES will now appeal to the Shoreland Advisory Committee rather than the Wetlands Council, a body which has little or no representation by shoreland owners.

In brief, the NH Shoreline Coalition is pleased with and completely supportive of SB 154-FN as presently drafted.

Thank you for your attention.