

New Hampshire House Bill 648

Chapter 179 Laws of 2007

Comprehensive Flood Management Study Commission

Final Report

September 2008

Presentation to:

**HB 1295 COMMISSION TO STUDY THE ISSUE OF
STORMWATER MANAGEMENT**

Steven M. Couture, NHDES Rivers Coordinator



HB 648 Flood Commission: Membership

- Rep. Gene Andersen, House: Science, Technology and Energy (CHAIR)
- Gary Kerr, Hydroelectric Industry (VICE CHAIR)
- Rep. Vincent Greco, House: Fish and Game
- Rep. Peter Allen, House: Environment and Agriculture
- Rep. David Russell, House: Resources, Recreation and Development
- Sen. Margaret Hassan
- Sen. Harold Janeway
- Katja Fox, Governor's Office (Assistant for Policy)
- John Magee, Rivers Management Advisory Committee
- Sue Desruisseaux, MPANH Municipal Association (Town of Goffstown)
- Mark Zankel, The Nature Conservancy
- Steve Couture, DES Commissioner (DES Water Division, Rivers Coordinator)
- Robert Beaurivage, P.E.NH Water Works Association (Manchester Water Works Assistant Director)
- Joanne Cassulo, Governor's Office of Energy and planning (Floodplain Coordinator)
- Stewart Yeaton, Agriculture
- Michael Andosca, Shorefront Property Owner
- James Gallagher, P.E.DES – Hydrologist (DES Water Division)

- Others: Jennifer Gilbert (OEP), Keith Robinson (USGS), Chris Pope & Mike Poirier (Emergency Management), Mike Pillsbury (NH DOT), Carl Paulsen (NH Rivers Council), & Steve Doyon, Rick Chormann, & Jennifer Rowden (NHDES)

HB 648 Flood Commission: Process

- Timeline: August 2007-September 2008
- 16 presentations (Appendix C)
- 3 Subcommittees
 - Landscape Management
 - Flood Forecasting & Data Collection
 - Dam Management



HB 648 Flood Commission Key Finding

Need: Limit the new construction of new critical or state facilities in fluvial hazard zones.

- Increase state facilities stormwater requirements.
 - The sponsor of any development or redevelopment project involving a state facilities project with a footprint that exceeds 5,000 square feet shall use site planning, design, construction and maintenance strategies for the property to maintain or restore, to the maximum extent technically feasible, the predevelopment hydrology of the property with regard to the temperature, rate, volume and duration of flow.

HB 648 Flood Commission Key Finding

Need: Establish a state-level regulatory approach for floodplain management.

- Develop watershed-specific HEC-RAS models across the State to assist in understanding flood flow characteristics and how land use and climate changes are affecting flood prone areas. Such modeling could also determine critical flood storage areas needed for protection from development. State could use as basis for buildout analysis to be used by AoT.


HB 648 Flood Commission Key Finding

Need: Increase ability for the state and municipalities to manage stormwater.

- New Hampshire House Bill 1295 establishes a commission to study issues relating to stormwater. The following issues should be further investigated by the Stormwater Study Commission in relation to floodplain management:
 - Basic stormwater issues and their relevance to floodplain management.
 - Impervious surfaces and effect on peak flows and runoff volume.
 - New Hampshire should strive to minimize to the extent technically feasible development impacts to hydrology (volume and peak flows).
 - Climate change impacts on stormwater.

HB 648 Flood Commission Key Finding

Need: Increase ability for the state and municipalities to manage stormwater.

- Local fee on impervious surfaces could be used to address/upgrade stormwater management to minimize hydrologic changes.
 - House Bill 1581 Chapter 295, Laws of 2008 allows the formation of stormwater utilities.
 - DES and OEP should actively support the creation of stormwater utilities.
 - DES and OEP should provide technical assistance program for communities.
 - Continue support for DES and Regional Planning Commissions Innovative Land Use Controls stormwater ordinance.
 - Encourage municipalities to submit stormwater infrastructure needs to DES as part of the 2008 Clean Water Needs Survey.
 - Fund stormwater infrastructure improvements through the State Revolving Fund and State Aid Grant programs.
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HB 648 Flood Commission Key Finding

Need: Ensure that bridges and culverts are adequately sized.

- DOT should address climate change and impervious surface effects when updating its *Manual on Drainage Design for Highways*.



HB 648 Flood Commission Key Finding

Need: Increase education and outreach to communities regarding floodplain management and insurance options.

- Develop a multidisciplinary team to assist communities who request help to improve floodplain management. This could be based on the Natural Resources Outreach Coalition model.

HB 648 Flood Commission: Implementation to Date

- LSR 207 to include fluvial erosion hazard ordinance into the Innovative Land Use Controls statute
(Primary: Rep. Andersen, Sponsor: Rep. Kappler)
- LSR 743 to authorize in lieu of fee option for wetlands for projects that impact floodplains and stream channels
(Primary: Sen. Janeway, Sponsor: Rep. Spang)
- Inventorying state land in 100 & 500 year floodplains (DoS and DES)
- Inclusion of 100 year floodplains in new AoT rules. In Zone A the applicant will have to model the floodplain.
- Commission findings/recommendations included in OEP *Floodlines*, DES newsletter and Dept. of Safety's electronic newsletter.
- Report to be referenced in Climate Change Task Force Report, Adaptation Chapter and findings/recommendations to be considered in Climate Change Adaptation Plan