

HB 1621-FN - AS INTRODUCED

2026 SESSION

26-2518

04/09

HOUSE BILL

1621-FN

AN ACT requiring a baseline environmental impact study to be completed prior to development of certain manufacturing and storage facilities.

SPONSORS: Rep. Perez, Rock. 16; Rep. DeRoy, Straf. 3; Rep. Dunn, Rock. 16; Rep. Andrus, Merr. 5; Rep. McGhee, Hills. 35; Rep. Wheeler, Hills. 33; Rep. W. Thomas, Hills. 12

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill requires a baseline environmental impact study to be completed prior to development of certain manufacturing and storage facilities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-Six

AN ACT requiring a baseline environmental impact study to be completed prior to development of certain manufacturing and storage facilities.

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

1 1 New Section; Environmental Impact Study Requirement for Manufacturing and Storage
2 Facilities. Amend RSA 155-A by inserting after section 4 the following new section:

3 155-A:4-a Environmental Impact Study Requirement for Manufacturing and Storage Facilities.

4 I. Definitions.

5 (a) "Baseline environmental study" means a comprehensive assessment of the existing
6 environmental conditions at the time of application. It shall serve as the reference point for
7 evaluating the potential environmental impacts of the proposed development and shall be conducted
8 in accordance with standards established by the department. The study shall include data on water,
9 air, soil, noise, and light.

10 (b) "Manufacturing facility" means any building, structure, or premises used for the
11 industrial-scale processing, preparation, assembly, packaging, or fabrication of goods, materials, or
12 products, including but not limited to food, chemicals, electronics, or machinery.

13 (c) "Storage facility" means any building, structure, or premises used for the commercial
14 or industrial storage of goods, materials, equipment, or hazardous substances, including self-service
15 storage units, warehouses, and underground storage tanks, whether for temporary or long-term use.

16 II. No permit shall be issued under RSA 155-A:4 for the development of any manufacturing
17 or storage facility over 50,000 square feet unless the applicant submits proof of a completed baseline
18 environmental impact study (EIS). The EIS shall:

19 (a) Be conducted by a qualified environmental professional or agency approved by the
20 New Hampshire department of environmental services.

21 (b) Be funded by the applicant.

22 (c) Include analysis of potential impacts on the following:

23 (1) Water quality and quantity.

24 (2) Air emissions.

25 (3) Soil contamination.

26 (4) Noise and light pollution.

27 (d) Include a cumulative impact assessment, considering past, present, and reasonably
28 foreseeable future actions.

29 (e) Evaluate reasonable alternatives to the proposed action, including a no-action
30 alternative.

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1 (f) Identify feasible mitigation measures to avoid or minimize adverse environmental
2 effects.

3 (g) Be completed prior to the issuance of any permit.

4 (h) Be updated every 5 years following the initial study.

5 (i) Be resubmitted upon any change in ownership or change in use of the facility.

6 III. The department shall not issue a permit unless it determines that the proposed
7 development will not result in unreasonable adverse environmental impacts, and that appropriate
8 mitigation measures have been identified and incorporated.

9 IV. All environmental impact studies and related documents shall be made available to the
10 public in accordance with RSA 91-A. The department shall provide a public comment period of not
11 less than 30 days prior to final permit approval.

12 2 New Paragraph; Duties of Commissioner; Administrative Rules. Amend RSA 21-O:3 by
13 inserting after paragraph X the following new paragraph:

14 XI. Adopt administrative rules pursuant to RSA 541-A regarding the applicant submission
15 process for environmental impact studies for manufacturing and storage facilities pursuant to RSA
16 155-A:4-a.

17 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 1621-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring a baseline environmental impact study to be completed prior to development of certain manufacturing and storage facilities.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$150,000	\$196,000	\$200,000
<i>Funding Source(s)</i>	Other			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill requires applicants seeking to develop manufacturing or storage facilities over 50,000 square feet to complete a baseline environmental impact study (EIS) covering air, water, soil, noise, and light impacts. The study must be conducted by a qualified environmental professional or agency approved by the Department of Environmental Services (DES), and the Department may not issue a permit unless it determines the project will not result in unreasonable adverse environmental impacts and appropriate mitigation measures have been incorporated.

The Department of Environmental Services states it does not currently have a program to approve environmental professionals for this purpose, nor does it have existing staff with the combined background necessary to review environmental impact studies addressing air, water, soils, and noise and light pollution. DES notes the criteria for training, practice, and approval of qualified professionals would need to be developed, and the technical review of EIS submissions would require skill sets that do not currently exist within the agency.

To implement the bill, DES indicates that at least two additional full-time Environmental Scientists (19-2040 ENV SCIENTISTS-3 SOC19-06) would be needed. With a September 1, 2026 start date, the estimated cost for both positions in FY 2027 is \$150,000, \$196,000 in FY 2028 and \$200,000 in FY 2029. The Department anticipates these costs would be funded from Other Funds, depending on fee accounts.

The New Hampshire Municipal Association states there will be no impact to municipalities for the EIS preparation costs as any cost incurred would be borne by the landowner.

AGENCIES CONTACTED:

Department of Environmental Services and New Hampshire Municipal Association