



**STATE OF NEW HAMPSHIRE**  
**OFFICE OF THE GOVERNOR**

**CHRISTOPHER T. SUNUNU**  
Governor

August 21, 2023

The Honorable Jeanne Shaheen  
United States Senate  
506 Hart Senate Office Building  
Washington, DC 20510

The Honorable Ann Kuster  
United States House of  
Representatives  
320 Cannon House Office Building  
Washington, DC 20515

The Honorable Maggie Hassan  
United States Senate  
324 Hart Senate Office Building  
Washington, DC 20510

The Honorable Chris Pappas  
United States House of  
Representatives  
319 Cannon House Office Building  
Washington, DC 20515

Dear Members of New Hampshire's Congressional Delegation,

We are writing to bring your attention to our concerns regarding the US Coast Guard (USCG) Bridge Permitting process. Communication breakdowns and confusion amongst federal agencies as well as burdensome process requirements have seemingly created delays with three major bridge projects in the State of New Hampshire. Two of these, the Newington-Dover 11238S project to address the General Sullivan Bridge and Seabrook-Hampton 15904 project to replace the Neil R. Underwood Bridge in Hampton, NH are scheduled to be advertised before the Federal fiscal year ends on September 30, 2023. Unfortunately, these projects are still awaiting their USCG Bridge Permits. The third project, New Castle-Rye 16127, which will address the poor structural condition of the bridge carrying NH 1B over Little Harbor, has been waiting since July 2022 to receive an updated Preliminary Navigation Determination which will provide direction to the design team regarding the type of structure that can be constructed.

While there is a Memorandum of Agreement in place between the USCG and the Federal Highway Administration (FHWA), who acts of the lead federal agency on most NHDOT projects, to expedite the planning, environmental review, and decision making for bridge permits, the intent has not translated into practice and several coordination challenges have been identified. Examples of these challenges include:

- The USCG requested to reopen the NEPA process for the two projects awaiting permits despite multiple coordination meetings between federal and state agencies, effectively delaying the projects. Better communication could have prevented these delays.

- There is confusion between several of the Federal Agencies regarding the order and timing of permitting. Throughout the coordination process multiple reviewers from several federal agencies have expressed that they must be the last agency to act and that they cannot do so until all other permits and approvals are received. This confusion creates an endless loop of indecision amongst the federal agencies.
- Each permit application also requires compilation of similar, but slightly different, information documenting coordination and compliance with other laws, rules, regulations, permits and agencies. This coordination has already been performed and reviewed by FHWA as the lead federal agency. However the multiple versions that must be produced to address each agency's unique combination and format adds noticeable time and effort to the overall project.

We not only ask for your assistance in delivering these projects in a timely fashion but believe that review of the USCG bridge permitting process, along with its relationship to US Army Corps of Engineers permits and the development of projects under FHWA, could provide better clarity to each agency's role in the process, allow for the concurrent review and approval of permits, and ultimately allow for infrastructure projects to be completed in a more efficient and timely manner. It is incumbent on our federal partners to be timely and efficient in helping to deliver these needed infrastructure projects and to fulfill on the promises of the Infrastructure Investment and Jobs Act (IIJA).

Sincerely,



Christopher T. Sununu  
Governor



Janet Stevens  
Executive Council District 3