

**Effective December 24, 2019, Env-Wt 102.12 reads as follows:**

Env-Wt 102.12 “Avoidance” means not impacting jurisdictional areas if there is a practicable alternative to the proposed project that would have less impact on the aquatic ecosystem or jurisdictional areas, so long as the alternative does not have other significant adverse environmental consequences and is consistent with 40 CFR 230.10(a).

**Effective December 24, 2019, Env-Wt 102.54 reads as follows:**

Env-Wt 102.54 “Designated prime wetlands” means “prime wetlands” as defined in RSA 482-A:15, I-a, reprinted in Appendix C, that have been designated by a municipality pursuant to RSA 482-A:15 and Env-Wt 700.

**Effective December 24, 2019, Env-Wt 103.58 reads as follows:**

Env-Wt 103.58 “Permit jurisdiction” means the regulatory authority conferred on the department or its predecessor agencies under RSA 482-A or any predecessor statutes, as applied to specific activities, as follows:

- (a) For projects in or adjacent to tidal wetlands, any project occurring after June 22, 1967;
- (b) For projects in or adjacent to non-tidal wetlands, any project occurring after July 2, 1969;
- (c) For seasonal structures in tidal or non-tidal waters, any project occurring after September 4, 1978; and
- (d) For projects in a duly-established 100-foot buffer, the date of designation of the associated designated prime wetlands.

**Effective December 24, 2019, Env-Wt 103.65 reads as follows:**

Env-Wt 103.65 “Prime wetlands” means “prime wetlands” as defined in RSA 482-A:15, I-a, reprinted in Appendix C.

**Effective December 24, 2019, Env-Wt 103.66 reads as follows:**

Env-Wt 103.66 “Priority resource area (PRA)” means a jurisdictional area that:

- (a) Has documented occurrences of protected species or habitat;
- (b) Is a bog;
- (c) Is a floodplain wetland contiguous to a tier 3 or higher watercourse;
- (d) Is a designated prime wetlands;
- (e) Is a duly-established 100-foot buffer of a designated prime wetlands;
- (f) Is a sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone; or
- (g) Is any combination of (a) through (f), above.

**Effective December 24, 2019, Env-Wt 104.19 reads as follows:**

Env-Wt 104.19 “Significant environmental impact” means, for the purpose of a public hearing required pursuant to RSA 482-A:8, that a proposed project will:

- (a) Dredge or fill:
  - (1) More than one acre of non-tidal wetlands;
  - (2) More than one-half mile of a watercourse; or
  - (3) One-half acre or more of tidal wetlands; or
- (b) Will drain a public drinking water supply.

**Effective December 24, 2019, Env-Wt 104.33 reads as follows:**

Env-Wt 104.33 “Surface water” means those portions of waters of the state that have standing or flowing water at or on the surface of the ground. The term includes but is not limited to watercourses, lakes, ponds, marshes, and tidal waters.

**Effective December 24, 2019, Env-Wt 104.47 reads as follows:**

Env-Wt 104.47 “Water access structure” means a structure without a roof or cover that typically would be an accessory structure under RSA 483-B and that, as a matter of operational necessity, is located adjacent to the shoreline because its purpose is to provide a means of entry to a surface water for swimming and similar water-related recreational activities other than boating or a location for the direct observation of swimmers or other individuals engaged in water-related recreational activities. The term includes decks and patios, but does not include docking structures.

**Effective December 24, 2019, Env-Wt 204.03(c) reads as follows:**

Env-Wt 204.03 Content of Waiver Requests. ...

...

(c) The location of the property to which the waiver request relates;

...

**APPENDIX A: STATE AND FEDERAL STATUTES, FEDERAL REGULATIONS IMPLEMENTED**

<b>Rule Section(s)</b>	<b>State Statutes Implemented</b>	<b>Federal Statutes. Regulations Implemented</b>
Env-Wt 102.54	RSA 482-A:1, 2, 3, and 4,	
Env-Wt 103.58, 103.65 & 103.66	RSA 482-A:1, 2, 3, 4, and 15	
Env-Wt 104.19, 104.33, 104.47	RSA 482-A:1, 2, 3, 4, and 8	
Env-Wt 204.03(c)	RSA 482-A:1, 3, 8, 10, 11, 26, III(b) RSA 541-A:22, IV	