



The State of New Hampshire  
**Department of Environmental Services**

**Thomas S. Burack, Commissioner**

*Celebrating 25 Years of Protecting  
New Hampshire's Environment*



April 12, 2012

The Honorable Bob Odell, Chairman  
Energy and Natural Resources Committee  
Legislative Office Building, Room 102  
Concord, NH 03301

**Re: HB 1233, establishing a statute of limitations on wetlands filling and dredging.**

Dear Chairman Odell:

Thank you for the opportunity to comment on HB 1233, which would establish a statute of limitations for violations of wetlands dredging and filling requirements under certain conditions for new property owners who were unaware of unresolved wetlands violations. The Department of Environmental Services (DES) supports HB 1233 as amended by the House.

HB 1233, if enacted, would provide assurance to a new property owner that they would not be subject to enforcement action if they have no knowledge of unresolved wetlands violations that occurred on the property more than 5 years before property acquisition. This liability relief is provided on the condition that the new owner will allow any necessary restoration of impacted wetlands areas. HB 1233 would also explicitly not limit enforcement action against any persons who have committed wetlands violations on qualifying properties.

Thank you for this opportunity to comment. Please call Rene Pelletier at 271-2951, or me at 271-2958, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack  
Commissioner

cc: Representatives Merrow, Mirski, McConkey, and Babson

[www.des.nh.gov](http://www.des.nh.gov)

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