



LAND RESOURCES MANAGEMENT PROGRAM COMPLAINT FORM



Water Division / Land Resources Management Program

This complaint form is a means for the general public to report violations of New Hampshire environmental laws falling under the jurisdiction of the New Hampshire Department of Environmental Services' Land Resources Management Program (LRMP) (Alteration of Terrain, Shoreland, Subsurface, Wetlands). Due to the vast amounts of complaints submitted, LRMP relies on the public to provide thorough and accurate information. Before completing this form, please visit the [Land Resources Management Complaints webpage](#) and Page 3 of this form, "Frequently Asked Questions Relative to Submitting and Following Up on a Complaint." **Please type or print neatly and answer all questions as completely as possible; incomplete forms and anonymous complaints are not investigated.**

| | | | |
|--|-------------|---|--------|
| 1. LOCATION OF ALLEGED VIOLATION | | | |
| ADDRESS: | | MUNICIPALITY: | |
| WATERBODY: | TAX MAP: | LOT NUMBER: | |
| 2. ALLEGED VIOLATOR CONTACT INFORMATION | | | |
| Who is responsible for the alleged violation(s)? <input type="checkbox"/> Property Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Forester <input type="checkbox"/> Logger <input type="checkbox"/> Designer <input type="checkbox"/> Installer <input type="checkbox"/> Other: _____ | | | |
| CONTACT NAME: | | COMPANY NAME: | |
| ADDRESS: | CITY: | STATE: | ZIP: |
| PHONE: | EMAIL: | | |
| 3. PROPERTY OWNER CONTACT INFORMATION (IF DIFFERENT FROM ALLEGED VIOLATOR) | | | |
| NAME: | PHONE: | EMAIL: | |
| ADDRESS: | CITY: | STATE: | ZIP: |
| 4. COMPLAINANT CONTACT INFORMATION (YOU MUST COMPLETE THIS INFORMATION, ALTHOUGH YOU CAN CHOOSE TO REMAIN CONFIDENTIAL TO PARTIES OUTSIDE OF NHDES) | | | |
| NAME: | | | |
| ADDRESS: | CITY: | STATE: | ZIP: |
| TAX MAP: | LOT NUMBER: | PHONE: | EMAIL: |
| Would you like your information to remain confidential? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| 5. IMPACTED RESOURCE | | | |
| <input type="checkbox"/> Lake/Pond <input type="checkbox"/> River/Stream <input type="checkbox"/> Non-Tidal Wetland <input type="checkbox"/> Saltmarsh <input type="checkbox"/> Tidal Buffer Zone <input type="checkbox"/> Sand Dunes <input type="checkbox"/> Protected Shoreland (Disturbance within 250 feet of a public waterbody) <input type="checkbox"/> Upland (Land disturbance of $\geq 100,000\text{ft}^2$ or $\geq 50,000\text{ft}^2$ if within the Protected Shoreland) <input type="checkbox"/> Septic System | | | |
| 6. THE ALLEGED VIOLATION (ALL INFORMATION MUST BE OBTAINED WITHOUT TRESPASS) | | | |
| Date Activity Began: / / | | Date Activity Ended: / / <input type="checkbox"/> Ongoing | |
| RSA 482-A: NH Wetlands Law | | | |
| <input type="checkbox"/> Dredge, fill, or construction in any wetland, in or adjacent to a tidal buffer zone, or sand dune. <input type="checkbox"/> Impacting the bed or bank of a waterbody without a permit from NHDES (for example installation of a culvert or retaining wall). <input type="checkbox"/> Adding sand to a beach or constructing a new beach adjacent to any surface water without a permit from NHDES. <input type="checkbox"/> Installing a dock, wharf, or pier in any surface water or their banks without a permit from NHDES. <input type="checkbox"/> Failure to install or maintain appropriate erosion and sediment controls. <input type="checkbox"/> Description: | | | |

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

RSA 483-B: Shoreland Water Quality Protection Act (Disturbance within 250 feet of a public waterbody*)

* **Only IF** the subject waterbody of the alleged violation is listed on the [NHDES Consolidated List of Waterbodies Subject to the Shoreland Water Quality Protection Act](#), should one or more of the boxes below be checked.

- Vegetation removal beyond permissible limits of Waterfront Buffer (0-50 feet) or Natural Woodland Buffer (50-150 feet).
- New construction or expansion of an existing footprint or impervious surface.
- Using mechanized equipment to excavate, re-grade, or remove soil.
- Using mechanized equipment to fill any areas with rocks, soil, gravel, or sand.
- Failure to install or maintain appropriate erosion and sediment controls.
- Description:**

RSA 485-A: Alteration of Terrain

- Land disturbance activities that results in a temporary or permanent disturbance of an area that is more than 2,500 square feet in size, is within 50 feet of any surface water, and has a flow path of 50 feet or greater disturbing a grade of 25% or greater, measured at 2 foot intervals.
- Land disturbance (grading, filling, dredging, mining, excavating, blasting, construction, removal of topsoil, removal of stumps, or any activity that results in a change to the preexisting ground conditions) that has disturbed a total contiguous area $\geq 50,000 \text{ ft}^2$ within the Protected Shoreland.
- Land disturbance (grading, filling, dredging, mining, excavating, blasting, construction, removal of topsoil, removal of stumps, or any activity that results in a change to the preexisting ground conditions) that has disturbed a total contiguous area \geq to $100,000 \text{ ft}^2$ (2.30 acres).
- Failure to install or maintain appropriate erosion and sediment controls.
- Description:**

RSA 485-A: Water Pollution & Waste Disposal

- Installation of a new septic system without a permit or replacement of an existing septic system without approval from NHDES.
- Failing septic system.
- Discharge of wastewater to surface to the ground or to surface water.
- Description:**

7. ADDITIONAL ATTACHMENTS

Please submit the following with this complaint form:

- Tax card and tax map of the property relative to the complaint.
- Photographs of the alleged violation(s) identifying the date the photos were taken and a description of what they depict.

8. OTHER INFORMATION

Have you contacted your local town conservation commission, health or code enforcement officer, or any other municipal or state official regarding this matter? Yes No **IF YES:**

Town Official's Name: _____ Title: _____ Phone: _____

What, if any, action has been taken?

9. SIGNATURE

I understand that I am providing the information in this complaint to NHDES, a state agency with the authority to investigate and take legal action for certain violations of the law. I understand that any information I provide in this complaint must be true and accurate to the best of my knowledge.

| | | |
|-------------------|----------------------------|------------------|
| SIGNATURE: | PRINT NAME LEGIBLY: | DATE: / / |
|-------------------|----------------------------|------------------|

FREQUENTLY ASKED QUESTIONS RELATIVE TO SUBMITTING AND FOLLOWING UP ON A COMPLAINT

For your records. Please do not submit with the complaint form.

- **Can I be an “anonymous” complainant?** The Land Resources Management Program *does not* process “anonymous” complaints where the complainant does not provide their name and contact information on the complaint form. Complainants *can* elect to be a “confidential complainant.”
- **What is a “confidential complainant”?** A complainant may elect to be a “confidential complainant” on the Land Resources Management Complaint Form, but the complainant’s name and contact information must be included on the complaint form. This information is redacted within the public file and is not disclosed to the public. In the event a compliance case requires adjudication within the NH Court System, the defendant and / or their legal counsel has the right to know the name and contact information of the complainant.
- **How do I find the tax card and tax map?** Tax cards and tax maps can typically be found on the town’s assessing webpage or online via websites such as [Vision Government Solutions](#) or [Avitar Associates of New England](#). Tax maps can typically be found on the town’s assessing webpage or through a call to the town assessor’s office.
- **What happens after a complaint is received?** Once a completed complaint form and additional attachments are received by the Land Resources Management Program, the information is entered into an internal database within 1-3 business days and the file is assigned a nine-digit number (For example: 2017-01234). The file is then given to the [regional compliance inspector](#). Next, a letter is issued to the “alleged violator” notifying them of the nature of the complaint, providing them 20 days to respond in writing, and informing them that the case has been added to our inspection list. The Land Resources Management Program will assess environmental harm. Complaints alleging an immediate or ongoing threat to water quality, an immediate or ongoing threat to public health, and / or an immediate or ongoing threat that has the potential for irreversible harm to the environment are given a high priority. Complaints alleging a violation involving docks are given a low priority. Other complaints are given a medium priority.
- **What happens if a violation is observed and documented?** If a violation of NHDES Land Resources Management laws or administrative rules is discovered during the complaint investigation process, the Land Resources Management Program will determine an appropriate compliance action that is the most likely to achieve compliance, and, if necessary, provide remediation to the environment. Typically, the Land Resources Management Program begins by requesting the property owner and / or contractor restore unauthorized impacts to regulated resources. The Land Resources Management Program can use a variety of compliance actions, including, but not limited to: Letters of Deficiency, Administrative Orders, Administrative Fines, and referral to the NH Attorney General’s Office. Each of these compliance actions are described in detail within the [NHDES Compliance Assurance Response Policy](#) (CARP).
- **How can I get an update on the status of my complaint?** While you will not be copied on correspondence and contents of the file you may contact the [NHDES Public Information and Permitting Unit](#) at any time to either perform a file review, or obtain a copy of the file (at cost). Please call (603) 271-8808 to schedule a file review or have copies of the file made. Additionally, you may contact the regional inspector with questions. It is recommended you contact the inspector no more than every 20-30 days. The [regional compliance inspectors](#) have high workloads, especially during the summer and fall. Please be patient as they work through your complaint along with many others.

For more information, please visit [Complaints Filed under the Land Resources Management Program](#)

[What constitutes a violation and warrants a formal complaint?](#)

[What complaints are not addressed by the Land Resources Management Program?](#)

[What activities require a permit from the Land Resources Management Program?](#)

[What activities do not require a permit from the Land Resources Management Program?](#)

[How can I determine if the activity has been permitted?](#)

[What do I do if the activity has not been permitted?](#)

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