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January 15, 2018

Ms. Mary Ann Tilton
NH Department of Environmental Services
29 Hazen Dr
Concord NH 03301

Dear Ms. Tilton,

At its November 2018 and January 2019 meetings, the Upper Merrimack River Local Advisory Committee (UMLRAC) reviewed and discussed the proposed wetlands rules.

The UMLRAC understands the need and urgency to implement revised rules. However, the UMLRAC has several concerns relating to the state's local river management advisory committees (LACs) of which it is one.

During the wetlands rules work group process from May through September 2018, the New Hampshire Rivers Council identified several process areas where LACs should be included wherever conservation commissions are specified. There were other areas where their review and comment, in an advisory capacity, would provide a better on-the-ground outcomes for permits near the state's designated rivers. The work group, conducting a consensus process, chapter-by-chapter, agreed to these changes, which are not in the current draft of the rules.

Reduction of permit review times is problematic when LACs must follow the state's right-to-know law, RSA 91-A. Having a noticed and public advisory review, deliberation, and vote is not only lawfully required but essential for the best possible environmental permitting outcome.

Local river advisory committees are unique in the permitting process. They were created by state law, the Rivers Management and Protection Program (RSA 483) to provide municipalities with a local voice in state permitting. Their representatives are nominated by their cities, towns, and counties and appointed

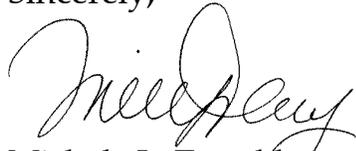
by the Commissioner of the NH Department of Environmental Services, underscoring their important place in local and state government. This is one of the two statutory purposes of the LACs. Removing this essential local knowledge and local voice from permitting processes results in outcomes that do not serve the resource or those municipalities that rely on them.

In the same vein, the UMLAC requests that ten-day notification for permits by notification be re-instated. This is important so that LACs can track projects and respond to calls from local government and concerned citizens. While ten days will most often not be sufficient to meet under RSA 91-A, it will provide an awareness, at least, and whenever possible, the ability to review the project at a regularly scheduled monthly meeting or to notice a special meeting.

We ask that the NH Department of Environmental Services remember and integrate fully in its programs this unique and important role with the Rivers Management and Protection Program and re-insert the LACs in the permitting advisory review processes.

Thank you for the opportunity to provide these comments. The UMLAC looks forward to hearing from you that its recommendations have been included in the draft.

Sincerely,



Michele L. Tremblay
Chair

CC: Commissioner Robert Scott, NH Department of Environmental Services
René Pelletier, Acting Director, Water Division, NHDES
Tracie Sales, Manager, Rivers Management and Protection Program,
NHDES
Jen Drociak, Watershed Coordinator, Rivers Management and Protection
Program, NHDES
Mariah Mitchell, Rivers and Lakes Programs Assistant, Rivers Management
and Protection Program, NHDES
All local river management advisory committees