

16 Jan 2019

Deering Conservation Commission  
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samuelspatty@gmail.com

Ms. Mary Ann Tilton,  
Assistant Administrator  
NH Department of Environmental Services  
Water Division, Wetlands Bureau  
29 Hazen Dr  
P.O. Box 95  
Concord, NH 03302  
MaryAnn.Tilton@des.nh.gov

Subject:  
RE: Proposed wetlands rule change:  
Deering Conservation Commission comments.

Dear Ms. Tilton:

The Deering Conservation Commission appreciates the opportunity to provide input into the proposed rules for wetlands currently being revised by the New Hampshire Department of Environmental Services. Here is a summary of our comments and concerns.

We understand that the new wetland rules are proposed to speed the process for issuing permits for development activities that may impact wetlands. We understand that, from the perspective of the applicant, a quicker process with perhaps less scrutiny is desirable.

However, in order to speed the permitting process, the new rules eliminate review by conservation commissions. Projects By Notification, which are now increased by 11 types, are no longer reviewed by conservation commissions. The proposed rules also eliminate abutter notification, and reduce NHDES staff review time by half.

It is especially worrisome to us that commercial access and developments of up to three lots no longer require conservation commission review, given the deleterious potential for pollution and destruction of wetlands that such projects may bring.

Several of the new project categories that will require only PBN under the proposed rules benefitted from the more compete Expedited Permit process under current rules, and these required conservation commission review. Under the proposed rules Expedited projects will have no input from conservation commissions, and again, time for NHDES staff to review projects is reduced.

We are in favor of early involvement in projects by conservation commissions, a provision of the new rules. However, the proposed rules do not provide a process for this. For example no provision for site

access is made, and how conservation commission members are to interact with the proposer of a project is not outlined.

In summary, we are concerned that local expertise and control will be severely curtailed under the proposed rules. Moreover, we suspect that reduced amount of time for review by NHDES staff under the new rules will lead to incomplete review and faulty rushed decisions. Faulty decisions involving our valuable wetlands will be irrevocable.

We believe the proposed weaken rather than strengthen protections for New Hampshire's valuable wetlands.

Respectfully submitted,  
Gary J. Samuels  
Chair, Deering NH Conservation Commission