

Concurrent Processing of Related Shoreland/Wetlands Permit Applications

Certain projects require both a Shoreland permit under the Shoreland Water Quality Protection Act (RSA 483-B) and a Wetlands permit under RSA 482-A as they are proposing impacts regulated under these two statutes. In some instances, the applications for these permits can be reviewed concurrently by the New Hampshire Department of Environmental Service (NHDES) Shoreland and Wetlands programs if requested by the applicant.

Concurrent Processing Benefits

Oftentimes, how an applicant accesses or designs a wetland application project can be affected by its associated shoreland project. The advantage to concurrent processing is that an applicant can receive application and design comments from NHDES at the same time, which can save the applicant time and money.

Project Eligibility

Pursuant to Wetlands Rule Env-Wt 313.05(d), the following projects are eligible for optional, concurrent processing:

- (1) Projects involving non-tidal water access structures¹, provided the applicant has attended a pre-application meeting with NHDES and NHDES has determined that:
 - The shoreline and bank were previously modified in such a way that defining the jurisdictional limit under the Wetlands program is difficult.
 - The project proposes significant temporary impacts solely to access areas that will be impacted by activities subject to Wetlands jurisdiction.
 - The project appears to comply with the applicable requirements of the Wetlands and Shoreland statutes and rules.
- (2) Projects located within an upland portion of the tidal buffer zone (Figure 1).

Please note that Shoreland and/or Wetlands Permits-by-Notification, as well as Wetlands registrations, are not eligible for concurrent processing.

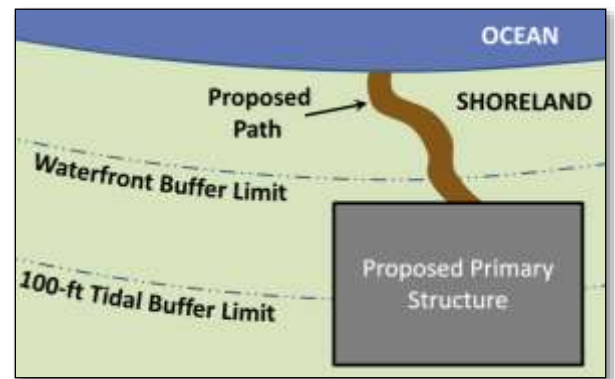


Figure 1 - Example of a project located within an upland portion of the tidal buffer zone and protected shoreland that would qualify for concurrent processing.

¹ Pursuant to Env-Wt 104.46, "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.

Requesting Concurrent Processing

Please note that pursuing concurrent processing is optional. To request concurrent processing, the applicant must file the individual permit applications for the project concurrently (i.e., at the same time), with a written request to the LRM Program to process the applications together. Concurrently filing the applications with a request to process the applications together constitutes:

- (1) A waiver by the applicant of the shorter time frame, if application processing timelines are different for each permit under the two statutes and their implementing rules.
- (2) An agreement by the applicant that any request for additional information by NHDES under either the Shoreland or Wetland, statutes/rules, or both, shall affect the review timeframe of both applications being processed together.

Please note that two **separate, complete** applications are required (one Shoreland application and one Wetland application). Each application must include a check for the fees for that application (i.e., **a total of two checks, one for each application, must be submitted**).

To request a pre-application meeting, please contact the Wetlands Bureau by phone at (603) 271-2147 or by email at shoreland@des.nh.gov.