



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 31, 2023

The Honorable Andrew Renzullo
Chairman, House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, New Hampshire 03301

RE: HB 592 an Act Relative to Buffers Around Wetlands

Dear Chairman Renzullo and Members of the Committee:

Thank you for the opportunity to testify on HB 592 which would limit the ability of municipalities to regulate certain projects occurring more than 50 feet from jurisdictional wetlands. NHDES takes no position on matters of municipal control of non-jurisdictional resources; however, NHDES does not support the inclusion of this language within RSA 482-A. Members of municipal governments and the regulated public are unlikely to expect legal language regulating local control over uplands in a statute that establishes state regulatory jurisdiction and processes related to wetlands impacts. Inclusion of this language in RSA 482-A will likely contribute to confusion and misunderstanding among those affected by it. NHDES requests that you consider amending this legislation to place its language in a more appropriate location, such as within Title XIV: Planning and Zoning.

Thank you again for the opportunity to comment on HB 592. If you have any questions or require further information, please contact Darlene Forst, Wetlands Bureau Administrator, (Darlene.C.Forst@des.nh.gov or (603) 271-4054) or Phil Trowbridge, Land Resources Management Programs Manager (Philip.R.Trowbridge@des.nh.gov (603) 271-4898).

Sincerely,

Robert R. Scott
Commissioner

ec: Sponsor of HB 592: Representative Horgan