HB 592-FN - AS INTRODUCED

2023 SESSION

23-0334
08/05

HOUSE BILL ***592-FN***

AN ACT relative to buffers around wetlands.

SPONSORS: Rep. Horgan, Straf. 1

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill exempts temporary impacts and small impervious surface impacts projects from local over lay districts and permits for construction, excavation, or filling near wetlands.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to buffers around wetlands.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Maximum Buffer; Small Surfaces. Amend RSA 482-A:3 by inserting after paragraph XX the following new paragraph:

XXI.(a) For projects with 3,000 square feet or less of permanent impervious impacts within 50 feet of a wetland, no additional local land use permits or overlay districts shall be required or apply to the project.

(1) No additional local land use permits or overlay districts shall be required or apply to a project with any permanent impacts beyond 50 feet from any wetland.

(2) No additional local land use permits or overlay districts shall be required or apply to a project with any temporary impacts any distance from a wetland.

(b) In this paragraph:

(1) "Permanent impervious impact" means an impact where vegetation is disbursed, soil is disturbed and a lasting structure, or impervious surface remains in contact with the land surface causing measurable changes to drainage.

(2) "Temporary impact" means cut and fill that are restored to preconstruction contours when construction activities are complete.

2 Effective Date. This act shall take effect upon its passage.

LBA
23-0334
1/10/23

HB 592-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to buffers around wetlands.

FISCAL IMPACT: [ ] State [ ] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
LOCAL:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Revenue	$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill exempts temporary impacts and small impervious surface impacts projects from local over lay districts and permits for construction, excavation, or filling near wetlands. The Department of Environmental Services states this bill would not affect the permit requirements or the fees required by the State for wetlands impacts. The bill also would not affect the permit requirements, nor the fees to which State agencies would be subject. Therefore, there would be no impact on state revenue or expenditures. The same is true for County revenues and expenditures. There is no way to predict the number of proposed projects that might occur in each individual municipality that would be exempted from local permitting requirements. There may be an impact on local revenues or expenditures however, there is no way to determine such impact.

It is assumed that any fiscal impact would occur after FY 2023.

AGENCIES CONTACTED:

Department of Environmental Services