

Amendment to SB 491

Amend the bill by replacing section 5 with the following:

5 Minimum Shoreland Protection Standards. Amend RSA 483-B:9, V(b)(2)(A) to read as follows:

(2)(A) ~~[On a given lot, at least 25 percent of the woodland buffer area located between 50 feet and 150 feet from the reference line shall be maintained as natural woodland. The vegetation, exclusive of lawn, within the natural woodland shall be maintained in an unaltered state or improved with additional vegetation. Owners of lots legally developed or landscaped prior to July 1, 2008 that do not comply with this standard are encouraged to, but shall not be required to, increase the percentage of the woodland buffer area to be maintained as natural woodland. The percentage of the woodland buffer area maintained as natural woodland on nonconforming lots shall not be decreased.]~~

(i) For lots one-half acre or less within the woodland buffer, at least 25 percent of the woodland buffer area located between 50 feet and 150 feet from the reference line shall be maintained as natural woodland in an unaltered state.

(ii) For lots with greater than one-half acre within the woodland buffer, 25 percent of one-half acre of the woodland buffer area located between 50 feet and 150 feet from the reference line, exclusive of impervious surfaces, shall be maintained as natural woodland in an unaltered state, with the remaining acreage maintained as 50 percent in an unaltered state. Owners of lots legally developed or landscaped prior to July 1, 2020 shall be required to maintain 25 percent of the woodland buffer in an unaltered state.

(iii) In addition, the commissioner of the department of natural and cultural resources may order vegetation on lands or properties owned by, leased to, or otherwise under the control of the department of natural and cultural resources within the protected shoreland to be cut when overgrowth of vegetation impairs law enforcement activities and endangers public safety. If such cutting will exceed that which is allowed under this subparagraph, the commissioner of the department of natural and cultural resources shall provide written notification to the department of environmental services identifying the areas to be cut and an explanation of the need for the cutting at least 2 weeks prior to the undertaking.

Amend the bill by replacing all after section 6 with the following:

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1 7 Permit Required; Exemption; Cross Reference Changed. Amend the introductory paragraph of
2 RSA 483-B:5-b, I(a) to read as follows:

3 (a) No person shall commence construction, excavation, or filling activities within the
4 protected shoreland without obtaining a permit from the department to ensure compliance with this
5 chapter. Projects which have no impact on water quality and which follow department rules shall
6 qualify for a permit by notification. The owner may proceed with the proposed project immediately
7 upon receipt of written notice from the department that a complete and accepted notification has
8 been received by the department. A notification shall be complete and accepted provided it meets or
9 exceeds all of the minimum standards under ~~[RSA 483-B:9]~~ **RSA 483-B**, includes a notification form
10 signed by the owner of property, the name and address of the property owner, the address of the site
11 on which the work will occur, the name of the jurisdictional waterbody, the tax map and lot number
12 on which the proposed work will occur, plans clearly and accurately depicting the work to be
13 completed relative to the reference line of the jurisdictional waterbody, photographs of the area to be
14 impacted, and identification of those project criteria listed below that would qualify the project for a
15 permit by notification. Such project criteria shall include:

16 8 New Paragraph; Permit Required; Exemption. Amend RSA 483-B:5-b by inserting after
17 paragraph III the following new paragraph:

18 III-a. Applications for projects solely funded by legally recognized non-profit organizations,
19 municipal, county, state, or federal entities shall be exempt from the permitting fees of paragraph I.

20 9 Effective Date. This act shall take effect 60 days after its passage.