

Section 1 Header

2026 SESSION

26-2457.0

04/09

HOUSE BILL *[bill number]*

AN ACT relative to the development of an online wetlands permit processing system.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill simplifies wetland permitting for small projects and gives the department of environmental services the authority to create an alternative adaptive permitting process for emergency or natural disaster response.

.....

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the development of an online wetlands permit processing system.

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

1 1 Water Management and Protection; Wetland Permitting Procedures. Amend RSA 482-A:11,
2 III to read as follows:

3 III.(a) Upon written notification to the department by a municipal conservation
4 commission[;] **or** a local river management advisory committee[; ~~or the New Hampshire Rivers~~
5 ~~Council~~] that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the
6 department shall not make its decision on the application that is the subject of the notice until it has
7 received and acknowledged receipt of a written report from such commission[;] **or** local river
8 management advisory committee[; ~~or the council~~], or until 40 days from the date of filing with the
9 municipal clerk of such notice, whichever occurs earlier. In connection with any local investigation,
10 a conservation commission may hold a public informational meeting or a public hearing, the record
11 of which shall be made a part of the record of the department. If a conservation commission[;] **or** a
12 local river management advisory committee[; ~~or the New Hampshire Rivers Council~~] makes a
13 recommendation to the department in its report, the department shall specifically consider such
14 recommendation and shall make written findings with respect to each issue raised in such report
15 which is contrary to the decision of the department. If notification by a local conservation
16 commission[;] **or** local river management advisory committee[; ~~or the New Hampshire Rivers~~
17 ~~Council~~] pursuant to this paragraph, is not received by the department within 14 days following the
18 date the notice is filed with the municipal clerk, the department shall not suspend its normal action,
19 but shall proceed as if no notification has been made.

20 (b) Relative to any [expedited] permit **by notification** under **rules adopted in**
21 **accordance with** paragraph [VI] **VI-a**, the provisions of subparagraph (a) shall be modified as
22 follows:

23 (1) The 40-day suspended action limit is reduced to 21 days; and

24 (2) The notification by a municipal conservation commission, **or local river**
25 **management advisory committee where applicable**, of intended investigation shall be assumed
26 unless the [application filed under RSA 482-A:3] **notification** was signed by the conservation
27 commission, or, if one has not been established in the municipality, by the local governing body, **or**
28 **local river management advisory committee where applicable**, in which case the provisions of
29 subparagraph (a) shall not apply.

30 2 Water Management and Protection; Emergency Response Wetland Permitting. Amend RSA
31 482-A:11, VI and VI-a to read as follows:

Section 3 Header

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1 VI. The commissioner shall adopt rules pursuant to RSA 541-A establishing ~~[an expedited~~
2 ~~application and permitting process for certain minimum impact projects. The provisions of RSA 482-~~
3 ~~A:3, I and paragraph III of this section shall apply.]~~ ***an alternative, adaptive permitting process***
4 ***to authorize activities required to respond to an emergency or natural disaster. Such rules***
5 ***may allow for the ability to conduct certain activities prior to receiving authorization as***
6 ***necessary to protect public safety and property.***

7 VI-a. The commissioner shall adopt rules pursuant to RSA 541-A establishing a permit by
8 notification process for certain ***minor projects determined to have*** minimum impact ~~[projects.~~
9 ~~The provisions of RSA 482-A:3, I(a) and (c) shall apply].~~

10 3 Effective Date. This act shall take effect 60 days after its passage.