

January 27, 2009

The Honorable Judith Spang, Chairman  
New Hampshire House of Representatives  
Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, NH 03301

**Re: HB 222 – relative to fill and dredge permits in wetlands.**

Dear Chairman Spang and Members of the Committee:

Thank you for the opportunity to comment on HB 222, requiring the Department of Environmental Services to consider direct and indirect impacts of project proposals on wetlands. The Division of Forests and Lands, Department of Resources and Economic Development opposes this bill.

The Division is concerned that the definition of “indirect impacts” contained in the bill is too vague and as a result would be subject to broad interpretation, making this legislation difficult to implement. In addition, the bill does not adequately define “reasonably foreseeable” or what constitutes “post construction uses and operations.”

We would encourage the committee to wait until the work of the “Commission to Study Issues Relating to Land Development and Land Development Regulation in New Hampshire” has been completed prior to considering changes to RSA 482-A:2.

Thank you for the opportunity to testify. If we can provide any additional information, please let us know.

Respectfully,

Brad W. Simpkins  
Interim Director

cc: George M. Bald, Commissioner, DRED