

Bill as
Introduced

SB 21 – AS AMENDED BY THE SENATE

02/16/11 0176s

2011 SESSION

11-0957
06/10

SENATE BILL **21**

AN ACT relative to exemptions from excavating and drainage permits.

SPONSORS: Sen. Odell, Dist 8; Sen. Morse, Dist 22

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill modifies the exemptions from excavating and drainage permits.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to exemptions from excavating and drainage permits.

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

1 1 Excavating and Dredging Permit; Exemptions. Amend RSA 482-A:3, IV(b) to read as follows:

2 (b) *Maintenance of existing* man-made nontidal drainage ditches, culverts, catch
3 basins, and ponds that have been legally constructed to collect or convey storm water and spring
4 run-off, fire ponds and intake areas of dry hydrants that have been legally constructed to provide
5 water for municipal firefighting purposes as approved by a local fire chief, and man-made water
6 conveyance systems that are used for the commercial or industrial purpose of collecting, conveying,
7 storing, and recycling water, may be cleaned out when necessary to preserve their usefulness
8 without a permit from the department. Such drainage facilities, fire ponds, intake areas of any
9 hydrants, or man-made water conveyance systems may be cleaned out by hand or machine; provided,
10 that the facility is neither enlarged nor extended into any area of wetlands jurisdiction of the
11 department of environmental services, dredged spoils are deposited in areas outside wetlands
12 jurisdiction of the department of environmental services, and wetlands or surface waters outside the
13 limits of the constructed drainage facility, fire pond, intake area of a dry hydrant, or man-made
14 water conveyance system are neither disturbed nor degraded.

15 (c) *Any modification to man-made roadside and railroad ditches, gullies, farm*
16 *ponds, fire ponds, detention basins, wetlands made specifically for stormwater treatment*
17 *or control, aggregate wash ponds, or sluice ways shall be exempt from a permit under RSA*
18 *482-A. No such modification shall be extended into any area of wetlands jurisdiction of the*
19 *department or to wetlands or surface waters outside of the limits of the constructed*
20 *drainage facility, roadside or railroad ditches, gullies, farm ponds, fire ponds, or man-*
21 *made water conveyance system.*

22 2 Effective Date. This act shall take effect 60 days after its passage.

SB 21 FISCAL NOTE

AN ACT relative to exemptions from excavating and drainage permits.

FISCAL IMPACT:

The Department of Environmental Services states this bill, as amended by the Senate (Amendment #2011-0176s), may increase state expenditures by an indeterminable amount in FY 2012 and each fiscal year thereafter. There will be no fiscal impact on county and local expenditures, or state, county, and local revenues.

METHODOLOGY:

This bill clarifies certain exemptions from excavating and drainage permits. The Department of Environmental Services states this bill exempts maintenance of existing man made non tidal drainage ditches, culverts, catch basins, and ponds legally constructed to collect or convey storm water and spring runoff, fire ponds and dry hydrant intake areas, and certain commercial water conveyance systems; and modification of man made roadside ditches, gullies, farm ponds, detention basins, wetlands made specifically for storm-water treatment or control, aggregate wash ponds, and sluice ponds from the permit requirements of RSA 482-A provided that certain criteria and conditions are met. The Department states existing routine roadway maintenance activities are currently processed by the Department without fees. The Department states this bill may reduce the number of routine roadway projects currently reviewed by the Department, but would be likely to increase the number of complaints regarding maintenance and modification of drainage facilities that would require investigation. The Department notes this bill may therefore result in more time spent by the Department investigating those claiming to have been exempt to prove whether the work was jurisdictional. The Department notes there may be an indeterminable increase in state expenditures resulting from the shifting of the burden of proof in complaints where a claim of non-jurisdiction is made.

Amendments

SB 21
1822h

Amendment to SB 21

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Excavating and Dredging Permit; Exemptions. Amend RSA 482-A:3, IV(b) to read as follows:

4 (b) Man-made nontidal drainage ditches, *roadside and railroad ditches*, culverts *up*
5 *to 48 inches in diameter*, ~~[eateh]~~ *detention* basins, ~~[and]~~ ponds, *and wetlands* that have been
6 legally constructed to collect, ~~[æ]~~ convey, *treat, or control* storm water and spring run-off, *legally*
7 *constructed ponds on active farms, erosional features caused by proximate human activity,*
8 fire ponds and intake areas of dry hydrants that have been legally constructed to provide water for
9 municipal firefighting purposes as approved by a local fire chief, and *aggregate wash ponds,*
10 *sluiceways, and other legally constructed* man-made water conveyance systems that are used for
11 the commercial or industrial purpose of collecting, conveying, storing, and recycling water, may be
12 ~~[cleaned out when]~~ *maintained, repaired, replaced, or modified as* necessary to preserve their
13 usefulness without a permit ~~[from the department. Such drainage facilities, fire ponds, intake areas~~
14 ~~of any hydrants, or man-made water conveyance systems may be cleaned out by hand or machine]~~
15 *under this chapter*; provided, that the *exempted facility, area, or feature* is ~~[neither enlarged~~
16 ~~nor]~~ *not* extended into any area of wetlands jurisdiction of the department of environmental
17 services, dredged spoils are deposited in areas outside wetlands jurisdiction of the department of
18 environmental services, ~~[and]~~ wetlands or surface waters outside the limits of the ~~[constructed~~
19 ~~drainage facility, fire pond, intake area of a dry hydrant, or man-made water conveyance system]~~
20 *exempted facility, area, or feature* are neither disturbed nor degraded, *best management*
21 *practices are followed, and the work does not infringe on the property rights or*
22 *unreasonably affect the value or enjoyment of property of abutting owners.*

23 2 Contingent Amendment; Municipalities; Permit by Notification. Amend RSA 482-A:3, XVI(a)
24 to read as follows:

25 XVI.(a) *In lieu of the provisions of RSA 482-A:3, IV(b),* any person or political
26 subdivision that repairs, replaces, or maintains *culverts or stream crossing* structures *associated*
27 *with public ways* in accordance with the best management practices for routine roadway
28 maintenance in New Hampshire published by the department of transportation, including culverts
29 up to 48 inches in diameter or the functional hydraulic equivalent, and files an appropriate notice
30 under subparagraph (b), shall satisfy the permitting requirements of this section for minimum
31 impact activities, as defined by rules adopted by the commissioner.
32 of this section for minimum impact activities, as defined by rules adopted by the commissioner.

Amendment to SB 21
- Page 2 -

1 3 Contingency. If HB 621-FN-LOCAL of the 2011 legislative session becomes law, then section
2 2 of this act shall take effect at 12:01 a.m. on the effective date of HB 621-FN-LOCAL. If HB 621-
3 FN-LOCAL of the 2011 legislative session does not become law, then section 2 of this act shall not
4 take effect.

5 4 Effective Date.

6 I. Section 2 of this act shall take effect as provided in section 3 of this act.

7 II. The remainder of this act shall take effect 60 days after its passage.

Amendment to SB 21
- Page 3 -

2011-1822h

AMENDED ANALYSIS

This bill modifies the exemptions from excavating and drainage permits.

Amendment to SB 21

“ Not Adopted ”

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Excavating and Dredging Permit; Exemptions. Amend RSA 482-A:3, IV(b) to read as follows:

4 (b) Man-made nontidal drainage ditches, *roadside and railroad ditches*, culverts *up*
5 *to 48 inches in diameter*, ~~[catch]~~ *detention* basins, ~~[and]~~ ponds, *and wetlands* that have been
6 legally constructed to collect, ~~[or]~~ convey, *treat, or control* storm water and spring run-off, *legally*
7 *constructed ponds on active farms, erosional features caused by proximate human activity,*
8 fire ponds and intake areas of dry hydrants that have been legally constructed to provide water for
9 municipal firefighting purposes as approved by a local fire chief, and *aggregate wash ponds,*
10 *sluiceways, and other legally constructed* man-made water conveyance systems that are used for
11 the commercial or industrial purpose of collecting, conveying, storing, and recycling water, may be
12 ~~[cleaned out when]~~ *maintained, repaired, replaced, or modified as* necessary to preserve their
13 usefulness without a permit ~~[from the department. Such drainage facilities, fire ponds, intake areas~~
14 ~~of any hydrants, or man-made water conveyance systems may be cleaned out by hand or machine]~~
15 *under this chapter*; provided, that the *exempted facility, area, or feature* is ~~[neither enlarged~~
16 ~~nor]~~ *not* extended into any area of wetlands jurisdiction of the department of environmental
17 services, dredged spoils are deposited in areas outside wetlands jurisdiction of the department of
18 environmental services, ~~[and]~~ wetlands or surface waters outside the limits of the ~~[constructed~~
19 ~~drainage facility, fire pond, intake area of a dry hydrant, or man-made water conveyance system]~~
20 *exempted facility, area, or feature* are neither disturbed nor degraded, *best management*
21 *practices are followed, and the work does not infringe on the property rights or*
22 *unreasonably affect the value or enjoyment of property of abutting owners.*

23 2 Contingent Amendment; Municipalities; Permit by Notification. Amend RSA 482-A:3, XVI(a)
24 to read as follows:

25 XVI.(a) *In lieu of the provisions of RSA 482-A:3, IV(b),* any person or political
26 subdivision that repairs, replaces, or maintains *culverts or stream crossing* structures *associated*
27 *with public ways* in accordance with the best management practices for routine roadway
28 maintenance in New Hampshire published by the department of transportation, including culverts
29 up to 48 inches in diameter or the functional hydraulic equivalent, and files an appropriate notice
30 under subparagraph (b), shall satisfy the permitting requirements of this section for minimum
31 impact activities, as defined by rules adopted by the commissioner.
32 of this section for minimum impact activities, as defined by rules adopted by the commissioner.



Amendment to SB 21
- Page 2 -

1 3 Contingency. If HB 621-FN-LOCAL of the 2011 legislative session becomes law, then section
2 2 of this act shall take effect at 12:01 a.m. on the effective date of HB 621-FN-LOCAL. If HB 621-
3 FN-LOCAL of the 2011 legislative session does not become law, then section 2 of this act shall not
4 take effect.

5 4 Effective Date.

6 I. Section 2 of this act shall take effect as provided in section 3 of this act.

7 II. The remainder of this act shall take effect 60 days after its passage.



Amendment to SB 21
- Page 3 -

2011-1822h

AMENDED ANALYSIS

This bill modifies the exemptions from excavating and drainage permits.

Amendment to SB 21

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Excavating and Dredging Permit; Exemptions. Amend RSA 482-A:3, IV(b) to read as follows:

4 (b) Man-made nontidal drainage ditches, *roadside and railroad ditches* [~~culverts~~],
5 [~~each~~] *detention* basins, [~~and~~] ponds, *and wetlands* that have been legally constructed to collect,
6 [~~or~~] convey, *treat, or control* storm water and spring run-off, *legally constructed ponds on*
7 *active farms, erosional features caused by proximate human activity*, fire ponds and intake
8 areas of dry hydrants that have been legally constructed to provide water for municipal firefighting
9 purposes as approved by a local fire chief, and *aggregate wash ponds, sluiceways, and other*
10 *legally constructed* man-made water conveyance systems that are used for the commercial or
11 industrial purpose of collecting, conveying, storing, and recycling water, may be [~~cleaned out when~~]
12 *maintained, repaired, replaced, or modified as* necessary to preserve their usefulness without a
13 permit [~~from the department. Such drainage facilities, fire ponds, intake areas of any hydrants, or~~
14 ~~man-made water conveyance systems may be cleaned out by hand or machine~~] *under this chapter*;
15 provided, that the *exempted facility, area, or feature* is [~~neither enlarged nor~~] *not* extended into
16 any area of wetlands jurisdiction of the department of environmental services, dredged spoils are
17 deposited in areas outside wetlands jurisdiction of the department of environmental services, [~~and~~]
18 wetlands or surface waters outside the limits of the [~~constructed drainage facility, fire pond, intake~~
19 ~~area of a dry hydrant, or man-made water conveyance system~~] *exempted facility, area, or feature*
20 are neither disturbed nor degraded, *the exempted facility, area, or feature was not constructed*
21 *as mitigation under a wetlands permit or as part of a settlement agreement, best*
22 *management practices are followed, and the work does not infringe on the property rights*
23 *or unreasonably affect the value or enjoyment of property of abutting owners.*

24 (c) *Legally constructed culverts may be cleaned as necessary to preserve their*
25 *usefulness without a permit under this chapter provided the conditions of subparagraph*
26 *(b) are met.*

27 2 Contingent Amendment; Excavating and Dredging Exemptions. Amend RSA 482-A:3, IV(c) to
28 read as follows:

29 (c) Legally constructed culverts may be cleaned as necessary to preserve their usefulness
30 without a permit under this chapter provided the conditions of subparagraph (b) are met, *however*
31 *any repair, replacement or modification of a culvert must be made in accordance with RSA*
32 *482-A:3, XVI.*

Amendment to SB 21

- Page 2 -

1 3 Contingent Amendment; Municipalities; Permit by Notification. Amend RSA 482-A:3, XVI(a)
2 to read as follows:

3 XVI.(a) Any person or political subdivision that repairs[,] *or* replaces[~~,-or-maintains~~]
4 *culverts or stream crossing* structures in accordance with the best management practices for
5 routine roadway maintenance in New Hampshire published by the department of transportation,
6 including culverts up to *and including* 48 inches in diameter or the functional hydraulic
7 equivalent, and files an appropriate notice under subparagraph (b), shall satisfy the permitting
8 requirements of this section for minimum impact activities, as defined by rules adopted by the
9 commissioner.

10 4 Contingency.

11 I. If HB 621-FN-LOCAL of the 2011 legislative session becomes law before the effective date
12 of section 1 of this act, section 2 shall take effect at 12:01 a.m. 60 days after passage of this act. If
13 HB 621-FN-LOCAL of the 2011 legislative session becomes law after the effective date of section 1 of
14 this act, section 2 shall take effect on the effective date of HB 621-FN-LOCAL. If HB 621-FN-
15 LOCAL of the 2011 legislative session does not become law, then section 2 of this act shall not take
16 effect.

17 II. If HB 621-FN-LOCAL of the 2011 legislative session becomes law, then section 3 of this
18 act shall take effect at 12:01 a.m. on the effective date of HB 621-FN-LOCAL. If HB 621-FN-LOCAL
19 of the 2011 legislative session does not become law, then section 3 of this act shall not take effect.

20 5 Effective Date.

21 I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

22 II. The remainder of this act shall take effect 60 days after its passage.

2011-1845h

AMENDED ANALYSIS

This bill modifies the exemptions from excavating and drainage permits.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON SB 21

BILL TITLE: (New Title) relative to exemptions from excavating and drainage permits.

DATE: April 5, 2011

LOB ROOM: 305 **Time Public Hearing Called to Order:** 2:30 p.m.

Time Adjourned:

(please circle if present)

Committee Members: Reps. Renzullo, Kappler, C. Christensen, Russell, Ahlgren, Morrow, Bolster, Howard, Hutchinson, Lovett, Pettengill, Schroadter, Spang, Parkhurst, Moody, Aguiar and Thomas.

Bill Sponsors: Sen. Odell, Dist 8; Sen. Morse, Dist 22

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Tom Cronin for Senator Odell - Prime sponsor of the bill. Introduced the bill. Passed unanimously in Senate.

* **Collis Adams, NH Department of Environmental Services (DES)** - Supports the bill. Refers to "man-made" wetlands that over time, take on wetland characteristics, but were never intended to be wetlands. This bill allows for maintenance of these facilities to maintain functions. This would also allow modifications in order to retain State Program General Permit (SPGP); we had to have wetlands definitions conform to EPA. Stormwater Management, fire suppression ponds, etc. should not jeopardize SPGP.

Gary Abbott, Associated General Contractors of New Hampshire - Supports the bill.

Ken Rhodes, AGC & CLD Consulting Engineers, Inc. - Supports the bill. Sees this as a clarification of what a wetland is when making a wetland was not the purpose. This will give designees and engineers more flexibility in planning.

Larry Sunderland, Audubon Society of New Hampshire - No position. Likes language that modification cannot move into wetlands.

Respectfully submitted,



Rep. D. L. Chris Christensen, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON SB 21

BILL TITLE: (New Title) relative to exemptions from excavating and drainage permits.

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Bill Sponsors: Sen. Odell, Dist 8; Sen. Morse, Dist 22

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

7/5/11

pg 1 of 2

SB21 - Exemption to
excavating & drainage permits

1) Sen. Odell (Tom Cronin) Intro-
passed unanimously in Senate.

* 2) Colis Adams - DES SUPPORT
Refers to "man-made" wetlands.
that over time, take on wetland
characteristics, but were never intended
to be wetlands.

This bill allows for maintenance
of these facilities to maintain functions
this would also allow modifications.

In order to retain State Program
General Permit, we need to have
wetlands conform to EPA. ~~st.~~

4/5/11

Colin Adams. cont.

pg 2 of 2

Storm water management, fire suppression ponds etc. should not jeopardize SPGP.

- 3) Larry Abbott - Assoc. of Gen Contractors.
3+ Ken Rhodes. Environmental Engineer. } supports

Sees this as a clarification of what a wetland is when making a wetland was not the purpose

This will give designers & engineers ~~for~~ more flexibility in planning.

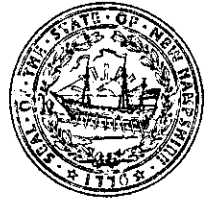
- 4) Larry Sunderland - Audubon Society No position

likes language that modifications cannot move into wetlands.

Testimony



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 5, 2011

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

RE: SB 21 relative to exemptions from excavating and dredging permits

Dear Chairman Renzullo:

Thank you for the opportunity to comment on SB 21, which would clarify those activities within jurisdictional wetlands that would be exempt from a permit under RSA 482-A. The Department of Environmental Services (DES) supports the bill as amended in the Senate.

The amended bill leaves the existing state definition of wetlands intact and consistent with the federal definition. By doing so, the US Army Corps of Engineers (ACOE) State Programmatic General Permit (SPGP) that is issued to the State of New Hampshire every 5 years would not be affected.

Under the SPGP, projects that propose wetlands impacts may receive federal approval through an expedited review process that essentially involves a concurrent review by DES for state and federal requirements, with subsequent audit by the ACOE. Without the SPGP, applicants would be required to apply separately for both state and federal permits to two separate agencies, DES and the ACOE, for all projects located in federal jurisdiction. Based on the experience of New Hampshire and other states that do not have a SPGP, this would likely cause a delay of many months in the issuance of wetlands permit decisions. Such delays would have detrimental effects not only on applicants but also on the New Hampshire economy as a whole.

Thank you for the opportunity to comment on this legislation. If you have any questions or need additional information, please do not hesitate to call Collis Adams at 271-4054 or me at 271-2958.

Sincerely,

Thomas S. Burack
Commissioner

cc: Senator Odell
Senator Morse

Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on SB 21

BILL TITLE: (New Title) relative to exemptions from excavating and drainage permits.

DATE: May 10, 2011

LOB ROOM: 305

Amendments:

Sponsor: Rep. Resources, Recreation & Dev. OLS Document #: 2011 1845h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Spang

Seconded by Rep. Parkhurst

Vote: 13-0 (Please attach record of roll call vote.)

Motions: OTR, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Spang

Seconded by Rep. Parkhurst

Vote: 13-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 13-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Chris Christensen, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on SB 21

BILL TITLE: (New Title) relative to exemptions from excavating and drainage permits.

DATE: May 10 2011

LOB ROOM: 305

Amendments:

Sponsor: Rep.

Renzullo

OLS Document #:

1822h

Sponsor: Rep.

OLS Document #:

(1845h)

Sponsor: Rep.

OLS Document #:

Motions:

OTP, OTP/A, ITL, Interim Study (Please circle one.)

Amendment 1822h

Moved by Rep.

Spang
Parkhurst

13-0

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

Motions:

OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Spang
Parkhurst

13-0

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

13-0

Respectfully submitted,

Rep. Chris Christensen, Clerk

11:00 Recessed
12:10 - Re-schedule

Voice vote: modified
Amend be reviewed & approved by
Chair, Vice Chair + ranking members

OFFICE OF THE HOUSE CLERK
 RESOURCES, RECREATION and DEVELOPMENT

Bill# SB21 Title Exemptions from
Excavation + Drainage Permits

PH Date 4/5/11 Exec Date 5/10/11

Motion OT/A Amendment# 2011-1822

Member	Yea	Nay
RENZULLO, Chair	✓	
KAPPLER Vice-Chair	✓	
CHRISTENSEN	✓	
RUSSELL	✓	
AHLGREN	Absent	
MERROW	✓	
BOLSTER	✓	
HOWARD	Absent	
HUTCHINSON	✓	
LOVETT	✓	
PETTENGILL	✓	
SCHROADTER	Absent	
SPANG	✓	
PARKHURST	✓	
MOODY	✓	
AGUIAR	Absent	
THOMAS	✓	

TOTAL 13 0

OFFICE OF THE HOUSE CLERK
 RESOURCES, RECREATION and DEVELOPMENT.

Bill# SB 21 Title Exemption from
Excavation + Driveway Permits

PH Date 4/5/11 Exec Date 5/10/11

Motion OTR/A Amendment # 2011-1822 as
modified.

Member	Yea	mod. filed
RENZULLO, Chair	✓	NOY
KAPPLER Vice-Chair	✓	
CHRISTENSEN	✓	
RUSSELL	✓	
AHLGREN	Absent	
MERROW	✓	
BOLSTER	✓	
HOWARD	Absent	
HUTCHINSON	✓	
LOVETT	✓	
PETTENGILL	✓	
SCHROADTER	Absent	
SPANG	✓	
PARKHURST	✓	
MOODY	✓	
AGUIAR	Absent	
THOMAS	✓	

TOTAL 13 Ø

Committee Report

CONSENT CALENDAR

May 12, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on RESOURCES, RECREATION AND DEVELOPMENT to which was referred SB21,

AN ACT (New Title) relative to exemptions from excavating and drainage permits. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Judith T Spang

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	RESOURCES, RECREATION AND DEVELOPMENT
Bill Number:	SB21
Title:	(New Title) relative to exemptions from excavating and drainage permits.
Date:	May 12, 2011
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill exempts from permitting the maintenance work on water-related manmade structures such as detention basins, culverts, farm ponds and roadside ditches. It also allows such facilities to be modified or replaced as long as adjoining wetlands are not affected and best management practices are used. The amendment resolves a conflict with a bill now in the Senate, and condenses the bill.

Vote 13-0.

Rep. Judith T Spang
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

RESOURCES, RECREATION AND DEVELOPMENT

SB21, (New Title) relative to exemptions from excavating and drainage permits. OUGHT TO PASS WITH AMENDMENT.

Rep. Judith T Spang for RESOURCES, RECREATION AND DEVELOPMENT. This bill exempts from permitting the maintenance work on water-related manmade structures such as detention basins, culverts, farm ponds and roadside ditches. It also allows such facilities to be modified or replaced as long as adjoining wetlands are not affected and best management practices are used. The amendment resolves a conflict with a bill now in the Senate, and condenses the bill. **Vote 13-0.**

Original: House Clerk

Cc: Committee Bill File

SB 21

OTP/A

This bill exempts from permitting the maintenance work on water-related manmade structures such as detention basins, culverts, farm ponds and roadside ditches. It also allows such facilities to be modified or replaced as long as adjoining wetlands are not affected and best management practices are used. The amendment resolves a conflict with a bill now in the Senate, and condenses the bill.

Judith Spang

A handwritten signature in cursive script, appearing to read "Andy Reynolds". The signature is written in dark ink and is positioned in the lower right quadrant of the page.

1
OTP/A 13-0 SB 21

This bill exempts from permitting the maintenance work on ^{work to maintain} water-related ~~This bill de-regulates the maintenance of~~ related manmade structures such as detention basins, culverts, farm ponds and roadside ditches. It also allows such ~~water~~ facilities to be modified or ~~removed~~, replaced as long as adjoining wetlands are not affected and best management practices are used.

The amendment resolves a conflict with a bill now in the Senate, and condenses the bill.

Judith Spang

Andy R.