

Amendment to SB 30

1 Amend the bill by replacing sections 8 and 9 with the following:

2
3 8 Woodland Buffer. Amend the introductory paragraph of RSA 483-B:9, V(b) and RSA 483-B:9,
4 V(b)(1) to read as follows:

5 (b) Maintenance of [~~a Natural~~] ***Vegetation within the*** Woodland Buffer.

6 (1) [~~A natural~~] ***The*** woodland buffer shall be [~~maintained~~] ***those protected***
7 ***shorelands*** within 150 feet of the reference line. [~~The first 50 feet of this buffer is designated the~~
8 ~~waterfront buffer and is subject to the additional requirements of subparagraph (a).]~~ The purpose
9 of the [~~natural~~] woodland buffer shall be to protect the quality of public waters by minimizing
10 erosion, preventing siltation and turbidity, stabilizing soils, preventing excess nutrient and
11 chemical pollution, maintaining natural water temperatures, maintaining a healthy tree canopy
12 and understory, preserving fish and wildlife habitat, and respecting the overall natural condition of
13 the protected shoreland. ***The first 50 feet of this buffer is designated the waterfront buffer***
14 ***and is subject to the additional requirements of subparagraph (a).***

15 9 Woodland Buffer. Amend RSA 483-B:9, V(b)(2)(A)-(C) to read as follows:

16 (2)(A) [~~Within the natural~~] ***On a given lot, at least 25 percent of the*** woodland
17 buffer [~~of a given lot the vegetation, except lawn, within at least 25 percent of the area outside the~~
18 ~~waterfront buffer]~~ ***area located between 50 feet and 150 feet from the reference line shall be***
19 ***maintained as natural woodland. The vegetation, exclusive of lawn, within the natural***
20 ***woodland*** shall be maintained in an unaltered state or improved with additional vegetation.
21 Owners of lots legally developed or landscaped prior to July 1, 2008 that do not comply with this
22 standard are encouraged to, but shall not be required to, increase the percentage of ***the woodland***
23 ***buffer*** area to be maintained [~~in an unaltered state~~] ***as natural woodland***. The percentage of ***the***
24 ***woodland buffer*** area maintained [~~in an unaltered state~~] ***as natural woodland*** on
25 nonconforming lots shall not be decreased. In addition, the commissioner of the department of
26 resources and economic development may order vegetation on lands or properties owned by, leased
27 to, or otherwise under the control of the department of resources and economic development within
28 the protected shoreland to be cut when overgrowth of vegetation impairs law enforcement activities
29 and endangers public safety. If such cutting will exceed that which is allowed under this
30 subparagraph, the commissioner of the department of resources and economic development shall
31 provide written notification to the department of environmental services identifying the areas to be
32 cut and an explanation of the need for the cutting at least 2 weeks prior to the undertaking.

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1 (B) Any person applying to the department for a septic system construction
2 approval or alteration of terrain permit pursuant to RSA 485-A, or an excavating and dredging
3 permit pursuant to RSA 482-A, within the protected shoreland shall include photographic
4 documentation of any areas of the [~~natural~~] woodland buffer in which impacts would occur.

5 (C) Dead, diseased, or unsafe, trees, limbs, saplings, or shrubs that pose a
6 hazard to structures or have the potential to cause personal injury may be removed regardless of
7 any requirements that pertain to ***the maintenance of vegetation within*** the [~~natural~~] woodland
8 buffer under this chapter. Such exemptions shall not be used to contravene the intent of the law.