

Notice Number 2023-122

Rule Number Env-Wr 900

<p>1. Agency Name &amp; Address:</p> <p><b>Department of Environmental Services 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095</b></p>	<p>2. RSA Authority: <u>RSA 271:20, II</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Official List of Public Waters**

6. (a) Summary of what the rule says and of any proposed amendments:

**The existing rules establish the procedures for the publication and maintenance of the official list of public waters (OLPW) as required by RSA 271:20. The existing rules are scheduled to expire September 24, 2023 but are subject to extension for the duration of this readoption proceeding pursuant to RSA 541-A:14-a, I.**

**The proposed rules include the following proposed amendments:**

- **Insert a hyperlink to the OLPW on the Dam Bureau’s website;**
- **Update and/or remove titles of state agencies that have changed during the past 10 years;**
- **Include all statutes in Appendix C that are referenced in Env-Wr 903.01; and**
- **Revise the timeframe for the Department to issue its final determination.**

6. (b) Brief description of the groups affected:

**The rules are procedural, and no groups will be affected by the proposed amendments.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule Section(s)	State Statute(s) Implemented
Env-Wr 900	RSA 271:20, II

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	<b>Charlie Krautmann</b>	Title:	<b>Dam Safety Engineer</b>
Address:	<b>Department of Environmental Services Water Division 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095</b>	Phone #:	<b>(603) 271-8871</b>
		Fax#:	<b>(603) 271-6588</b>
		E-mail:	<b><a href="mailto:Charles.S.Krautmann@des.nh.gov">Charles.S.Krautmann@des.nh.gov</a></b>
		TTY/TDD Access:	Relay NH 1-800-735-2964 or dial 711 (in NH)

The rules also can be viewed in PDF in the Public Comment Opportunities section of the NHDES website at <https://www.des.nh.gov/public-comment-opportunities> and selecting “Rulemaking”

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 p.m. on Friday, June 23, 2023**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Friday, June 16, 2023 at 9:30 a.m.**

**Room 208C, DES Offices, 29 Hazen Drive, Concord, NH 03302**

**NOTE: NHDES security procedures require all visitors to sign in and present photo identification (such as a driver's license). If you plan to attend the public hearing in person, please bring photo identification with you.**

Place:

**You also may attend the hearing via Microsoft Teams, which can be accessed through the following link:**

**[Env-Wr 900 Public Hearing](#)**

**Meeting number (access code): 297 132 321 330**

**Meeting password: MPQaYh**

**You also may join the meeting by phone:**

**Call in Number: +1-603-931-4944**

**Access Code: 909 827 876#**

**Contact Jim Weber at (603) 848-8466 or [James.R.Weber@des.nh.gov](mailto:James.R.Weber@des.nh.gov) if you have any questions or technical issues connecting to the hearing.**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 23:115 , dated 05/09/2023 :

**1. Comparison of the costs of the proposed rule(s) to the existing rule(s)**

There is no difference in cost when comparing the proposed rules to the existing rules.

**2. Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

**3. Cost and benefits of the proposed rule(s):**

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

None.

**C. To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution

**There are no costs attributable to the rules. The rules thus do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision, and so do not violate Part I, Article 28-a of the N.H. Constitution.**