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Program Administrator

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Program Assistant

# NH Rivers Management Advisory Committee

NH Rivers Management and Protection Program



May 7, 2024

The Honorable Kevin Avard, Chair  
Senate Energy and Natural Resources Committee  
Statehouse, Room 103  
Concord, NH 03301

**RE: HB 1121** *An act relative to creating certain wetlands permit exemptions after a natural disaster or flooding event.*

Dear Chair Avard and Members of the Committee,

The Rivers Management Advisory Committee (RMAC) is writing to **comment on House Bill 1121**, which would allow homeowners to move debris in waterways after a natural disaster or flood.

The RMAC supports the intent of this bill because

- Homeowners should have the ability to protect their property from damage and to do minor clean up to reduce the effects of a natural disaster;
- Flooding is becoming more common and more severe; and
- A permit would continue to be required for larger modifications that excavate, move, fill or otherwise disturb sediment in the stream, including work with heavy equipment or work that causes permanent impacts to the stream bed or bank.

The RMAC opposed the bill as originally introduced and continues to urge caution because

- Improperly conducted work can worsen future floods and lead to substantial unintended consequences for property owners downstream and across stream from where the work is done;
- Woody material (not debris) is essential for healthy brook and river systems;
- Rivers are dynamic and complicated systems so undertaking this work without expertise can be dangerous to the landowners conducting it as well as to those downstream, across the river, and upstream, resulting in property damage;
- Before-and-after photographic documentation would be helpful for everyone affected; and
- There are already mechanisms in place for homeowners to remove trash and material from the stream, so it is unclear if the bill is needed.

With these cautions in mind, the RMAC feels that avoiding disturbance, including temporary disturbance, to the stream bed and banks is critical to avoiding unintended consequences to other property owners and aquatic habitat.

The Honorable Kevin Avard  
Chair, Senate Energy and Natural Resources Committee  
HB 1121 May 7, 2024  
Page 2

The RMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is composed of members from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests.

Should you have any questions regarding our comments on HB 1121, feel free to contact me at (603) 536-4315 or [lbs@plymouth.edu](mailto:lbs@plymouth.edu).

Sincerely,



Larry Spencer, RMAC Policy and Legislation Subcommittee Chair

cc: Senators Ward, Avard, and Watters  
Representative Aron  
RMAC Representatives  
Robert R. Scott, Commissioner, NHDES