

January 10, 2007

RE: Changes to the NH Natural Heritage Bureau Environmental Review Process

Dear Sir or Madam:

The New Hampshire Natural Heritage Bureau (NHB) maintains and distributes information on the state's rare plants, rare wildlife, and exemplary natural communities. In accordance with the Native Plant Protection Act of 1987 (RSA 217-A), the Endangered Species Conservation Act of 1979 (RSA 212-A) and the Nongame Species Management Act (RSA 212-B), this database is used to inform federal, state, and local agencies of possible project impacts to these natural resources. As of March 1, 2006 in accordance with recent amendments to the NH Native Plant Protection Act (RSA 217-A), NHB was given the authority to begin charging a \$25 fee for database reviews.

In partnership with the NHB and the NH Fish & Game Department (F&G), the Department of Environmental Services (DES) has been developing a web tool to improve the NHB database review process. We are pleased to announce that the NHB *DataCheck Tool* has been created to allow applicants to check the NHB database to determine whether rare species or exemplary natural communities are known to occur in the vicinity of a proposed project. A major use of NHB database checks is to meet requirements related to state permit applications (e.g. wetlands permits or stormwater discharge permits) and town ordinances.

As of April 1, 2007, each DES wetlands dredge and fill application and notification must be accompanied by documentation, issued by the NHB, pertaining to rare species or exemplary natural communities in the vicinity of the proposed project. This documentation is required and will ensure that an applicant is submitting the proper application form and supporting documentation.

Depending on the presence or absence of rare species or exemplary natural communities, one of two things will happen:

- 1.) If NHB records do not indicate the presence of any rare species or exemplary natural communities in the vicinity of the proposed project, then users of the *DataCheck Tool* can immediately get an official letter to that effect, at no charge; **or**,
- 2.) If NHB records indicate that there are known occurrences of rare species or exemplary natural communities in the vicinity of the proposed project, then the NHB staff will assess the potential impacts of the project, and users can request this assessment using the *DataCheck Tool*. The results of the assessment will be sent to the user in the form of an official letter, which can then be attached to a permit application prior to submittal of the application to DES. **In this case, NHB will assess a \$25 fee that must be paid prior to issuance of the report. Users will be able to make this payment on-line.**

Beginning on Tuesday, January 16, 2007, the **DataCheck Tool** will be available on-line through the DES OneStop web site (<http://www2.des.state.nh.us/OneStop/>). Persons preparing permit applications are encouraged to use this online tool to 1) create an electronic map and record of the areas intended for disturbance, 2) determine whether a NHB database review is needed, and 3) either print out a NHB letter of no known impacts, or, when potential impacts are identified, request a database review and letter of results from the NHB.

Once the review is complete, the response from NHB **must be** incorporated into the wetlands application package prior to submission. **Applications that do not contain this documentation will be deemed administratively incomplete and DES will not begin a review of the application.** Melissa Coppola (603 271-3623) at the Heritage Bureau is the contact person should you have any questions regarding this program.

Once the **DataCheck Tool** is operational, I would encourage everyone to take advantage of this important program improvement. For those unable to use the **DataCheck Tool**, you may check the NHB data base by contacting them directly at 603-271-3623 or via their website, <http://www.dred.state.nh.us/divisions/forestandlands/bureaus/naturalheritage/index.htm>.

Sincerely,

Collis G. Adams, CWS, CPESC
Wetlands Bureau Administrator

cc: Conservation Commissions