

CHAPTER 162  
HB 233 – FINAL VERSION

05/21/2015 1734s

2015 SESSION

15-0068  
03/01

HOUSE BILL           **233**

AN ACT               relative to local approval of mining activity.

SPONSORS:         Rep. Hunt, Ches 11; Rep. Sterling, Ches 14; Sen. Sanborn, Dist 9

COMMITTEE:       Municipal and County Government

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ANALYSIS

This bill clarifies the scope of local approval requirements for mining activity. This bill also modifies requirements for pre-application meetings.

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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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT relative to local approval of mining activity.

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

1 162:1 Duties of Commissioner. Amend RSA 12-E:2, I to read as follows:

2 I. ***Coordinate***, schedule, and [~~coordinate~~] ***facilitate*** a pre-application meeting upon the  
3 receipt of a request from a potential permit applicant. ***The pre-application process shall be open***  
4 ***to public input upon request of the applicant.***

5 162:2 Mining Permit; Local Approval. Amend RSA 12-E:4, IV to read as follows:

6 IV. Nothing in this chapter shall affect any obligation of the applicant to obtain local  
7 approvals required under all applicable, lawful local ordinances not inconsistent with this chapter,  
8 whether before or after the issuance of a permit or when a permit is being amended. ***A local***  
9 ***ordinance shall not be inconsistent with this chapter unless it attempts to impose a less***  
10 ***stringent standard or requirement than those established in this chapter. The applicant***  
11 ***shall comply with local zoning ordinances and shall be required to obtain site plan***  
12 ***approval under RSA 674:43 if the municipality has given the planning board site plan***  
13 ***review authority. This chapter shall not prohibit lawful local ordinances requiring***  
14 ***approval of mining that is not subject to this chapter pursuant to RSA 12-E:1, IX(a).***

15 162:3 Mining Permit; Application. Amend RSA 12-E:4, VI(h) to read as follows:

16 (h) Once obtained, a copy of all local, state, and federal permits and approvals required  
17 under applicable environmental, ***zoning***, or public health laws for the proposed mining operations.

18 162:4 Effective Date. This act shall take effect 60 days after its passage.

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20 Approved: June 26, 2015

21 Effective Date: August 25, 2015