



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 13, 2009

The Honorable Judith T. Spang, Chairman
Resources, Recreation, and Development
Legislative Office Building - Room 305
Concord, NH 03301

Re: HB 58, designating segments of the Cocheco River as protected under the rivers management and protection program.

Dear Chairman Spang:

Thank you for the opportunity to comment on HB 58, which would designate the Cocheco River as a protected river pursuant to the Rivers Management and Protection Program (RMPP) from the outlet of March's Pond in New Durham to the head of tide at Central Avenue Dam in Dover. The Department of Environmental Services (DES) supports this legislation.

The proposed designation of the Cocheco River as a protected river under the RMPP is consistent with the conclusions from our review of the Cocheco River nomination in 2008. Our conclusions were summarized in my letter to you dated September 30, 2008 (copy attached) in which I stated that "*designation of the Cocheco River would be consistent with the purposes of RSA 483, and I am strongly recommending its inclusion in the RMPP.*" In developing this recommendation, DES considered the nomination package submitted by the Cocheco River Watershed Coalition, public comment, and the recommendation for RMPP designation by the Rivers Management Advisory Committee (RMAC), as submitted to me by letter dated September 12, 2008 (copy attached), from Dr. Kenneth Kimball, RMAC Chair. Our detailed evaluation is presented in detail in the attached report, The Cocheco River: A Report to the General Court, dated January 2009.

While we support this designation, please note that DES has concerns about our long term ability to effectively implement RSA 483 as new designated rivers are added to the program, thus increasing demands for DES staff time, without providing additional resources to DES. For example, our ability to support each of the Local Advisory Committees will continue to diminish proportionately as new designated rivers are added to the program.

Thank you for the opportunity to comment on this important legislation. If you have any questions or need additional information, please contact Steve Couture, Rivers Coordinator, or me at 271-2958.

Sincerely,

Thomas S. Burack
Commissioner

Enclosures

TSB/smc

cc: Senator Jacalyn Cilley

Representative L. Mike Kappler

Representative Sandra Keans

Representative Peter Schmidt

Lorie Chase, Cocheco River Watershed Coalition (via electronic mail)

RMAC Members (via electronic mail)

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