The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner

April 22, 2010

The Honorable Martha Fuller Clark, Chairman
Senate Energy, Environment and Economic Development Committee
LOB, Room 102
Concord, New Hampshire 03301

RE: HB 1322 establishing the legislative committee on the maintenance of state-owned dams

Dear Chairman Fuller Clark:

Thank you for the opportunity to testify in support of HB 1322, which would establish a legislative committee on the maintenance of state-owned dams to review, at least annually, the fiscal condition of the State Dam Maintenance Fund and other funds for the operation, maintenance, repair and reconstruction of the dams owned by the State of New Hampshire.

The State of New Hampshire owns a total of 274 dams. Many of these dams impound the most important recreational lakes in the state. Of these, 48 are High Hazard Dams, the failure of which would cause loss of life downstream, and 38 are Significant Hazard Dams, the failure of which would cause significant property damage downstream. Even the loss of any of the Low Hazard Dams that the state owns could cause significant economic losses to the state due to the loss of recreational opportunities and the devaluation of waterfront property associated with the dam.

Many of these dams were constructed in the mid 1800's to provide waterpower to fuel the industrialization of New Hampshire and Massachusetts, and most of the dams that the state owns are well over 100 years old. Because of their age, they require continued attention to maintain them in a safe condition. Given the number of dams the state owns and the normal design life of these structures, the state must perform major repairs or reconstruction on an average of five dams per year. The large number of dams the state owns also puts a large operations burden on the state. The outlets of each of these dams must be constantly managed so as not to cause flooding in the lakes and downstream, and to ensure that the recreation and other public benefits provided by the lakes are maintained.

The costs for the operation, maintenance, repair and reconstruction of these dams are funded from the State Dam Maintenance Fund, along with trust funds established for the maintenance of certain specific state-owned dams. One of the greatest challenges the Department of Environmental Services is currently facing regarding the maintenance of state-owned dams is the imminent shortfall in the State Dam Maintenance Fund. Over the past year, the Department has worked closely with a subcommittee of the Ways and Means Committee on this problem. As part of that work, the subcommittee identified the need for this new legislative committee, which would be established under HB 1322. The proposed committee, with representatives from the standing committees of the Legislature with oversight of spending and revenue, state-owned infrastructure and natural resources, would provide important

perspectives as we work together to identify sources of funding for the operation, maintenance and repair of state-owned dams.

The Department supports the efforts of the Legislature, as exemplified by HB 1322, to continue to explore alternatives to address the shortfall in the Dam Maintenance Fund and to ensure that the state's dams continue to be operated and maintained so that they do not pose a threat to life and property downstream and continue to provide economic and recreation benefits to the state.

Thank you for the opportunity to comment on this bill. Please call either me at 271-2958 or Jim Gallagher at 271-1961, if you have any questions or need additional information.

Very truly yours,

Michael Weeks, Asst. Comm.
for Thomas S. Burack
Commissioner

cc: Representative William Hatch
Representative Susan Almy
Representative Ronald Mack