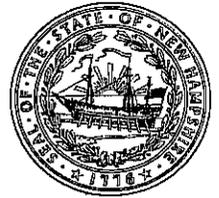




The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner  
February 9, 2010

The Honorable Judith T. Spang, Chair  
House Resources, Recreation and Development  
Legislative Office Building, Room 305  
Concord, New Hampshire 03301

**Re: HB 1450, relative to the designation of a portion of the Cocheco River as a protected river**

Dear Chairman Spang:

Thank you for the opportunity to comment on HB 1450, which would correct errors in the delineation of the designated Cocheco River. DES supports this bill with a minor amendment.

The Cocheco River was designated into the Rivers Management and Protection Program on July 21, 2009 with the enactment of House Bill 58 into law. The intent of the nomination was to designate the Cocheco River from its headwaters south of March's Pond in New Durham to the head of tide at the Central Avenue Dam in Dover. RSA 483:15, XVI(a) currently includes Hayes Brook, which is located *at the outlet* of March's Pond. This was not the intent of the original nomination, as the original language only included the Cocheco River headwaters *south* of March's Pond. HB 1450 proposes this correction.

Upon recent review of the other designated segments, DES has noted that, in RSA 483:15, XVI(b)&(c), there is a gap of coverage from the Cocheco Road Bridge north of Route 11 in Farmington to 0.7 miles south of the bridge. Accordingly, DES also recommends a second minor amendment to RSA 483:15, XVI(c) to read "As a rural-community river from *0.7 miles* south of the Cocheco Road Bridge north of Route 11 in Farmington to Little Falls Bridge crossing in Rochester." This minor correction would also serve to align the formal river designation in statute with the original Cocheco River nomination into the designated river program.

Thank you for this opportunity to comment on this bill. Please feel free to call me at 271-2958, or Laura Weit at 271-8811, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack  
Commissioner

cc: Representatives Kappler, Schmidt and Keans