



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 22, 2010

The Honorable Martha Fuller Clark, Chair
Senate Energy, Environment and Economic Development Committee
Legislative Office Building, Room 102
Concord, New Hampshire 03301

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

Dear Chairman Fuller Clark:

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 as amended by the House.

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.

In addition, 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, RSA 483:15, XVI(c) should 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 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-Marcum at 271-8811, if you have any questions or need additional information.

Very truly yours,


for Thomas S. Burack
Commissioner

cc: Representatives Kappler, Schmidt and Keans