



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 10, 2015

The Honorable Chris Christensen, Chair
Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 667-FN, *An act relative to invasive aquatic species and authorizing a program to inspect boats for the presence of aquatic invasive species.*

Dear Chairman Christensen and Members of the Committee:

Thank you for the opportunity to comment on HB 667. This bill adds a number of definitions to existing statutes, changes established terminology, expands the duties and responsibilities of the Department relative to exotic aquatic species, and mandates the development of a new inspection program for boats and other related equipment. The Department of Environmental Services (DES) opposes this bill.

This bill proposes a change in the established terminology on which the Exotic Species Program is based, exchanging the term "exotic aquatic weed" for "aquatic invasive plant." The term "exotic" implies a non-native species that is not part of New Hampshire's native flora, which are the species that tend to be problematic in New Hampshire. We do not believe a chapter-wide change in terminology is needed at this time, as there have been no conflicts or confusion to date with the language that is currently in statute. Further, this legislative change would necessitate a similar change to terminology in administrative rules which were recently re-adopted in fall 2014, not to mention changes to a number of DES publications that use the term "exotic aquatic weed."

The bill also charges DES with taking responsibility for events, such as fishing tournaments and other boating events, that are permitted through other agencies such as Fish and Game and the Department of Safety, respectively. DES currently has no permitting or regulatory authority or involvement in either type of event, and changing that status would add significant unfunded responsibilities to DES. There are existing statutes which prohibit the transportation and introduction of state-listed exotic species. While it may be possible to strengthen both of these laws and other education approaches to invasive species prevention, this proposal shifts the onus of enforcement onto DES which has neither the authority nor the resources to implement.

Finally, this bill significantly amends several portions of RSA 487: 15-25, such that new activities and programs would need to be developed and implemented, beyond those activities already carried out by the DES Exotic Species Program. These additional responsibilities and duties would expand the scope of the Exotic Species Program beyond the current staffing resources.

While DES lauds the goal of reduced exotic aquatic weed introductions, for the reasons above, we cannot support this particular legislative approach.

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Thank you for your consideration in this matter. If you have questions or need additional information, please contact Amy Smagula (Amy.Smagula@des.nh.gov or 603-271-2248) or me (Thomas.burack@des.nh.gov or 603-271-3449).

Sincerely,



Thomas S. Burack
Commissioner

CC: Representative Spang
Representative Grenier
Representative Kidder