

**LAKES MANAGEMENT ADVISORY COMMITTEE**

**NH Lakes Management and Protection Program**

New Hampshire Department of Environmental Services  
29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

February 10, 2011

The Honorable Andrew Renzullo, Chairman  
Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, NH 03301

**RE: HB 439-FN - An Act relative to claiming an invasive species as a habitat**

Dear Chairman Renzullo and Members of the Committee:

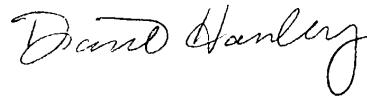
The Lakes Management Advisory Committee (LMAC) is writing to express its opposition to House Bill 439, as introduced, which would exempt invasive species from being claimed as habitat for endangered species.

While the LMAC understands that invasive species can significantly alter aquatic ecosystems, can negatively affect the recreational experience of lake users as well as the property values of shorefront properties, we also appreciate that endangered species need habitat to survive. We are concerned that if HB 439 passed as written, it would hinder the opportunity to bring an endangered plant or animal population, which is dependent on the invasive species to support its existence, back to healthy and stable levels. There needs to be a balance between the rare species in need of habitat and the State's efforts to control invasive species. To address this problem, we recommend that the primary state agencies that are charged with the management of invasive species and the management of endangered species, being DES, DRED, Fish and Game, and Agriculture Markets and Foods, work cooperatively to determine a process whereby habitat is provided for endangered species but at the same time the growth and further expansion of invasive species in the state's waters is not promoted.

The LMAC is a legislatively created body charged to work with DES on the administration of RSA 483-A, the Lakes Management and Protection Act. The Governor and Council appointed Committee is comprised of 19 members representing academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors, municipal government as well as several state agencies. Among its other responsibilities, the LMAC reviews legislation relevant to the state's lakes and ponds and the Lakes Program, and advises the DES Commissioner on the merits of such legislation.

Thank you for your consideration of our comments. If you have any questions regarding our testimony please do not hesitate to contact Jacquie Colburn, Lakes Coordinator at (603) 271-2959.

Sincerely,



Diane Hanley, Chair  
Lakes Management Advisory Committee

cc: Representative Drisko  
Representative Christensen  
Representative Russell  
Thomas S. Burack, Commissioner, DES (*via email*)  
Harry Stewart, DES (*via email*)  
Paul Currier, DES (*via email*)  
Jacquie Colburn, DES (*via email*)  
James Richardson, Governor's Office  
LMAC members (*via email*)

NH FISH AND GAME COMMISSION - STATE CONSERVATION COMMITTEE  
UNH SCIENTIFIC COMMUNITY - NH BUSINESS AND INDUSTRY ASSOCIATION - NH TRAVEL COUNCIL  
MUNICIPAL CONSERVATION COMMISSION - MUNICIPAL PLANNING BOARD - ELECTED MUNICIPAL OFFICIAL  
NH LAKES ASSOCIATION - CONSERVATION COMMUNITY - NH ASSOCIATION OF REALTORS - NH MARINE TRADES ASSOCIATION  
NH FISH AND GAME DEPARTMENT - NH DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT - NH DEPARTMENT OF SAFETY  
NH OFFICE OF ENERGY AND PLANNING - NH DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD - NH DEPARTMENT OF TRANSPORTATION