

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 17, 2011

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

RE: HB 470 -FN - An Act repealing the shoreland protection act

Dear Chairman Renzullo and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) is writing to express its opposition to House Bill 470, which would repeal the shoreland protection act.

Following the growth and development of the 1980s, the changes that were occurring along our lake and river shorelines, and the subsequent water quality impacts to the state's waterbodies, in 1991 the Legislature passed the Comprehensive Shoreland Protection Act (CSPA) which was signed into law by then Governor Judd Gregg. At that time, the legislature determined that "*the shorelands of the state are among its most valuable and fragile natural resources and their protection is essential to maintain the integrity of public waters*", further "*under current law the potential exists for uncoordinated, unplanned and piecemeal development along the state's shorelines, which could result on significant negative impacts on the public waters of the state*". More than 20 years ago, the State realized that the proper management of our shorelands was necessary if we were to maintain the quality of our waters and the considerable economic, recreational, social, and aesthetic values and benefits they provide to each and every one of us. Clean waterbodies are integral to the state's economy and our quality of life. They provide us with a variety of services, opportunities, and values and the CSPA is in essence an act to protect water quality.

Despite our efforts over the last two decades to maintain and improve water quality, our waterbodies are not without problems. When land is poorly developed phosphorus loading to the lake increases, water clarity decreases, algal blooms and toxic algal blooms occur with greater frequency, and habitat is created which supports exotic species such as milfoil. In 2002 *Economic Value of New Hampshire Lakes, Rivers, Streams and Ponds* study, determined that the total sales generated by recreational uses (i.e. boating, fishing and swimming) in the state's freshwaters and by public drinking water supplies, range from \$1.1 to \$1.5 billion annually. Throughout the year, DES is often contacted by real estate agents who inquire, on behalf of their prospective buyers, about the water quality of specific lakes and ponds. Research in both Maine and New Hampshire has proven that there is a direct relationship between water quality and waterfront property values. Interestingly, this research has found that a decline in water quality has a greater negative effect financially on waterfront property values than does an improvement in water quality. The *Economic Value of New Hampshire Lakes, Rivers, Streams and Ponds* study, determined that in 2002 waterfront property owners on lakes, rivers, streams and ponds paid an estimated \$247 million per year in property taxes in New Hampshire.

The decline of our waterbodies would result in significant economic losses to the State. Now is not the time to repeal or weaken those laws that protect the state's water quality.

The LMAC is a legislatively created body charged to work with the Department of Environmental Services regarding the administration of RSA 483-A, the Lakes Management and Protection Act. The Governor and Council appointed Committee is comprised of 19 members from academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors,

and municipal government. Among its other responsibilities, the LMAC is charged with reviewing legislation relevant to the LMPP and with advising 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 McConkey
Representative Merrow
Representative Howard
Representative Scala
Thomas S. Burack, Commissioner, DES