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Gail McWilliam Jellie
NH Department of
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Staff:

Tracie Sales
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Jen Drociak
Watershed Coordinator

Mariah Mitchell
Program Assistant

N.H. Rivers Management and Protection Program

N.H. Rivers Management Advisory Committee

April 24, 2019

The Honorable Melanie Levesque, Chair
Senate Election Law and Municipal Affairs Committee
Legislative Office Building, Room 102
Concord, NH 03301

RE: HB 443 *Relative to municipal watering restrictions.*

Dear Chair Levesque and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its support for House Bill 443 as amended, which allows the local governing body to restrict the use of water for any outdoor watering, with some exceptions, during periods of drought.

Currently, municipalities may restrict the discretionary water use of private homeowners who draw water from public water systems and private wells during a state or federally declared drought. The restriction preserves limited water resources for drinking and other essential uses. This bill would allow municipalities to restrict all lawn watering, with the exception of recreational fields, golf courses, and agricultural fields, during periods of drought. Private homeowners and commercial entities often draw water from the same public water system or have private wells in close proximity which draw water from the same groundwater aquifer. It is therefore important that commercial entities also conserve water during draughts so that basic drinking water needs can be met. The RMAC understands that sod farms, golf courses, and recreational fields are not lawns and that the water needs of these entities may be different than the typical residential or commercial lawn.

Groundwater, like the surface water in rivers and lakes, is a shared resource and should be managed as a community asset. Groundwater is also one of the primary sources of stream flow during drought conditions, the same stream flow on which many public water systems rely. The Instream Flow Program, which is a component of the Rivers Management and Protection Program that the RMAC oversees, relies on municipalities' ability to restrict discretionary water use during droughts to ensure that the state's designated rivers continue to flow. The Program helps water users equitably distribute the available water when flows are low, and find alternate sources to ensure that drinking, industrial, and agricultural irrigation water needs are met. This equitable distribution of water can only be achieved if commercial entities are subject to the same restrictions on non-essential water use to which homeowners are subject.

The RMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is comprised of members from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and

historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the Program and with advising the NHDES Commissioner on the merits of such legislation.

In conclusion, the RMAC supports HB 443, allowing the local governing body to restrict the use of water for most outdoor watering during periods of drought.

Should you have any questions regarding our testimony, please feel free to contact me at 603.796.2615 or MLT@naturesource.net.

Sincerely,



Michele L. Tremblay
RMAC Chair

cc: Rep. Rebecca McBeath
Rep. Constance Van Houten
RMAC Representatives
Robert R. Scott, Commissioner, NHDES
Thomas O'Donovan, Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES
Local River Management Advisory Committee Chairs