

Voting Members:

Michele L. Tremblay
Chair
Conservation
Community

Larry T. Spencer
Vice Chair
Conservation
Commissions

Victoria Bunker
Historic/Archeological
Interests

Christopher Hodgdon
NH Fish & Game
Commission

Mark Lombardi
Granite State
Hydropower
Association

Frederick J. McNeill
Municipal Officer

Allan G. Palmer
Business & Industry
Association

Ruth Ward
Local River Management
Advisory Committees

Donald L. Ware
Public Water Suppliers

Stewart Yeaton
Agricultural Community

Vacant
Recreational Interests

Non-Voting Members:

Peter Bowman
NH Department of
Natural and Cultural
Resources

Jennifer Gilbert
NH Office of
Strategic Initiatives

Mark Hemmerlein
NH Department of
Transportation

Shawn Jasper
NH Department of
Agriculture,
Markets & Food

John Magee
NH Fish & Game
Department

Meghan Wells
NH Department of
Safety

Staff:

Tracie Sales
Program Manager

Vacant
Watershed Coordinator

Vacant
Program Assistant

N.H. Rivers Management and Protection Program

N.H. Rivers Management Advisory Committee

February 23, 2021

The Honorable Edward Gordon, Chair
House Judiciary Committee
Legislative Office Building, Room 208
Concord, NH 03301

RE: HB 82 *An act relative to amending a conservation easement between the state and a landowner.*

Dear Chair Gordon and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its opposition to House Bill 82, which will allow conservation easements to be amended.

Many of our Rivers Management and Protection Program rivers include conservation easements and are, therefore protected from development, which could impact their functions and values. If these easements are not held in perpetuity, it means that the protected status would be lost. The landowners who have willingly placed easements on their properties as well as the donors, taxpayers (local, state, and federal funds often pay for these easements), and communities who helped fund the protections, did so with the belief and faith that the protections would be held in perpetuity. The landowners were paid for "damages," or the development and other usage value of the land. This bill would allow those uses to be reinstated and the landowners would continue to enjoy the payments made to them by public and private funds.

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 opposed HB 82 because it will allow existing conservation easements to be overturned, negating the purpose of their establishment.

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

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Chair, House Judiciary Committee
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ec: Rep. Paul Berch
RMAC Representatives
Robert R. Scott, Commissioner, NHDES
Tom 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