

Exhibit 08 - HB 1395 Testimony

Mr. Chairman, members of the committee I want to thank you for your time and allowing me to testify for HB 1395.

My name is Allan Fuller. I live at 70 Arlington Street, Nashua, NH 03060. I have a doctorate in physics specializing in analytical instrumentation. I am Chairman of the Pennichuck Brook Watershed Council. I am here to testify in favor of HB 1395.

In 1998 a bunch of us in Nashua tried to stop housing developments inside the cast iron fences that surrounded the watershed protection land owned by Pennichuck Corporation. It became clear that Pennichuck Corporation had decided to make money by developing the watershed land around the ponds. We called NH-DES and Region EPA in Boston and discussed the situation. We even had a site walk with people from these organizations. I asked them if this was ok to do environmentally. I was told no, but it was legal. I was told that the NH-DES rules and regulations were the same for buffers around drinking water supplies as they were for bodies of water used for boating, swimming, or even industrial applications.

We need to protect our drinking water supplies better than we are now. HB 1395 is the minimum that should be done. New York City is buying land to increase the buffers around their reservoirs and tributaries. In 1902 Rochester, NY started buying all the buffer land around their reservoir (Hemlock Lake). They removed all camps and houses and now have buffers that far exceed the maximum of 300 feet in HB 1395. Boston, Hartford, Worcester, and many other population centers have done the same.

I talked to the head of the union representing the workers at Manchester Water Works. He told me that Manchester had bought the land, houses, and camps around their reservoir in the past. Today the buffers are a minimum of 700 feet and are even 1 mile in some areas around Lake Massabesic. The Manchester Water Supply is an example of excellence and a model to follow. The EPA has written it up as an example of an excellent water system. You can find these protection stories and others on the Internet by doing a Google search on these cities name and state followed by the phrase 'water supply'.

Pennichuck Corporation's development of the buffer land around Nashua's reservoir (chain of ponds) should be a wake up call to all of New Hampshire. We need to realize that the destruction of the buffers can happen around any of our drinking water supplies. Remember water front property is valuable and there are developers who would love to make a fast dollar by developing it without the considering the health consequences. For example, the houses in the Heron Cove development on Heron Pond in our reservoir were advertised as 'Water Front Property' in the real estate books. We felt this was outrageous and totally against common sense. It was legal.

It is unfortunate that any rules on buffers need to be legislated. But, New Hampshire needs to start following the example of Manchester and many other cities that are protecting their drinking water supplies by increasing the buffers around these bodies of water. We should not allow drinking water buffer land to be sold off and developed for short-term profit. The long-term expenses of treating the water and the potential health risks will be many times greater than any short term profit these developers realize.

It is our moral obligation to pass on abundant, clean drinking water for future generations. Thank you passing HB 1395. Thank you for your time.

Allan Fuller, Ph.D