

HB 272 – AS AMENDED BY THE HOUSE

12Mar2015... 0530h

2015 SESSION

15-0410
08/10

HOUSE BILL **272**

AN ACT designating the Ham Branch River watershed in Easton as a protected river, and exempting portions of the Ham Branch River watershed from the shoreland water quality protection act.

SPONSORS: Rep. Ford, Graf 3; Rep. R. Brown, Graf 2; Sen. Woodburn, Dist 1

COMMITTEE: Resources, Recreation and Development

AMENDED ANALYSIS

This bill designates the Ham Branch watershed in Easton as a protected river and exempts the Ham Branch watershed from the comprehensive shoreland protection act.

This bill also prospectively removes the Ham Branch River from the shoreland water quality protection act.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT designating the Ham Branch River watershed in Easton as a protected river, and exempting portions of the Ham Branch River watershed from the shoreland water quality protection act.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Ham Branch River; Designated for Protection. Amend RSA 483:15 by
2 inserting after paragraph XVIII the following new paragraph:

3 XIX.(a) Ham Branch River and its watershed tributaries.

4 (1) Ham Branch River, as a natural river from its headwaters in Easton at
5 44.060275, - 71.791586, state plane coordinates, north 6.1 miles to the Franconia-Easton town line.

6 (2) Reel Brook, as a natural river from its headwaters in Easton at 44.10318, -
7 71.76841, state plane coordinates, to its confluence with the Ham Branch River in Easton (3.6 miles).

8 (3) Unnamed tributary C, as a natural river from its headwaters in Easton at
9 44.126754, - 71.779108, state plane coordinates, to its confluence with Reel Brook (1.3 miles).

10 (4) Unnamed Tributary D, as a natural river from its headwaters in Easton at
11 44.11914, - 71.76787, state plane coordinates, to its confluence with the Reel Brook (0.7 miles).

12 (5) Slide Brook, as a natural river from its headwaters in Easton at 44.13108, -
13 71.76225, state plane coordinates, to its confluence with the Ham Branch River in Easton (2.4 miles).

14 (6) Unnamed tributary B, as a natural river from its headwaters in Easton at
15 44.12875, - 71.76939, state plane coordinates, to its confluence with Slide Brook (0.5 miles).

16 (7) Unnamed tributary A, as a natural river from its headwaters in Easton at
17 44.13807, - 71.77415, state plane coordinates, to its confluence with the Ham Branch River in Easton
18 (1.1 miles).

19 (8) Judd Brook, as a natural river from its headwaters in Easton at 44.14258, -
20 71.76733, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.2 miles).

21 (9) Kendall Brook, as a natural river from its headwaters in Easton at 44.15002, -
22 71.76195, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.2 miles).

23 (10) Flume Brook, as a natural river from its headwaters in Easton at 44.15427, -
24 71.75769, state plane coordinates, to its confluence with Kendall Brook in Easton (0.7 miles).

25 (11) Brooks Brook, as a natural river from its headwaters in Easton at 44.15655, -
26 71.74998, state plane coordinates, to its confluence with the Ham Branch in Easton (1.6 miles).

27 (12) Pepper Brook, as a natural river from the Sugar Hill-Easton town line at
28 44.17521, - 71.78583, state plane coordinates, to its confluence with the Ham Branch River in Easton
29 (1.1 miles).

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1 (13) Noyes Brook, as a natural river from its headwaters in Easton at 44.15239, -
2 71.80263, state plane coordinates, to its confluence with the Ham Branch River in Easton (0.6 miles);
3 and

4 (14) Unnamed Tributary E, as a natural river from its headwaters in Easton at
5 44.13398, - 71.81106, state plane coordinates, to its confluence with the Ham Branch River in Easton
6 (1.0 miles).

7 (b) All 1st, 2nd, and 3rd order portions of the Ham Branch River and its tributary rivers
8 shall be exempt from the provisions of the shoreland water quality protection act, RSA 483-B.

9 2 New Hampshire Rivers Management and Protection Program. Amend RSA 483:2 to read as
10 follows:

11 483:2 Program Established; Intent. There is established within the department of
12 environmental services the New Hampshire rivers management and protection program. It is the
13 intent of the legislature that the New Hampshire rivers management and protection program shall
14 complement and reinforce existing state and federal water quality laws, *including RSA 483-B*, and
15 that in-stream flows are maintained along protected rivers, or segments thereof, in a manner that
16 will enhance or not diminish the enjoyment of outstanding river characteristics pursuant to
17 RSA 483:1. It is also the intent of the legislature that, through said program, the scenic beauty and
18 recreational potential of such rivers shall be restored and maintained, that riparian interests shall
19 be respected, and *notwithstanding the provisions of RSA 483-B*, that nothing in this chapter
20 shall be interpreted to preempt any land and zoning authority granted to municipal bodies under
21 RSA title LXIV.

22 3 Repeal. RSA 483:15, XIX(b), relative to the Ham Branch River, is repealed.

23 4 Effective Date.

24 I. Section 3 of this act shall take effect June 30, 2017.

25 II. The remainder of this act shall take effect upon its passage.