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NH Lakes Assn.

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NH Association of
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NH Fish & Game Dept.

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NH Dept. of Safety

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NH Dept. of Natural and
Cultural Resources

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NH Dept. of Trans.

**David Rousseau/
Bob Wolff**
NH Dept. of
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Staff:

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Program Assistant

N.H. Lakes Management and Protection Program
N.H. Lakes Management Advisory Committee

January 22, 2019

The Honorable Suzanne Smith, Chair
Resources, Recreation, and Development
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 228 *Extending the commission to study the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them.*

Dear Chair Smith and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) appreciates the opportunity to comment on House Bill 228, which will extend the commission established in RSA 482-A:35 to study the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them. The LMAC supports HB 228.

The LMAC understands that the Commission to Study the Current Statutes Related to Management of Non-tidal Public Waterways and the Construction or Placement of Structures Within Them has had difficulties getting started in its work. Because of the important nature of the issues being addressed by this commission, extending the study commission from November 30, 2019 to November 30, 2020 will allow the commission to reach a more thoroughly-considered decision. Regulations allowing privately owned structures on lakes and ponds, which are public property held in trust for all, must be considered carefully to ensure that the public's rights are upheld.

Please note that the bill as written states that the commission shall make an interim report of its findings on or before November 1, 2018. This date is a typographic error and should be updated to read November 1, 2019.

The LMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483-A, the Lakes Management and Protection Program. The Governor and Council appointed Committee is comprised of 19 members representing academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors, municipal government as well as several state agencies. Among its other responsibilities, the LMAC reviews legislation relevant to the Program and the state's lakes and ponds, and advises the NHDES Commissioner on the merits of such legislation.

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In conclusion, the LMAC supports HB 228 because it will allow for a comprehensive review of all of the issues relating to the placement of docks and other structures in New Hampshire's lakes and ponds. The conclusion reached by this commission will have significant implications on the placement of private structures in our state's public waters.

Should you have further questions about this testimony, please feel free to contact me at (603) 867-9299 or appliedforce52@gmail.com.

Sincerely,



David Packard
Chair

ec: Rep. Andrew Renzullo
LMAC Representatives
Robert R. Scott, Commissioner, NHDES
Rene Pelletier, Assistant Director, Water Division, NHDES
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES
Tracie Sales, Rivers and Lakes Programs Manager, NHDES