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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

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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 10, 2021

The Honorable Andrew Renzullo, Chair
House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 426 *An act relative to municipal control of certain frozen water bodies.*

Dear Chair Renzullo and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its opposition to House Bill 534, which would give municipalities control over the use of frozen waterbodies of 100 acres or less within their boundaries.

The state has defined a public water body as any lake or pond greater than 10 acres, all coastal waters, and all rivers of fourth order and higher. This allows both New Hampshire residents and visitors the freedom to use these water bodies in any legal manner as long as they have access to the water body. If passed, this bill would effectively remove the public's free use of the state's smaller lakes and ponds during the winter months, appropriating the state's role in holding these ponds in trust for the public good. The RMAC feels that this sets a poor precedent of giving municipalities rights traditionally held by the state for the good of all. The State should consider defining the legal uses of certain or other frozen water bodies, as appropriate, instead of giving this regulatory power to municipalities.

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 opposes HB 534 as passage of this bill would remove the State of New Hampshire's role as protector of the public's riparian rights.

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

The Honorable Andrew Renzullo
Chair, House Resources, Recreation and Development Committee
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ec: Rep. Mary Beth Walz
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