



A QUARTERLY PUBLICATION OF NEW HAMPSHIRE LAKES ASSOCIATION

2008 Legislative Agenda

NH LAKES anticipates a busy and, with your support, a successful 2008 legislative session. NH LAKES is considering initiating three pieces of legislation, as discussed below, in an effort to provide more protection to New Hampshire's lakes and ponds. NH LAKES will also monitor and respond to legislation proposed by others and comment on proposed rules that affect the state's lakes and ponds.

WATERFRONT SEPTIC SYSTEMS

The Issue

Waterfront septic systems have been identified in numerous studies, including the New Hampshire Estuaries Project's 2006 *State of the Estuaries* publication, as a **significant non-point source of water quality pollution and degradation**. These waterfront septic systems are regulated by the New Hampshire Department of Environmental Services (DES), which is also required to enforce against "failing systems." Yet, because a vast majority of the state's waterfront homes are currently serviced by onsite disposal systems and the state has limited funding and staff to adequately regulate septic system failures, this issue continues to grow, especially in areas of the state that are becoming more developed or are re-developed.

To some degree, the issue of waterfront septic system maintenance, repair and replacement is self-policing. Currently, RSA 485-A:39, relative to the sale of waterfront property, requires that "prior to the execution of a purchase and sale for any developed waterfront property using a septic disposal system" that the landowner "engage a permitted subsurface sewer or waste disposal designer to perform a site assessment study to determine if the site meets the current standards for septic disposal systems established by the department." RSA 485-A:39 further states, that in the case that the septic system does not meet current standards, that such finding shall be reported to the buyer.

However, while many of these systems may be replaced or repaired as a result of these site assessment findings, **there is no provision in the law that requires the permitted designer or the landowner to notify the DES or local authorities of a failed system or a system that is not meeting current standards**. Therefore, there is no true oversight being provided by the state to ensure that failed systems or systems that do not meet current standards are repaired or replaced. Instead, the DES must rely on "neighborhood" complaints to utilize its enforcement authority over failed systems. This does not seem sensible considering the information that the DES could utilize is already derived through the site assessments under RSA 485-A:39. Through the *NH LAKES 2007 Lake & Pond Issue Survey*, waterfront septic system failure ranked number one in importance

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Members dedicated to protecting lakes

Volume XVI, No.3, Fall 2007

New Logo Sparks Fresh Look and Excitement

We were pleased to announce our new logo to you in the Annual Appeal you received this month. With our new logo, comes a fresh excitement to the New Hampshire Lakes Association. This issue of Lakeside has a new look as well, designed to attract new readers and renew relationships with old friends. We want you to feel good about being part of something bigger – the New Hampshire LAKES experience. We encourage you to celebrate your connection to lakes by volunteering with us, donating additional funds to one of our specific programs, such as Lake Host™ or Advocacy, or by joining your local lake association. However you share your excitement about the New Hampshire Lakes Association, please refer to us as NH LAKES instead of our old abbreviation of NHLA. It's easier for non-members to get to know us if we are NH LAKES and we all want to attract new members and donors because they help us protect the things we all love – our lakes. We hope you enjoy NH LAKES' new look and logo as much as we do. Whether you like shorelines and mountain scapes, the peaceful quiet and elegance of the blue heron, water quality protection that vegetation along the shoreline provides, or recreating by swimming – we hope the new logo will mean something special to you. Enjoy!

From the President...

LAKESIDE

published quarterly by the

NEW HAMPSHIRE LAKES

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For information on sponsorship, contact the
NH LAKES office at (603) 226-0299.



What a wonderful summer! We had our most successful Lakes Congress ever followed by our best Lake Host™ season yet (see

page 4). We also kicked off a new NH LAKES education program for teenagers called the Lake Conservation Corps (see page 5). Of course, with shorter days and longer nights, fall is now upon us. Please take an opportunity to enjoy the wonderful fall colors around our lakes and ponds. As the seasons change, we can truly appreciate the wonderful quality of life we enjoy thanks to our natural resources in New Hampshire, especially our lakes and ponds.

You may have noticed a season of change at New Hampshire Lakes Association as well. With a new logo, a new abbreviated form (NH LAKES) of our full name, and a fresh look, we are hard at work bringing you new ideas and visuals to emphasize the importance of protecting our lakes and ponds. We are continuing to expand our member benefits, with more value coming at next year's annual renewal in April – stay tuned!

Each fall, NH LAKES brings you our priorities for lake advocacy. All summer we traveled around the state and listened to your concerns. We waited for your responses to our annual Lake and Pond Issue Survey (see page 4) and the results helped shape our legislative agenda by placing emphasis on specific areas of lake protection. During the 2008 legislative session, we will focus our efforts on water quality protection and equitable recreation, emphasizing septic system upgrades, safe speed limits, and updating ski craft and mooring regulations.

Through these continued changes, we thank you for your patience and support. Please remember to respond generously to this year's annual appeal, which you will receive this month. And, please share your renewed enthusiasm about NH LAKES with other lake enthusiasts and encourage them to share in our investment in the future, perhaps by providing them with a gift membership (see page 7). Thank you for your continued commitment to NH LAKES and have a wonderful holiday season!

NH LAKES gratefully acknowledges the support of:



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whose generous contributions underwrite this issue of *Lakeside*.

among seven different lake-related issues; therefore, we know the problem of failed waterfront septic systems continues to evolve.

The Remedy

NH LAKES is contemplating legislation in 2008 that would require permitted sewage and septic designers to notify the DES when they discover a failed waterfront septic system through their site assessments. This would allow the DES to have access to the information it needs in order to perform a “follow-up” with the property seller or buyer to ensure that the system has been brought into compliance.

PERSONAL WATERCRAFT

The Issue

Currently, “ski craft” means any motorized watercraft or private boat which is less than 13 feet in length as manufactured, is capable of exceeding a speed of 20 miles per hour, and has the capacity to carry not more than the operator and one other person while in operation. The term includes jet ski, surf ski, fun ski, or other similar device.” (RSA 270:73.)

When the definition for ‘ski craft’ was contemplated and passed into law, similar, indistinguishable three- and four-person ‘personal watercrafts’ had yet to evolve. Not having the foresight to predict this evolution, several lakes and ponds in the state legally petitioned under the freshwater navigation statutes to prohibit ‘ski craft’ from operating on their individual water bodies. After the three- and four-person watercraft evolved, many of these lakes and ponds where ‘ski craft’ had been prohibited by law, saw a sudden explosion in the number of the new three- and four-person crafts on their water bodies and began to complain to NH LAKES and Marine Patrol, arguing that these vessels were violating existing prohibitions.

However, despite its identical appearance and equivalent functionality, the three- and four-person ‘personal watercraft’ are not prohibited by law on water bodies which have banned the ‘ski craft’ due to a legal loophole that has been left un-remedied.

In fairness, NH LAKES believes that the petition process that allows for water bodies to prohibit ‘ski craft,’ should also extend to ‘personal watercraft.’



Boats on six lakes, including Lake Sunapee, are required to have a mooring permit.

The Remedy

NH LAKES is contemplating legislation in 2008 that would seek to correct the ‘ski craft’ loophole, making it a definitional subset of the term ‘personal watercraft,’ therefore allowing individual water bodies to also seek prohibitions related to these vessels and ski craft at the same time.

MOORINGS

The Issue

Moorings are becoming an increasing concern in many areas of the state where this issue did not previously exist to any notable degree. Currently, only the six “big lakes” (Sunapee, Newfound, Ossipee, Winnepesaukee, Winnisquam and Squam) fall under the moorings regulation. However, as both the state and regional populations grow, most of our lakes are being visited by an increasing number of recreational users, including boaters. **Moorings, if not properly regulated, pose a threat to both humans and the environment** as boats become sporadically placed in different areas throughout a water body and, in some cases, in very large numbers. In some instances, moored boats even prevent property owners from fairly accessing the public water in front of their property. While this may not be a current issue at many remote lakes and ponds that are not frequently visited by motorized recreational users, it has become increasingly problematic in many

localized “pockets” of the state, especially as many lake groups seek to balance the different uses of their particular water bodies.

The Remedy

NH LAKES is contemplating legislation in 2008 that would create a petition process in the Department of Safety for individual water bodies to come under the moorings regulation.

WHAT YOU CAN DO!

If you would like to help support one or more of these potential pieces of legislation, here is what you can do:

- **Donate your financial support to NH LAKES.** You can donate towards legislative initiatives online at www.nhlakes.org, by calling NH LAKES at (603) 226-0299, or by mailing a check or money order to NH LAKES at 3 Silk Farm Road, Concord, NH 03301.
- **Donate your time by becoming a legislative volunteer.** Legislative volunteers will be needed to write letters and make phone calls to lawmakers and attending hearings. Contact Derek Durbin, NH LAKES Policy Director, at (603) 226-0299 or ddurbin@nhlakes.org for more information.

For the most up-to-date information regarding lake-related legislative issues during the 2008 legislative session, visit our website at www.nhlakes.org and also join our legislative volunteers to receive the Lakes Legislative weekly email update.

The 2007 Lake & Pond Issue Survey Results Are In!

Every year, NH LAKES asks for input from its members and friends on what they feel are the most important issues affecting New Hampshire's lakes and ponds. In the August/September issue of Lakeside, we included the 2007 Lake & Pond Issue Survey which identified seven lake-related issues and asked survey respondents to rank the importance of each issue individually on a scale of "1" to "5" ("1" being extremely important; "5" being not important).

Two-hundred and fifty-seven completed surveys were returned to NH LAKES! The survey results have been tabulated and an overall average importance score for each issue has been calculated. For example, the issue of waterfront septic system failure averaged an importance score of 1.40 which indicates that this issue is "extremely important" to "very important" among survey respondents, while the issue of non-motorized public access

averaged a score of 2.44 indicating that this issue is "very important" to "important."

Other issues of concern that were identified by survey respondents included:

- Boat speeding (17 surveys),
- Prevention and eradication of exotic species (17 surveys),
- Enforcement of marine patrol rules/boater education and safety (14 surveys),
- Shoreland protection (9 surveys),
- Noise pollution (5 surveys), and
- Watershed protection (N/A).

NH LAKES sincerely thanks all of you who took the time to fill out the *2007 Lake & Pond Issue Survey*. Your answers and comments were influential in determining which issues NH LAKES will support and pursue during the 2008 legislative session.

2007 Lake & Pond Issue Survey Results

Issue	Average Importance Score	Importance Level
Waterfront Septic System Failure	1.40	Extremely – Very Important
Stormwater Runoff	1.62	Extremely – Very Important
Dug-in Boathouse Construction	1.81	Extremely – Very Important
Protection of Wild Lakes and Ponds	1.84	Extremely – Very Important
Ski Craft/Personal Watercraft Definition	1.90	Extremely – Very Important
Moorings	2.44	Very Important – Important
Non-motorized Public Access	2.44	Very Important – Important

2008 Lake Host™ Program: Continued Federal Funding

On August 14, 2007, U.S. Senator Judd Gregg (R-NH) met with NH LAKES staff, members, and Lake Hosts at the Town Docks in Wolfeboro overlooking Lake Winnepesaukee to express his appreciation for the work that NH LAKES does to protect the state's lakes and to provide an update on continued federal funding for the Lake Host™ program. The U.S. Senate Appropriations Committee recently approved \$200,000 in the fiscal year 2008 funding measure for the program to continue education programming in preventing the spread of milfoil and other invasive

exotic species in the state's lakes. Senator Gregg, a member of the Senate Appropriations Subcommittee on Commerce, Justice and Science, has secured \$579,400 in federal funds for the program since 2002. With approval by the Senate Appropriations Committee, the measure is now ready for consideration by the full Senate this fall.

NH LAKES thanks Senator Gregg for his continued support of the Lake Host™ program and thanks all the Lake Hosts who showed their support for the program by attending the August 14 event!

The 2007 Lake Host™ Program Season: A Record-Breaking Success!

The 2007 Lake Host™ season has come to an end. As of the writing of this article, the final numbers are still being tabulated, but preliminary results indicate that the 2007 Lake Host™ season was a record-breaking success, continuing to achieve its objective of educating boaters on how prevent the spread of exotic invasive aquatic plants from lake-to-lake in New Hampshire!

Here are a few of the records that were set during the 2007 Lake Host™ season:

- 68 organizations conducted courtesy boat inspections at a total of 85 ramps located throughout the state which exceeded the previous record set in 2006 of 57 organizations staffing 66 ramps.
- 157 "saves" were made during 2007 (as of September 27), shattering the previous record of 54 "saves" made during 2005 and 2006. (A "save" is recorded when a piece of an exotic plant is taken off a boat or trailer before entering or after leaving a lake or pond.)
- Over 40,700 courtesy boat inspections were conducted during 2007, which greatly surpassed the previous record of 34,878 inspections conducted during 2005.

Congratulations, Lake Hosts!



Senator Gregg (center), with NH LAKES staff and Wolfeboro Lake Hosts.

Lake Conservation Corps Pilot Project

During the summer of 2007, NH LAKES, in conjunction with the Newfound Lake Region Association (NLRA), kicked-off the first official pilot project of the Lake Conservation Corps, a new NH LAKES education program. The goal of the NH LAKES Lake Conservation Corps Program is to actively involve teenagers in shoreline and watershed land restoration projects. This program will ultimately improve the quality of New Hampshire's surface waters, including our lakes and ponds. In addition, NH LAKES hopes that the teenagers who participate in the Lake Conservation Corps will develop a lifelong interest in the responsible stewardship of natural resources.

In August, along with staff from NH LAKES and the NLRA, high school students Brie Gikas, Christy Maloney, Kevin Arnold, Ashley Kuplin and Billy Trethaway constructed a rain garden at the base of the parking lot that serves the NLRA office in Bristol. A rain garden is a planted depression that is designed to capture all, or as much as possible, of the excess stormwater runoff from surfaces that do not soak up water, such as rooftops, roadways, parking lots and driveways. It is a popular way to reduce the amount of and improve the quality of stormwater runoff from developed areas, which ultimately protects lakes, ponds, and rivers located downstream. The rain garden in Bristol was specifically constructed to capture, filter and infiltrate the large volume of stormwater runoff generated from the roof of the NLRA office building and the associated parking lot before it flows into the Newfound River.

NH LAKES provided funding and materials for the 2007 pilot project, while expertise and tools were generously donated by the following individuals and businesses:

- Casey Kuplin Landscaping, Alexandria, NH
- Belknap Landscaping, Gilford, NH
- Simple by Nature, New Hampton, NH
- Jeff Scholss, University of New Hampshire, Durham, NH
- Adam Shokimas, Acton Wakefield Watersheds Alliance Youth Conservation Corps



Before the construction of the rain garden, large volumes of polluted stormwater runoff from the nearby office building rooftop and parking lot flowed into this catch basin which leads to the Newfound River.

NH LAKES is currently working on developing additional partnerships and identifying funding mechanisms to implement a statewide Lake Conservation Corps. If you would like to help sponsor this new NH LAKES education program, please contact NH LAKES at (603) 226-0299 or info@nhlakes.org, or donate online at www.nhlakes.org.



During the four-day construction of the rain garden, NH LAKES and NLRA staff worked side-by-side with students to remove existing compacted soil. After a depression was created, a layer of stone, filter fabric, topsoil and erosion control mulch were added.



The rain garden was planted with attractive native species which will help absorb and filter stormwater runoff from the office building roof and parking lot before it flows into the catch basin, which leads to the Newfound River.

Season of Change: 2007 Annual Appeal

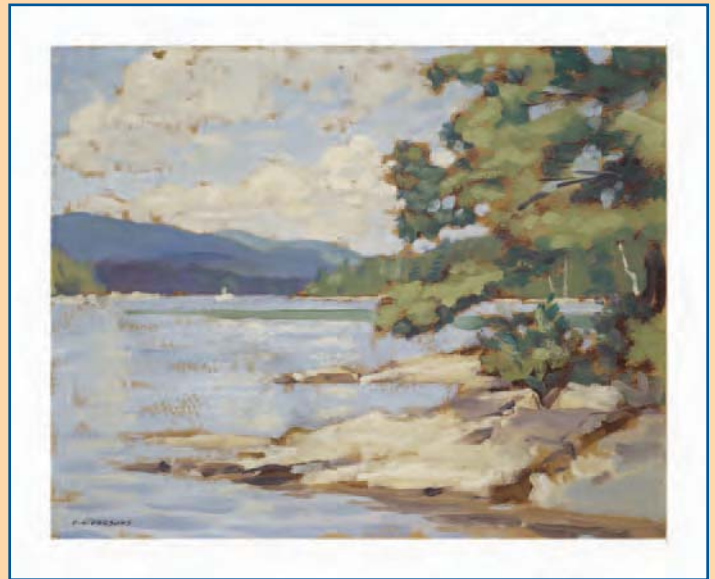
NH LAKES has set the bar high for the 2007 Annual Appeal as we hope to raise \$50,000, our largest goal ever. We ask that you consider a special year-end gift to NH LAKES now to help us achieve our operational and mission goals for the upcoming year. This is an exciting time for NH LAKES and its membership as we are developing a Lakes Conservation Corps, expanding the Lake Host™ Program, and initiating critical legislation to protect our lakes and ponds.

Please be as generous as you can.

We have chosen the title “Season of Change” for our 2007 Annual Appeal because we believe that the Annual Appeal, like our new logo and look, offers new changes and opportunities for NH LAKES. During the past year, we have spent time with many of our

founding fathers to make sure they agreed with our new direction for NH LAKES. We shouldn't have worried because they encouraged us to push even farther than we were originally willing to go.

In the 2007 Annual Appeal, as we read about Phil Parson's family dating back to 1821 on Bear Island, Lake Winnepesaukee, we are reminded how deep our roots go.



Planned Giving Vehicles: Life Insurance

The key to a **rewarding giving experience** is finding the best fit for your charitable priorities, financial goals and personal preferences. In the August/September 2007 *Lakeside*, we discussed that NH LAKES has adopted a Gift Policy which allows most charitable gift vehicles to work for you.

In the June 2007 *Lakeside*, we discussed the **Charitable IRA Rollover** which is still in effect until **December 31, 2007**. This is a time-limited offer included in the 2006 Pension Protection Act which allows individuals who will turn **70-½ this year** to make direct **tax-free contributions** from their traditional IRA or Roth IRA accounts to qualified non-profits like NH LAKES. Although there is no charitable deduction for the gift, the donor does not have to pay income taxes on the amount donated and the amount **counts against the minimum income withdrawal**.

This article focuses on how life insurance plays a role in charitable planning. Whether you donate an older policy that you no longer need, or start a new policy to fund a major charitable bequest, life insurance offers a unique way to leverage relatively

modest annual payments into a sizable charitable gift. The following outlines the most common methods for making a gift of life insurance to NH LAKES.

Name NH LAKES as your Successor

Beneficiary. You may own a life insurance policy and have named your spouse as the beneficiary. You can also name NH LAKES as successor beneficiary in the event your spouse predeceases you. While this option offers no immediate tax benefit, it does have the advantage of removing the life insurance proceeds from your taxable estate.

Name NH LAKES as your Primary

Beneficiary. If you purchased a life insurance policy several years ago but your chosen beneficiary no longer needs the protection, you can designate NH LAKES to receive the benefits. Under this option, your estate would receive a charitable deduction and the benefit would pass to NH LAKES, tax-free.

Donate an existing life insurance policy to NH Lakes. If you have an older life insurance policy that you no longer need and you would like a current income tax deduction, you can donate the policy to NH LAKES. Your tax deduction would equal the amount

of the cash value of the policy.

Purchase a new life insurance policy

and donate it to NH LAKES. You can transfer a newer life insurance policy and name NH LAKES as the owner and beneficiary. You can make annual tax-deductible contributions to NH LAKES to cover the policy premium. In the event you cease to pay the annual premiums, NH LAKES reserves the right to cash in the policy.

Purchase a life insurance policy for wealth replacement.

You can also use life insurance as a wealth replacement asset by replacing the dollar value of an asset transferred to NH LAKES with a life insurance policy of which members or other individuals are the beneficiaries. The income tax or other tax savings from the gift to NH LAKES are often more than enough cover the cost of the premiums on the policy.

If you have any questions, or would like to pursue any of these methods, or others, of giving to NH LAKES, please contact Ted Gillan, Development Director at tgillan@nhlakes.org or (603) 226-0299 for more information.

Membership Matters

New Members – July 19, 2007 through September 21, 2007

Individuals

Agneta and Neal Brown • Mrs. Alicia Carlson • Noel and Mary Dardani
Mr. James Edwards • Neil and Renee Ferraro • Dick and Nancy Fryberger
Mrs. Diane L. Garretson • Reed and Andrea Gelzer • Mr. Richard Greene
Mr. and Mrs. James H. Horsfall • Mr. David Johnson • Darcy B. Keough
Ms. Stacy Luke • Dr. Frank J. Minor • Richard Ober
CSM R.A. Oram, U.S. Army (Ret) • Mr. William Petry
Joe Quimby and Lorraine Martin • Mr. Richard D. Rogers
Jonathan and Amy Speak • Sara Sumner
Jim and Pat Vaillancourt • Christi Van Heek

Lakes Legacy

Mr. Mark Goldman

Lake Association

Echo Shores Association

Corporation

PSNH

Grants

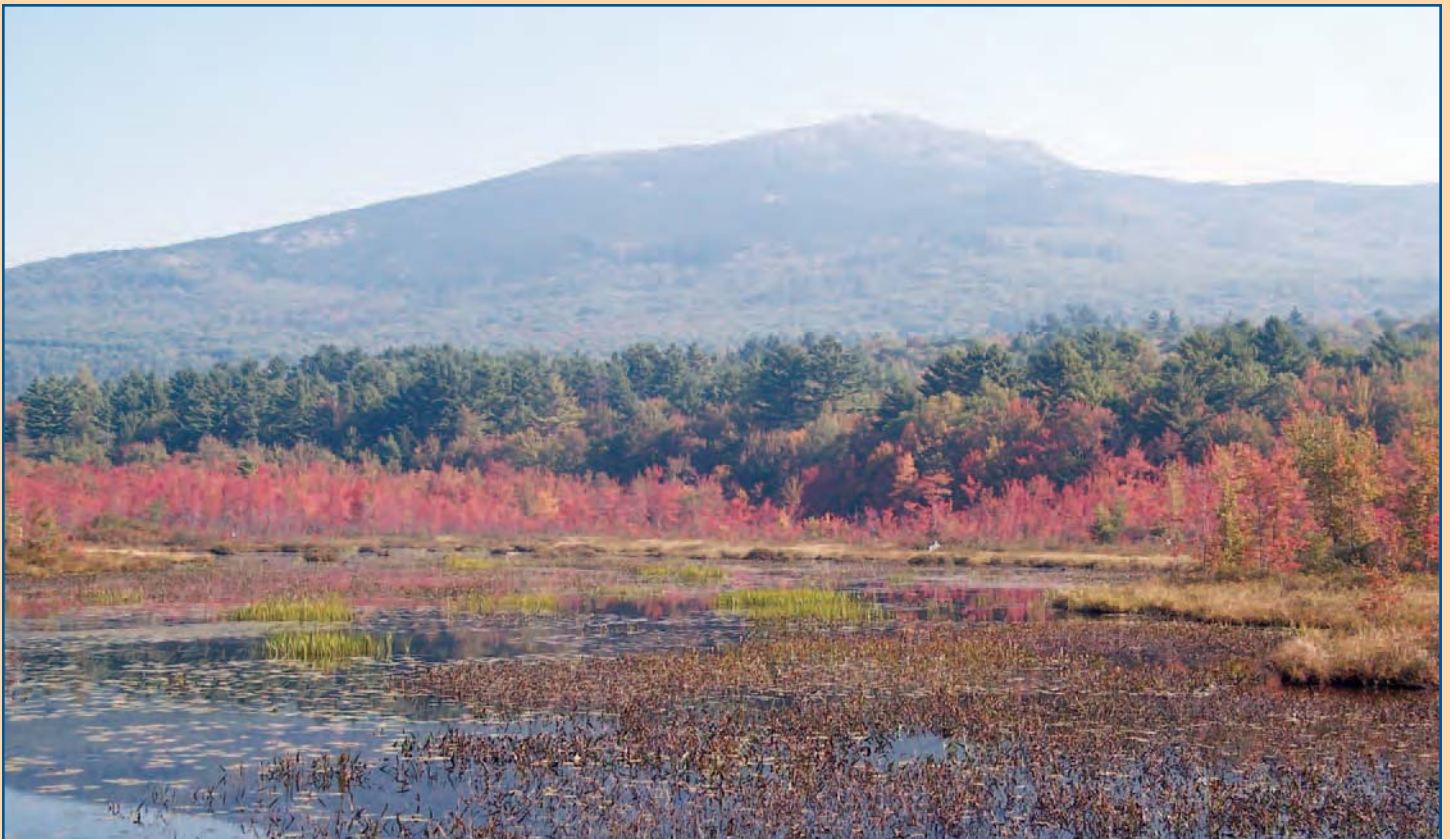
Bob & Jean Murphy Family Fund

Gift Membership: The Gift That Keeps On Giving!

Are you looking for a gift to give to a fellow lake enthusiast this upcoming holiday season? A Gift Membership to NH LAKES may be the perfect gift! You may purchase a 12-month gift membership at one of the following levels:

- \$50+ (Friend)
- \$100+ (Advocate)
- \$250+ (Conservator)
- \$500+ (Steward)
- \$1000+ (Patron)
- \$2,500+ (Guardian)
- \$5,000+ (Leadership)

The recipient will be sent an attractive acknowledgement indicating that this thoughtful gift is from you. For more information and/or to purchase a gift membership, contact NH LAKES at (603) 226-0299.



Perkins Pond, Marlborough, at the base of Mt. Monadnock.

NH LAKES Board Update

At the 2007 NH LAKES Annual Meeting which was held immediately after the extremely successful Lakes Congress in June, Ted Kramer of Silver Lake kicked off his second year as the NH LAKES Chairman on a high note. Other NH LAKES Officers include Pat Sherman of Newbury, Vice-Chair; Priscilla Gemmill of Hebron, Secretary; and Fred Szmít of Spofford, Treasurer.

New Directors

At the annual meeting, two new board members, Philip O'Brien and Muriel Robinette, were introduced to the membership.

Phil resides in New London with his wife and brings a strong background of science and public service to the Board. He currently serves on the Government Affairs Committee.

Muriel Robinette lives in Gilmanton Iron Works with her husband and brings a keen understanding of science mixed with business, having founded her own successful environmental consulting business. She is currently serving on the Development Committee.

Other Board Changes

We honor and thank departing board members Rob Tompkins of Derry, Dave Birchenough of Nelson, and Linda Landis of Concord.

Rob served nine years, working on the Education and Outreach Committee and the Marketing and Membership Committee. Dave served six years, working on the Education Committee and continues to be an active member of this committee. Linda served five years, serving many of those as Secretary on the Board of Directors.

Thank you Rob, Dave, and Linda, and best wishes to you in your new endeavors! And, welcome Phil and Muriel!



Upcoming Events

- **November 17, 2007:** 2007 Watershed Conference, sponsored by NH LAKES, NH Rivers Council, and the New Hampshire Department of Environmental Services. Event and registration information is available at www.nhlakes.org.
- **By January 2008:** All New Hampshire boaters must receive a New Hampshire boating education certificate. For dates and locations of boater education courses, call (603) 267-7256.
- **June 25 and 26, 2008:** The 2008 NH LAKES Annual Meeting (and other exciting events) and the Lakes Congress will be held in Meredith at Church Landing.

New board members Philip O'Brien and Muriel Robinette.

THREE SILK FARM ROAD, CONCORD, NH 03301



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From the President

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