

Lakeside

A Quarterly Publication of the New Hampshire Lakes Association (NHLA)

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2007 LEGISLATIVE AGENDA

Boater Education Decal Will Strengthen the Enforcement of New Hampshire's Marine Laws

The Issue

While the total number of motorized vessels on New Hampshire's lakes and ponds continue to increase, so do the impacts that these vessels have on the state's public waters. These impacts include increased stress on marine enforcement personnel, the spread of aquatic exotic species, stress on threatened species such as loons and an overall decrease in public safety. NHLA seeks to mitigate these problems by proposing a boater education decal that will provide needed education to out-of-state boaters and more adequate funding for the programs that are currently charged with carrying out these vital lake management functions.

Currently, out-of-state motorized boaters, which are estimated to number between 20,000 and 60,000 per year, place an additional strain on the state's limited resources. Under existing law, boats registered in other states or countries may use NH's public waters for 30 consecutive days without having to obtain a NH registration. This means that (1) no fees are assessed for their use of inland state waters and (2) there is no opportunity to educate them about NH-specific laws and environmental concerns. All motorboat operators, both in-state and out-of-state, need to know NH's marine laws and share in the cost of protecting the pristine waters they use and enjoy.

The Proposed Legislation

Under the proposed boater education decal, both in-state and out-of-state motorized vessels (including sailboats over 12 feet in length) will be required to display a boater education decal in addition to their boat registration number in order to legally operate in New Hampshire's inland public waters (tidal waters and ponds under 10 acres are excluded).

The cost of the annual decal will be \$20.00 for out-of-state boaters. In-state boaters will receive their boater education decal when their boat is registered at no additional cost. The decal will be available for purchase through any



The Boater Education Decal will help with funding for Marine Patrol Officers.

agent already responsible for registering boats in NH (Safety Services, marinas, etc.). The new revenues generated from the legislation will be applied to each of the following programs and funds already established by NH law: Clean Lakes Program, Shoreline Protection Program, Navigation and Safety Fund, Dam Maintenance Fund, and Public Access Program.

How It Benefits NH's Lakes and Ponds

1. Milfoil Control

The boater education decal will provide a necessary increase in funding for milfoil control.

While NHLA's Lake Host Program has been instrumental in eliminating many would-be milfoil infestations, it is preventative in nature and is not designed to address the mitigation of actual milfoil invasions (which involves hand pulling, the laying of benthic barriers, and herbicide applications). Many of these infestations must be addressed at the municipal level where unfortunately, adequate funding does not exist.

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contact the NHLA office (603/226-0299)*



From the President...

After early May delivered more rain, we finished off the summer with great weather and another successful year of the Lake Host Program (see page 6). More and more boaters are enjoying New Hampshire's lakes and ponds well into October! For those of you who are new to NHLA — welcome! As lake enthusiasts, a season of change approaches when we begin to bask in the glow of New Hampshire's wonderful fall colors and take in the reflection off our lakes.

This season is no different, and provides a nice transition from warm summer gatherings to cold winter nights. A different season for the lake enthusiast often means fall hikes around our lakes, removing our docks and boats for the season, and gearing up for ice fishing.

Each fall, NHLA brings you our priorities for lake advocacy. All summer we traveled around the state and listened to your issues. We waited for the responses to our annual Lake and Pond Issue Survey (see page 5) and the results helped shape our legislative agenda by placing emphasis on specific areas of lake protection. This year we focus our efforts on safety and shoreland protection.

With the changing season brings more changes at NHLA. We are transitioning to a new yearly renewal in April for our individual members. This will allow us to become more efficient and better handle the needs of you, our members. It will also create new opportunities to develop the membership base and seek substantial annual gifts so we may continue to expand our new Education Outreach Program.

Through these challenges, we thank you for your patience and support. Please respond generously to this year's annual appeal, which you will receive this month. And be sure to share your enthusiasm about NHLA with other lake enthusiasts and encourage them to share in our investment in the future (or perhaps provide them with a gift membership). Thank you for your continued commitment to NHLA and have a wonderful holiday season.

The New Hampshire Lakes Association gratefully acknowledges the support of



whose generous contribution underwrites this issue of Lakeside.

2007 LEGISLATION

RENTAL WATERCRAFT SAFETY CERTIFICATE

The Issue

Under existing law, any person may rent watercraft in the state of New Hampshire without being subject to Marine Patrol sanctions or liability. New Hampshire does not expressly regulate the watercraft rental industry. Legislation proposed by NHLA would enable the state of New Hampshire to hold watercraft rental businesses responsible for renting to unlicensed or irresponsible boat operators. It would also ensure that responsible watercraft rental businesses are shielded from liability for unlawful use of their vessels.

The Proposed Legislation

The proposed bill would make watercraft rental businesses liable for renting or leasing a personal watercraft that was unsafe and/or for failing to instruct a person intending to rent or lease a personal watercraft on safety and NH's marine laws. A set of educational materials would be provided to the watercraft rental business to be read and understood by each rentor before they may enter NH's lakes and ponds.

CREATION OF A COMMISSION TO STUDY LEASING OF STATE-OWNED LAND ALONG PUBLIC WATERS

The Issue

Currently, large portions of state-owned shorelines, specifically managed by the Department of Transportation's Bureau of Rail and Transit, are being leased at \$25 per linear foot of shoreline. As a result, commercial development in the form of seasonal and permanent docking structures has taken place on many of these leased parcels. By leasing state-owned land adjacent to a lake for a minimal fee and installing a

docking structure, a developer can provide lake access to otherwise land-locked property and significantly increase the sale value of the property. However, in doing so, these otherwise undeveloped state-owned shorelines can no longer provide the maximum shoreland protection needed to maintain water quality and wildlife habitat, especially at a time when our lakes are experiencing significant development pressure on private property. Furthermore, once leased, state-owned shorelines no longer can be used by the public for recreational purposes such as swimming, fishing, picnicking, or any number of activities away from privately owned water frontage.

The Proposed Legislation

NHLA believes that the public's interest in these state-owned parcels of land is being unfairly compromised for private financial gain and recommends a change to this process. Despite NHLA's failed legislative attempt in 2006 to adopt a moratorium on this practice, the organization will continue to pursue legislation that would allow for the creation of a commission to more closely study the economic and environmental effects of leasing state-owned shoreline property. NHLA believes that the creation of such a commission will ultimately lead to beneficial changes in the current practice of leasing state-owned waterfront property.



Safe boating is a concern for all lake enthusiasts.

COMPREHENSIVE SHORELINE PROTECTION ACT COMMISSION'S RECOMMENDATIONS FOR 2007

Ever since the Comprehensive Shoreland Protection Act (CSPA) Commission was legislatively created in 2005, the body has been meeting monthly. The Commission has been carefully analyzing all aspects of the Act with the intention of making a final report of its findings and recommendations for change for November 30, 2006. NHLA and its representative on the Commission, Dr. Bill Smith, have stayed actively involved throughout by providing

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The loss of shoreline protection would increase with added leasing and impact water quality.

recommendations and solutions to improve the Act.

While the Commission does not officially expire until the end of this month, it has already voted to make the following 4 recommendations for improvement to the Act:

- 1) Establish a uniform fifty (50) foot building setback rule to be applied to all municipalities;
- 2) Include all third (3rd) order streams and higher within the regulatory purview of the Act;
- 3) Adopt a “point system” to manage cuts within a vegetated 50-foot shoreland buffer; and
- 4) Draft a CSPA permit which would provide notice to the towns and the Department of Environmental Services (DES) concerning certain activities taken by the landowner in the shoreland.

NHLA will continue to advocate for the Commission to recommend for better enforcement of the Act, a ban on dug-in boathouses and a 10% coverage limitation on impervious surface. The Commission’s final meeting was held on November 13.

PETITION FOR A LAKE WINNIPESAUKEE SPEED LIMIT

On September 25, the Department of Safety held a hearing at the Meredith Community Center, after receiving a citizen petition signed by residents of the 8 towns surrounding Lake Winnepesaukee calling for the adoption of a 45/25 (day/night)



NHLA legislation should help with safer boating on our lakes.

speed limit rule. Both oral and written testimony was received by the Department at the hearing. The Commissioner has not stated when a decision will be made concerning the rulemaking petition due to the large amount of information the Department received from interested parties. Curtis Duclos, the Commissioner’s Chief Hearings Examiner, stated that “[j]ust putting it together is going to take some time[.]” (*Laconia Citizen* – 10/03/06). This petition, which was originally drafted by NHLA, has also spurred interest from at least fifteen (15) other lakes associations. If you are interested in starting a petition for speed limits on your lake, please contact Derek Durbin at NHLA (226-0299 or ddurbin@nhlakes.org). ■



NHLA Environmental Policy Director Derek Durbin chats with Senator Bob Odell about upcoming legislation.

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2. Safety and Enforcement of NH’s Boating Laws

The proposed decal will seek to remedy the public’s safety concerns by generating revenue to educate out-of-state boaters on NH’s marine laws and provide more adequate funding for their enforcement.

New Hampshire’s “Navigation and Safety Fund” appropriates money to the Department of Safety for the sole use of investing in marine safety and enforcement. At the recent Lake Winnepesaukee speed limit hearing, held on September 25, in Meredith, a rare consensus was expressed by everyone in attendance that two of the most critical problems affecting our lakes and ponds are a lack of boater education and funding for enforcement of NH’s marine laws.

3. Dam Maintenance

How does the boater education decal relate to dam maintenance? The waters the dams impound provide habitat for wildlife and economic and recreational benefits to all New Hampshire citizens and the thousands of visitors who use our public water annually. Further-

more, the proper maintenance of our dams will help to ensure the safety of those who make their homes on and around these waters. A portion of the revenue the boater education decal garners will be applied to the dam maintenance fund.

New Hampshire’s dam maintenance fund is virtually insolvent. Its financial shortfall was estimated by a recent legislative study committee report from \$700,000 to \$1,000,000 per year over the next five (5) years. This same study committee also concluded that, since the dams could not be dismantled or turned over to others, another source of funding would need to be found to fill this gap. However, the legislature has since failed to agree on what this alternative would be, leaving the status and maintenance of our dams in peril.

4. Public Access

NHLA’s proposed decal will distribute a portion of its revenue to the maintenance of NH’s public access sites.

Providing and maintaining access to NH’s lakes and ponds comes at a

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2007 LEGISLATIVE SURVEY RESULTS

Every year New Hampshire Lakes Association asks for input from its members and friends on what they feel are the most important issues affecting New Hampshire's lakes and ponds. Those receiving the survey were asked to weigh the importance of each of the following issues on a scale of 1-5 (extremely important-not-important). The

following table lists the averages how each issue scored along with the category of importance into which the issue fell. Issues that did not appear on the survey but were written in by at least 10 or more people are also listed at the bottom of the table.

	ISSUE	AVERAGE	IMPORTANCE LEVEL
1	Enhanced Safety on Public Waters	1.83	Extremely-Very Important
2	Improved Shoreland Protection	1.85	Extremely-Very Important
3	Public Water Dam Maintenance	1.89	Extremely-Very Important
4	Ski Craft/PWC Definition	1.94	Extremely-Very Important
5	Leasing of State-Owned Land Along Public Waters	2.18	Very Important-Important
6	Public Mooring Program	2.77	Very Important-Important
7	Non-Boating Public Access	3.36	Important-Somewhat Important
OTHER NOTABLE ISSUES OF CONCERN: (1) Boat Speed Limits (2) Exotic Plant Control (3) Water Quality (erosion and runoff)		<i>NHLA sincerely thanks all of you who took the time to fill out our survey. Your answers and comments are under consideration for the upcoming legislative session.</i>	

Decal — from page 4

substantial cost due to the large number of lakes and ponds which are found in the state. There is a constantly evolving need for improvement or repair to keep these access points in reasonable working order. The NH Fish and Game Department is the primary agency charged with maintaining these sights. However, with a budget deficit, Fish and Game is not in a position whereby it can expend an adequate amount of money to keep these sites properly maintained.

5. Shoreland Protection

NHLA's proposed boater access decal will lend support to the protection of NH's endangered shorelines by providing funding where it is most desperately needed — the enforcement of the Comprehensive Shoreland Protection Act's provisions.

Did you know that currently, there is only 1 full-time DES employee hired to administer and enforce the provisions of the Comprehensive Shoreland Protection Act? With 976 lakes and ponds in NH, it is impossible for such a limited staff to fully enforce its provisions.

Will The Proposed Decal Deter Out-Of-State Boaters From Coming to NH?

The answer is no, not if Maine's experience with a similar permitting program is any indication. Maine has seen little change in the numbers of out-of-state boats after instituting a "lake and river protection sticker." This "sticker" charges out-of-state boaters \$20.00 for use of the state's inland public waters. Overall, the program has enjoyed a 98% statewide approval rating.

What You Can Do To Help

Over the course of the upcoming legislative session your support will be needed in the form of letters and phone calls to lawmakers. If you would like to help and/or receive weekly updates via e-mail, please contact Derek Durbin at NHLA (226-0299 or ddurbin@nhlakes.org). ■



A large wooded buffer protects Lake Umbagog's pristine water and reminds us what shoreland protection is designed to do.

Twice as Nice: Lake Host's Record 54 "Saves" Again!

Despite a wet summer, with many rainy weekends, NHLA Lake Host's recorded 54 saves on New Hampshire's lakes and ponds for the second consecutive year. This is credit to an outstanding cooperation between NHLA and local volunteer organizations. NHLA was able to expand the Lake Host Program (see chart below) due to additional funding from US Senator Judd Gregg's support through the National Oceanic & Atmospheric Administration (NOAA). In addition, we received over \$180,000 in local matching funds. This again demonstrates the outstanding local commitment to preventing the spread of exotic aquatic invasive species by educating boaters.

2007 Lake Host Program

Next year we will be looking to expand our Program further with another year of federal funding and

NHLA Lake Host Bob Carney checks for milfoil.



anticipated state monies to participating local organizations. Begin planning now by lining up your point person for next year, as well as volunteers and paid Lake Hosts. We will begin accepting grant applications in late February or early March 2007. As always, we welcome new groups to the Program.

Lake Host Program Coordinator

Good news! Andrew Goldman will be returning in 2007 as the NHLA Lake Host Program Coordinator. We wish him well on his senior year at Wesleyan University and look forward to seeing him next summer. ■



NHLA Lake Host checks for invasive aquatic plants.

Lake Host Program Statistics	2002-2005	2006
Number of Participating Organizations	191	57
Number of Paid Lake Hosts	616	204
Number of Trained Volunteer Lake Hosts	760	353
Number of Lakes and Ponds with Lake Hosts	188	56
Number of Ramps Covered	226	66
Number of Boats Inspected	108,968	34,573
Number of "Saves" (exotic plants found)	81	54
Federal Funds	\$390,400	\$117,000
State Funds	\$500,000	\$185,000
Local Funds (hard cash and cash-equivalents)	\$501,531	\$183,179
TOTAL PROGRAM	\$1,391,931	\$485,179

MEMBERSHIP MATTERS

NHLA Moves to Annual Renewal

NHLA is planning to move to an annual renewal for its individual memberships in April of 2007. An annual renewal is nothing new to NHLA, since our association members are already on an annual basis. Moving individual memberships to an annual renewal in April will serve you better and allow more time to develop other revenue streams.

At times there has been confusion between our annual appeal and monthly membership renewals. Both are extremely important to our continued success. The annual appeal supports the operations of our organization. It allows us to purchase things necessary, from paper clips to new software, to run an efficient organization. Membership renewals support the mission of NHLA, advocating for new important legislation and creating educational programs like the Lake Host Program for proper lake stewardship. By going to an annual membership renewal, this confusion will be eliminated. Traditionally our annual appeal is at the end of November and it will stay that way. Our new annual membership renewal will now be in April, beginning in 2007.

We are also allowing a window of time in order to switch over to our new annual renewal. Those of you with memberships due to renew from October 2006 through March 2007, consider yourself active members with a renewal date of April 07. Those of you who renewed from March 2006 through September 2006 will be asked to renew in April 2007 as well. We realize that members from July, August and September 2006 will not receive a full twelve month membership and we thank

you for the sacrifice. After much discussion, the Board considered this process the most equitable for the most members. If you have any questions about our approach please contact Ted Gillan, Director of Development & Membership at tgillan@nhlakes.org or (603)226-0299.

In addition, we are raising the minimum membership fee to \$50. NHLA has not had an increase since 1999. If we are to continue to deliver the best advocacy and education, the increase is necessary. Thank you for your patience and support. ■

Annual Appeal

As 2006 winds down, we ask you to consider a special year-end gift to NHLA to help us through this difficult transition. By using a six month window for transitioning to an annual renewal it is hoped that you will support our annual appeal even stronger than last year. With a major income generator moving from one fiscal year to the next, it puts a strain on our normal cash flow and leaves our annual appeal as our best vehicle to make up for the transition 2006. Please be as generous as you can. Thank you! ■



New Members

7/26/2006–10/13/2006

Individuals

Drs. Richard J. and Sharon P. Aadalen
Mr and Mrs. Hugh and Joyce Austin
Don and Cyndy Burgess
Ms. Suzanne Caron
Mr. Doug Chamberlin
Mr. and Mrs. Russell Cousins
Mr. and Mrs. George Davies
Mr. and Mrs. Warren Farrell
Mr. Charles Faucher and Ms. Pamela Worden
Mr. Tom Maxwell and Ms. Lynn Hamlin
Alan and Jane McKersie
Mr. Charles Phillips
Bob and Amy Radin
Pat and Earl Silbert
Ms. Susanna West

Lakes Legacy

Joe Berry
Bill and Betsy Frago
Mr. and Mrs. Hershel and Mary Anne Sosnoff

Associations

Angle Pond Associates
Chocorua Lake Conservation Foundation
Leeward Shores Association
Ossipee Conservation Commission
Spindle Point Association

Grants

Dick and Connie Brown Charitable Fund (*Membership*)
Bob and Jean Murphy Fund (*Membership*)
Bea and Woolsey Conover Fund,
Jocelyn F. Gutchess Funds and the Truman Charitable Fund (*Lakebook*)
GE Foundation Matching gift (*Bruce Gordon*) ■

NHLA Board Update

At our annual meeting in June, Ted Kramer (former Vice-Chairman) of Madison began his term as the new Chairman of the NHLA Board, replacing the always popular Tom Deans of South Conway. Other officers include Pat Sherman of Newbury, Vice-Chair; Linda Landis of Concord, Secretary; and Fred Szmit of Spofford, Treasurer.

New Directors

We welcome four new Directors to our board:

- **Bill Frago**, Executive in Residence at the University of New Hampshire
- **Joy Tarbell**, owner of Tarbell Realty in North Conway
- **Jeff Thurston**, President of Thurston's Marina in Weirs Beach
- **Steve Kahl**, Director of the Center for the Environment at Plymouth State University



New Directors on NHLA's Board enjoy a photo with new staff. L to R: Bill Frago, Joy Tarbell, Development & Membership Director Ted Gillan, Jeff Thurston, Environmental Policy Director Derek Durbin and Steve Kahl.

Other Board Changes

After 9 years of service (maximum tenure) to NHLA, we honor and thank Sam Laverack and Joe Goodnough. Sam helped shape our financial stability with his knowledge and expertise in the banking

community. Joe was instrumental in the growth of NHLA with his ideas and enthusiasm. We are grateful for their commitment, expertise and personal support over the years. We wish them well! ■

Mark Your Calendars for Next Summer!

The Fourteenth New Hampshire Lakes Congress will be held on Friday, June 29, 2006 at the Audubon Society of NH McLane Center in Concord. We will kick off our 15th year anniversary! Watch for the flyer in May. ■



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Lakes Association**
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