

COMMISSION TO STUDY THE EFFECTIVENESS OF THE CURRENT STATUTES RELATED TO
MANAGEMENT OF NON-TIDAL PUBLIC WATERWAYS AND THE CONSTRUCTION OR
PLACEMENT OF STRUCTURES WITHIN THEM (RSA 482-A:35)

Monday, June 3, 2019 1 PM in LOB Room 305

Agenda

- I. Call to order:
 - a. Mark McConkey, Chair, called the meeting to order at 1:02 PM.
- II. Introductions:
 - a. Welcome to our new member, David Juvet, from the BIA. David is replacing Kat Lehmann who recently resigned from the BIA and was the organization's appointee previously.
 - b. In attendance:
 - i. Mark McConkey, Jenne Walker, Diane Hanley, Don Ware, Paul Goodwin, Tom Quarles, David Juvet, Rep. Renzullo, Rep. Smith, Cindy Balcius, Rene Pelletier, Darlene Forst, Jaron Castranio
 - ii. Guest: Kaytlynn Jacobs-Brett, lobbyist with Bianco representing NH Marine Trades Association
 - c. Reminder regarding the website and how to access it:
 - i. The website holds important resources, including: minutes, agendas, audio recordings of our meetings, and handouts/presentations. You can access the commission website here:
<http://gencourt.state.nh.us/statstudcomm/details.aspx?id=1400&rbl=1&txtkeyword=non-tidal>
- III. Set the next meeting dates:
 - a. Monday, July 1st, 1 PM
 - b. Monday, July 22nd, 1 PM
 - c. Monday, August 12th, 1 PM
 - d. Monday, September 9th, 1 PM
 - e. All meetings will be held in the Legislative Office Building, Room 305, if it is available. Members will be updated on the location of the next meetings via email.
- IV. Legislative Update:
 - a. Representative Suzanne Smith:

- i. [HB228](#), relative to 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 and relative to the New Hampshire rivers management and protection program, goes into effect as soon as the Governor signs it. It would reduce the quorum on this commission to 8 members present, it would add a person representing recreational boating interests (appointed by the Governor), and it would extend the commission until 2020. It has already passed the House and Senate.
- V. Presentation from Paul Goodwin of Watermark Marine, appointee of NH Marine Trades Association, regarding what goes into a wetlands permit application and the process for applicants:
 - a. How do you complete a wetland permits for shoreland structures?
 - i. Paul explained 4 major categories of permits (seasonal dock notifications, permits by notification, minimum impact expedited, and standard dredge and fill permits). He gave the commission members an overview of the process (including the necessary documentation, steps in the process, and current challenges). Please find his full presentation in the [“documents” section of the commission’s website](#).
- VI. Update on [HB645](#), relative to establishing a dock registration procedure:
 - a. Mark McConkey asked for an update on HB645. Rene Pelletier explained HB645 passed the House and Senate. It still needs the Governor’s signature to become law. Rene clarified that all types of docking, non-tidal structures are eligible for registration, that the program remains entirely voluntary, and that registration lasts 5 years with a \$200 fee. He said this bill would be effective January, 2020, if the Governor signs it. Rene stated the time before January 2020 will allow DES to conduct outreach preparation associated with registration efforts.
 - b. Some members of the commission expressed concern with the voluntary dock registration program, primarily because they felt it may interfere with pending litigation. Some members expressed concern regarding the eligibility of actual dock owners to participate and the change in the “grandfathered” date to 2000. Darlene Forst and Rene asserted the voluntary registration program will greatly reduce abutter conflicts, the cost of maintenance for dock owners, and will be accessible to many.
- VII. Kelly Buchanan demonstrated how to access the commission’s website.
- VIII. Approval of last meeting’s minutes (5/13/19)

- a. Representative Smith made a motion to approve, Tom Quarles seconded that motion. Minutes were approved unanimously.
- IX. Public Input
 - a. None was received.
- X. Adjourn
 - a. Mark McConkey made a motion to adjourn. Jenne Walker seconded that motion. The meeting was adjourned unanimously at 1:30 PM.