

**Adopt Ncr 741, effective as Res 7400 3-1-14 (Document #10533) expired 3-1-24 and then effective as Ncr 741 8-19-24 (Document #14056 EMERGENCY) expired 2-15-25, to read as follows:**

CHAPTER Ncr 740 RESERVED AND PRIVILEGED USE OF DEPARTMENT LANDS, FACILITIES AND RESOURCES

Statutory Authority: RSA 12-A:2-c, I and II (a) and RSA 227-G:4, I.

PART Ncr 741 PURPOSE AND EXCLUSIONS.

~~———— Ncr 741.01 Applicability. The provisions of Ncr 740 shall apply to all department of natural and cultural resources (department) properties listed in Ncr 101.06, and subsequent properties and easements upon acquisition, and facilities, structures and improvements thereon and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.~~

Ncr 741.02-01 Purpose. This chapter has been enacted to:

- (a) Promote fairness and consistency in authorizing uses of department lands, facilities, and resources;
- (b) Promote public health, safety, and welfare, including but not limited to the safety of participants and the public at large;
- (c) Manage impacts and prevent degradation to department lands, facilities, and resources;
- (d) Manage competing uses of department lands, facilities, and resources, including but not limited to impacts to or degradation of the visitor experience;
- (e) Provide a public benefit when allowing exclusive use of department lands, facilities, and resources;
- (f) Manage the allocation, cost, and sufficiency of department operational resources, including but not limited to staff labor, sanitation, waste management, traffic control, or parking;
- (g) Provide reasonable revenue generation and cost recovery to the state and its citizens pursuant to RSA 216-A:3-g and RSA 227-G:5 from the special or commercial use of public lands, facilities, and resources; and
- (h) Protect the state from liability and damages arising from the use of its lands, facilities, and resources.

Ncr 741.03 Exclusions. Permission through application shall be required for use of department lands, facilities, and resources, except uses by governmental and quasi-governmental agencies under separate agreement for the use or activity, or uses governed by the following statutes, rules, management plans, and department programs:

- ~~(a) Ncr 520, Rules For The Operation Of Wood Processing Mills;~~
- ~~(b) Ncr 530, Rules For The Harvesting Of Timber;~~
- ~~(c) Ncr 540, Floating Timber Rules;~~

~~(d) Ncr 561, Fire Permits;~~

~~(e) Ncr 562, Public Or Private Camp Or Picnic Grounds;~~

~~(f) Ncr 563, Disposal Sites;~~

(g) Ncr 731.23, Group Use;

(h) Ncr 732.03, Camping Permits;

(i) Ncr 743, Special Use Permits;

(j) Ncr 744, Group Reservations;

***(k) Ncr 753, Volunteer Applications;***

~~(k) RSA 216-A:3, Agreement with other state agencies, the federal government, municipalities or other public and private agencies, including but not limited to agreements with friends groups, partner organizations and volunteers;~~

~~(l) RSA 227-H:9, Leasing of Privileges and Concessions;~~

~~(m)~~***(l)*** Permissible uses granted under a property management plan;

~~(n)~~***(m)*** Guiding services that meet all of the following requirements:

(1) The activity is conducted outside developed areas of department properties, except that the following uses within developed areas shall not require a special use permit:

a. Organizations that serve youths and children, such as but not limited to municipal recreation departments, non-profit, and commercial youth groups and camps, that provide youth-based guiding services that are conducted within developed department areas and qualify under that department's **agency's** school group or bus pass program, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g;

b. Fishing guides using public boat access facilities located on the below listed department lands and managed under agreement with the department of fish and game, when used for the sole purpose of accessing the body of water:

1. Bedell Bridge state park;
2. Greenfield state park;
3. Pawtuckaway state park; and
4. Wellington state park;

(2) The activity is within the normal and routine recreational use of department lands, such as but not limited to hunting, fishing, hiking, birding, nature, canoe, kayak, and climbing guiding; and

(3) The activity does not otherwise require a special use permit under Ncr 743.01.

(o) Programs, events, or activities initiated, sponsored or conducted by the department; and

(p) Events or activities solely involving the expression of views, such as assemblies, meetings, and demonstrations that:

(1) Is not a special use or commercial use listed under Ncr 743.01-(a) through (m); and

(2) Does not involve such numbers of people that it would overwhelm the specific location and degrade visitor experience, as determined by the department.

***Ncr 741.02 Applicability. The provisions of Ncr 740 shall apply to all department of natural and cultural resources (department) properties, and subsequent properties and easements upon acquisition, and facilities, structures and improvements thereon and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.***

#### PART Ncr 742 DEFINITIONS.

##### Ncr 742.01 Definitions.

(a) “Developed” means those lands, facilities, and resources that have improvements where staff or services are provided or fees are charged, such as but not limited to lawns and fields maintained by regular mowing, picnic areas, pavilions, group use areas, playgrounds, play areas, athletic fields, bathhouses, toilet buildings, park stores, visitors centers, educational facilities, administrative facilities, maintenance facilities, dwellings, camps, cabins, yurts, campsites and campgrounds, beaches, boat launches, and roadways, trails, and parking areas directly within or directly associated with developed areas.

(b) “Department lands, facilities, and resources” means those lands, facilities, and resources under jurisdiction of the department or rights granted by third parties held by the department, including but not limited to historical, cultural, and natural resources such as water bodies, geology, vegetation, and soil, and improvements such as facilities, structures, roads, trails, and landscaping.

(c) “Commercial use” means any use, activity, or event in which any of the following occur:

(1) Income is derived from use of department lands, facilities, and resources, directly or indirectly, regardless of the intent to produce a profit, as determined by the department;

(2) Attendees, participants, or guests are charged a fee by the individual, business, group or organization;

(3) The sale, promotion, exchange, or demonstration of goods or services;

(4) Canvassing or soliciting, excepting the use of a vehicle, boat, or clothing permanently affixed with a commercial logo or insignia; or

(5) Fundraising or membership drives, even if for a non-profit or charity organization.

(d) “Degradation of the visitor experience” means the event, activity, or use disrupts traditional public park use or unduly inconveniences abutting landowners or the general public and causes or might cause any of the following conditions:

- (1) Impose on or conflict with the use of department lands, facilities, and resources by the public at large;
- (2) Excessive noise so as to deny others their right to quiet enjoyment of their recreational use of department lands, facilities, and resources; or
- (3) Multiple complaints from other visitors or parties, ~~as determined by the department.~~

(e) “Special use” means any event, activity, or use that is beyond the normal or routine recreational use of a specific department property or an event, activity, or use requiring a permit under Ncr 743.01

#### PART Ncr 743 RULES RELATING TO SPECIAL USE PERMITS

Ncr 743.01 Special Use Permit Required. Except for Ncr 741.03, a permit shall be required for any special use or commercial use of a department land, facility, or resource, including the following uses:

(a) The ***reserved or rental*** use of a property, ***unless provided for under group reservations in Ncr 744*** ~~over an extended period of time~~;

(b) Any organized event or use which shall occur beyond the regular operating season or outside the regular operating hours of a specific property or at an unstaffed property, unless provided for under group reservations in Ncr 744;

(c) Hosting an event or activity in which the general public is invited;

(d) Any commercial or service-based use by individuals, businesses, groups, or organizations, regardless of the intent to produce a profit, including but not limited to fundraising and charity events, guide and other recreation- or environmental-based services, education, training, and classes, unless excluded in Ncr 741.03(n);

(e) Any event, activity, or use where a third party is contracted to provide products or services, including food or alcohol served by or to third parties, or entertainment, unless provided for under group reservations in Ncr 744;

(f) Any event, activity, or use that require the addition of equipment or structures onsite, including but not limited to party tents, tables, and chairs, amplified musical equipment, generators, and portable lighting, bounce houses, portable climbing walls, dunk tanks, live animals, wildlife nesting, or viewing platforms, cameras, recording devices, or communications equipment, unless provided for under group reservations in Ncr 744;

(g) Conducting research, collecting information or data, a pilot, test, or proof-of-concept program or project;

(h) Filming, photography, or recording activities intended for commercial use and conducted by commercial or professional filming, photography, and recording studios, companies, and businesses;

(i) Military exercises;

(j) Any event, activity, or use that is otherwise prohibited within a department property, such as but not limited to, access to otherwise restricted areas or where alcohol will be present where normally prohibited, unless provided for under group reservations in Ncr 744;

(k) Any event, activity, or use that requires prior approval from the department, such as but not limited to trail maintenance or cutting vegetation for scenic views;

(l) Any event, activity, or use that requires department staff to provide services or assistance beyond their normal or routine duties, operations, or hours, unless provided for under group reservations in Ncr 744;

(m) Any event, activity, or use that is beyond the normal or routine recreational use of a specific department property as determined by the department, except as is provided for under exclusions in Ncr 741.03; and

(n) Events, activities, or use solely involving the expression of views, such as assemblies, meetings and demonstrations that is not a special use or commercial use listed under Ncr 743.01-(a) through (m), but involves such numbers of people that it would overwhelm the specific location and degrade the visitor experience as determined by the department.

Ncr 743.02 Application for Special Use Permit.

(a) At least 60 days prior to the proposed event, activity or use, hereinafter referred to as “use,” requiring a special use permit, an individual, business, organization, or group, hereinafter referred to as the “applicant,” shall apply for a special use permit by completing and submitting a ~~special use permit application provided by the department~~ **“NH State Parks Special Use Permit Application, Version 1.0,” <https://onlineforms.nh.gov/app/#/formversion/bc0fb00d-89fc-4135-9111-8d2e7f1bfba8> (as accessed and printed on April 15, 2025), available as noted in Appendix B.**

(b) Where the proposed use is noncommercial activities solely involving the expression of views under Ncr 743.01-(n) occasioned by events coming into public knowledge within one month prior to the planned event, the applicant shall apply for a special use permit at least 72 hours prior to an event.

(c) An applicant shall supply the following information:

(1) Name, address, day-time telephone number, and email address of the individual, or in the case of group use, the name of the organization and the name, address, and day-time telephone number of the contact person for the organization;

(2) Name of the department property and the facility or area within the property where the proposed use is requested to be held;

(3) The following information about the proposed use:

a. Name, type of use, and brief description of the use;

b. Proposed activities, programs, services, music, and entertainment;

c. Number of staff, employees, and volunteers that will be onsite;

- d. Number of guests, participants, and spectators;
- e. Date(s) and beginning and ending time(s) of the use including setup and dismantling;
- f. Any equipment or third-party vendors or contractors that will be brought onsite; and
- g. Any fees charged, including but not limited to entry or participant fees, food, and beverage service, products, or goods for purchase, services offered, or requests for donations;
- h. Event website ~~and~~/or social media page;

(4) Any additional needs or special considerations, such as but not limited to access to otherwise restricted areas, access to utility services such as electrical, phone, and water, the need for department staff assistance, additional waste and sanitation management, traffic control, or additional parking;

(5) The need for law enforcement and emergency medical response services onsite;

(6) Whether alcohol will be served at the event, and if so, whether by licensed bartender or caterer; and

(7) Whether direct or indirect income, regardless of the intent to make a profit, will be derived from the use of the department land, facilities, and resources. When revenue is generated an income and expense report with a comparison of gross revenue versus net revenue shall be required within 60 days following the use and submitted to the department.

(d) All information *submitted with and on the application* shall be legible.

(e) General liability insurance coverage shall be required from the applicant ~~or organization~~ so as to reasonably protect the state against actions and claims arising from the use. The amount of liability insurance coverage shall be determined by the department based upon the type, extent, and risk to persons and property associated with the use, but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.

(f) The applicant shall include a copy of the following:

(1) A certificate of insurance as proof of liability insurance coverage that:

- a. Is valid for the duration of the use, including setup and dismantling;
- b. Provides coverage for all in attendance, including but not limited to the staff, employees, volunteers, guests, participants, and spectators;
- c. Lists the applicant or organization as the insured; ~~and~~
- d. Lists the ~~State~~ *state* of New Hampshire as a certificate holder and as an additional insured ~~as may be required by the department~~; and
- e. Provides proof of Host Liquor Liability Insurance coverage when alcohol is being served ~~and when required by the department~~.

(g) General liability insurance coverage shall not be required for use solely involving the expression of views that is not a special use or commercial use listed under Ncr 743.01-(a) through (m).

(h) The applicant shall:

(1) Sign and date the application;

(2) Certify by ~~his or her~~ **the applicant's** signature agreement to:

a. The use of the department lands, facilities, and resources, and specified areas as required under Ncr 746 and as stated in the permit;

b. Fulfill all requirements requested by the department, including but not limited to any conditions, stipulations, or restrictions of the permit, the final payment of fees and the submission of any required information, documents, or reports; and

c. The information provided is complete and accurate, and no willful misrepresentations or omissions are made;

(3) Agree to indemnify and hold harmless the ~~State-state~~ with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply; and

(4) Obtain any and all federal, state, or local permits and licenses, if applicable.

(i) The applicant shall include a non-refundable administrative fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, unless the permit application is denied by the division and the administrative fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire;" except that an administrative fee shall not be required for use solely involving the expression of views that is not a special use or commercial use listed under Ncr 743.01-(a) through (m), however the applicant shall pay all other fees generally charged to the public such as day-use and parking fees.

(j) The applicant shall include a non-refundable expedite fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, if the permit application is submitted less than 60 days prior to the event, and unless the permit application is denied by the division and the expedite fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire."

(k) The applicant shall pay all other applicable fees in the manner contracted, including but not limited to an event fee, which shall be based upon such considerations as but not limited to day use fees, parking fees, cost recovery, fair market value, number of guests, participants, or spectators, revenue generated, and date and time of the event.

(l) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed application, fees, and attachment(s) to the ~~authorized department personnel~~ **authority** or to:

Department of Natural and Cultural Resources  
Division of Forests and Lands or Division of Parks and Recreation (as appropriate)  
Special Use Permit Program

172 Pembroke Road  
Concord, NH 03301

(m) Applications received less than 30 days prior to the first date of the event held on department property shall automatically be denied a permit, ~~unless authorized for consideration by the director or designee.~~

Ncr 743.03 Application for Filming Special Use Permit.

(a) At least 30 days prior to filming, hereinafter referred to as “use,” requiring a filming special use permit, an individual, business, organization, or group, hereinafter referred to as the “applicant,” shall apply for a filming special use permit, hereinafter referred to as “film permit,” by completing and submitting a ~~filming special use permit application provided by the department~~ **“2025 Filming Permit Application,” April 2025, available as noted in Appendix B.**

(b) Where the proposed use includes the use of an ~~Unmanned Aircraft System~~ **unmanned aircraft system** (“UAS” or “drone”), the applicant shall also complete the ~~UAS Questionnaire provided by the department~~ **“Unmanned Aircraft System (UAS) Questionnaire,” April 2025, available as noted in Appendix B.**

(c) An applicant shall supply the following information:

- (1) Name, address, day-time telephone number, and email address of the individual, or in the case of group use, the name of the organization and the name, address, and day-time telephone number of the contact person for the organization;
- (2) Name of the department property and the facility or area within the property where the proposed use is requested to be held;
- (3) The following information about the proposed use:
  - a. Name, type of use, and brief description of the use;
  - b. Proposed activities, programs, services, music, and entertainment;
  - c. Number of staff, employees, and volunteers that will be onsite;
  - d. Number of guests, participants, models, and spectators;
  - e. Any animals that will be onsite;
  - e. Date(s) and beginning and ending time(s) of the use including setup and dismantling;
  - f. Any equipment, props, or third-party vendors or contractors that will be brought onsite; and
  - g. Any fees charged, including but not limited to entry or participant fees, food and beverage service, products or goods for purchase, services offered or requests for donations;
- (4) Any additional needs or special considerations, such as but not limited to access to otherwise restricted areas, access to utility services such as electrical, phone, and water, the



need for department staff assistance, additional waste and sanitation management, traffic control, or additional parking;

(5) The need for law enforcement and emergency medical response services onsite; **and**

(6) A detailed description of the filming activity including plot and equipment used.

(d) All information ***submitted with and on the application*** shall be legible.

(e) General liability insurance coverage shall be required from the applicant or organization so as to reasonably protect the state against actions and claims arising from the use. The amount of liability insurance coverage shall be determined by the department based upon the type, extent, and risk to persons and property associated with the use, but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.

(f) The applicant shall include a copy of the following:

(1) A certificate of insurance as proof of liability insurance coverage that:

a. Is valid for the duration of the use, including setup and dismantling;

b. Provides coverage for all in attendance, including but not limited to the staff, employees, volunteers, guests, participants, and spectators;

c. Lists the applicant ~~or organization~~ as the insured; and

d. Lists the ~~State~~ **state** of New Hampshire as a certificate holder and as an additional insured as ~~may be~~ required by the department, ***if applicable***;

(h) The applicant shall:

(1) Sign and date the application;

(2) Certify by ~~his or her~~ ***the applicant's*** signature agreement to:

a. The use of the department lands, facilities, and resources, and specified areas as required under Ncr 746 and as stated in the permit;

b. Fulfill all requirements requested by the department, including but not limited to any conditions, stipulations, or restrictions of the permit, the final payment of fees and the submission of any required information, documents, or reports; and

c. The information provided is complete and accurate, and no willful misrepresentations or omissions are made;

(3) Agree to indemnify and hold harmless the ~~State~~ **state** with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply; and

(4) Obtain any and all federal, state, or local permits and licenses, if applicable.

(i) The applicant shall include a non-refundable administrative fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, unless the permit application is denied by the division and the administrative fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire;" except that an administrative fee shall not be required for use solely involving the expression of views that is not a special use or commercial use listed under Ncr 743.01-(a) through (m), however the applicant shall pay all other fees generally charged to the public such as day-use and parking fees.

(j) The applicant shall include a non-refundable expedite fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, if the permit application is submitted less than 30 days prior to the event, and unless the permit application is denied by the division and the expedite fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire."

(k) The applicant shall pay all other applicable fees in the manner contracted, including but not limited to an event fee, which shall be based upon such considerations as but not limited to day use fees, parking fees, cost recovery, fair market value, number of guests, participants or spectators, revenue generated, and date and time of the event.

(l) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed application, fees, and attachment(s) to the ~~authorized department personnel~~ **authority** or to:

Department Natural and Cultural Resources  
Division of Forests and Lands or Division of Parks and Recreation (as appropriate)  
Special Use Permit Program  
172 Pembroke Road  
Concord, NH 03301

(m) Film permit applications received less than 10 days prior to the first date of the event held on department property shall automatically be denied a permit, ~~unless authorized for consideration by the director or designee.~~

#### PART Ncr 744 RULES RELATING TO GROUP RESERVATIONS OF CERTAIN DEPARTMENT FACILITIES

Ncr 744.01 Group Reservation Required. Except for uses requiring a special use permit under Ncr 743.01 or excluded under Ncr 741.03, any reserved or exclusive use of department lands, facilities, and resources, such as but not limited to pavilions, group use areas, the Hampton Beach Seashell, and associated function areas, and trails, used for private parties, gatherings, meetings, and activities, shall require advance reservation ~~through the authorized department personnel.~~

##### Ncr 744.02 Request For Group Reservation.

(a) At least 30 days prior to an event requiring a group reservation, an individual, business, organization, or group, herein after referred to as the "applicant," shall ~~request a complete a "Group Use #Reservation Request,"~~ ***https://www.nhstateparks.org/rentals/pavilions-group-use-areas (as accessed and printed on April 15, 2025), available as noted in Appendix B*** or by contacting the ~~authorized department personnel~~ **authority**.

(b) Where the proposed group reservation is noncommercial activities solely involving the expression of views occasioned by events coming into public knowledge within one month prior to the planned event, an applicant shall request ***to book*** a group reservation at least 72 hours prior to an event.

(c) An applicant shall supply the following information:

(1) Name, address, day-time telephone number, and email address of the individual, or in the case of group use, the name of organization and the name, address, and day-time telephone number of the contact person for the organization;

(2) Name of the department property and the facility or ***group use*** area within the property where the event is requested to be held;

(3) The following information about the proposed event:

a. ~~Name, type~~ ***Type*** of event; and brief description of the event;

b. Proposed activities, programs, services, music, and entertainment;

c. ~~Number of staff, employees and volunteers that will be onsite;~~

~~d.c.~~ Number of guests, participants, and ~~spectators~~ ***attendees***;

~~e.d.~~ Date(s) and beginning and ending time(s) of the event, including setup and dismantling; and

~~f.e.~~ Any equipment, ***tents***, or third-party vendors or contractors that will be brought onsite;

(4) Any additional needs or special considerations, such as but not limited to style set-up of the function space, access to utility services such as electrical, phone, and water, traffic control, police detail, or additional parking; and

(5) Whether alcohol will be served at the event, and if so, whether by licensed bartender or caterer. ***If alcohol will be served, provide proof of a valid Host Liquor Liability Insurance in amounts not exceed the limits on actions and claims pursuant to RSA 541-B:14.***

~~a. Proof of valid Host Liquor Liability Insurance shall be required when alcohol is being served. The amount of liability insurance coverage shall be determined by the department but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.~~

(d) All information ***submitted with and on the application*** shall be legible.

(e) General liability insurance coverage shall be required from all third-party vendors so as to reasonably protect the state against actions and claims arising from the event. The amount of liability insurance coverage shall be determined by the department based upon the type, extent, and risk to persons and property associated with the event, but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.

(f) Should the applicant hire third-party vendors, such as but not limited to a tent rental company, rental of tables and chairs, caterers and bartenders, and DJs and bands, the applicant shall include the following:

- (1) Name and phone number of the third-party vendor; and
- (2) A certificate of insurance as proof of liability insurance coverage held by the third-party vendor, valid on the date of the event, and listing the vendor as the insured.

(g) The applicant shall ~~be sent a group reservation form, rental agreement or facility use agreement, hereinafter referred to as “group reservation form,” and:~~

- (1) Sign and date the group reservation form *for group reservations that occur at the seacoast facilities*;
- (2) Certify by ~~his or her~~ *the applicant’s* signature *or by selecting the online reservation confirmation check-box, their* agreement to:
  - a. The use of the ~~DNCR~~ *department* lands, facilities, and resources, and specified areas as required under Ncr 746 and as stated in the group reservation form;
  - b. Fulfill all requirements requested by the department, including but not limited to any conditions, stipulations, or restrictions of the ~~permit~~ *group reservation form*, the final payment of fees, and the submission of any required information; and
  - c. The information provided as complete and accurate, and no willful misrepresentations or omissions are made;
- (3) Agree to indemnify and hold harmless the ~~State~~ *state* with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply; and
- (4) Obtain any and all federal or state permits and licenses, if applicable.

(h) The applicant shall include a reservation and rental fee, as established in accordance with the department’s fee package pursuant to RSA 216-A:3-g. If payment is by check or money order it shall be made payable to “Treasurer, State of New Hampshire.” For events solely involving the expression of views, the applicant shall pay all fees generally charged to the public such as but not limited to day-use fees, reservation and rental fees, and parking fees.

(i) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed group reservation request, fees, and attachment(s) to the appropriate ~~authorized department personnel~~ *authority* of the department property at which the applicant wishes to reserve a facility.

## PART Ncr 745 REVIEW OF APPLICATIONS FOR RESERVED AND PRIVILEGED USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

### Ncr 745.01 Department Authority.

(a) The director of forest and lands or the director of parks and recreation, or both, or their respective assignees, shall be authorized to review and approve special use permit applications and group reservation requests that are within their respective jurisdictions pursuant to Ncr 740.

(b) For purposes of this part, an “application” means an application for a special use permit, as is required under this chapter.

(c) A “request” means a request for a group reservation, as is required under this chapter.

(d) An “agreement” means either:

- (1) A special use permit;
- (2) A group reservation form;
- (3) A rental agreement; or
- (4) A facility use agreement, as is applicable under this chapter.

(e) A group reservation form, rental agreement, and facility use agreement shall collectively be referred to as “group reservation form,” under this chapter.

#### Ncr 745.02 Review of Applications and Requests.

(a) The **applicable** department authority shall approve an application or request for reserved or privileged use of DNCR lands, facilities, and resources if ~~the conditions set forth herein are met:~~

- (1) The application or group reservation form is signed and complete;
- (2) The applicant has complied with the requirements of Ncr 743.02 or Ncr 744.02, whichever shall apply;
- (3) The application or request was received in the time required; and
- (4) The application or request includes all documents necessary at the time of application or request submission, such as but not limited to proof of liability insurance and payment of applicable fees.

(b) Notwithstanding (a) above, the application or request shall be denied if one or more of the following circumstances are present, as determined by the ~~DNCR authority~~ **applicable department**:

- (1) The proposed use or activity violates deed restrictions or is inconsistent with department management purposes for the specific department lands, facilities, and resources, as determined by the department;
- (2) The location sought is not suitable because the proposed use or activity would materially impact the characteristics or functions of department lands, facilities, and resources;
- (3) The location sought is not suitable because department lands, facilities, and resources are reasonably likely to be harmed by the proposed use or activity;

- (4) The proposed use or activity is prohibited by federal or state law unrelated to the content of expressive activity;
  - (5) The proposed use or activity violates state public health laws and rules as applied to the proposed site;
  - (6) The proposed use or activity will pose a danger to public health, safety, and welfare;
  - (7) The location sought is not suitable because the proposed use or activity is of such nature or duration that it cannot reasonably be accommodated in that location;
  - (8) The proposed use or activity will delay, halt, impact, or prevent administrative use of an area by department or other scheduled or existing uses;
  - (9) The date and time requested have previously been allotted by special use permit or group reservation, or other contract or agreement;
  - (10) Within the preceding 2 years, the applicant has been granted a reservation or privileged use or other agreement and did, on that prior occasion, knowingly violate a material term or condition of the permit or agreement, or any law, ordinance statute or regulation relating to use of the department lands, facilities, or resources;
  - (11) The proposed use or activity would unreasonably cause or contribute to the degradation of the visitor experience; or
  - (12) The proposed use or activity involves military or paramilitary training or exercises by private organizations or individuals.
- (c) If the department authority approves an application or request for reserved or privileged use pursuant to Ncr 745.02(a) above, the department authority shall forward to the applicant one completely executed copy of the special use permit or group reservation form.
- (d) If the department authority does not approve an application or request for reserved or privileged use pursuant to Ncr 745.02(b) above, the department authority shall notify the applicant in writing, citing the specific grounds contained within Ncr 745.02(b) above for the denial.
- (e) An applicant whose application or request is denied pursuant to Ncr 745.02(b) above, may appeal to the commissioner within 5 business days of receipt of the denial, citing all reasons the denial was inappropriate. Upon receipt of the appeal, the commissioner shall notify the applicant, in writing, of ~~his or her~~ **the commissioner's** decision within 48 hours, citing any denial to the grounds contained within Ncr 745.02(b) above.

## PART Ncr 746 USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

### Ncr 746.01 Use of Department Lands, Facilities, and Resources Granted Under Chapter 740.

- (a) For purposes of this part, an “agreement” means a special use permit, group reservation form, rental agreement, or facility use agreement, as is applicable under this chapter.
- (b) Only the buildings, facilities, specified areas, or resources of the department lands identified in the agreement shall be used for the approved use or activity.

(c) Hours of the use or activity shall be limited to the time authorized by the agreement.

(d) The individual or group identified by the agreement shall comply with all the conditions of the agreement.

(e) For verification purposes, a copy of the agreement shall be presented to the manager or other ~~authorized department personnel~~ **authority** on the day of the scheduled use or activity.

(f) The use or activity, while engaged or executed, shall not unreasonably cause or contribute to the degradation of the visitor experience, as determined by the ~~authorized department personnel~~ **authority**.

(g) The use or activity, while engaged or executed, shall not cause environmental or property damage to ~~DNCR department~~ lands, facilities, and resources, as determined by the ~~authorized department personnel~~ **authority**.

(h) Onsite signs, postings, decorations, and setup for the use or activity shall be appropriate for a family-friendly park and forest environment, subject to the approval of the onsite manager or other ~~authorized department personnel~~ **authority**.

(i) Attendees and participants shall park in areas designated by ~~authorized department personnel~~ **authority**.

(j) All buildings, facilities, specified areas, or resources used for the approved use or activity shall be restored by the individual or group identified by the agreement to the same condition in which it was originally found, including the removal of all signs, postings, decorations, equipment and structures, and trash.

(k) Supervision of the use or activity shall be the responsibility of the individual or group identified by the agreement.

## PART Ncr 747 SUSPENSION OF RESERVED AND PRIVILEGED USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

### Ncr 747.01 Suspension of Use of Department Lands, Facilities, and Resources Granted Under Chapter 740.

(a) For purposes of this part, an “agreement” means a special use permit, group reservation form, rental agreement, or facility use agreement, as is applicable under this chapter.

(b) At any time, an ~~authorized department personnel~~ **authority** shall immediately suspend the agreement pursuant to RSA 541-A:30, III, and shall evict the person, group, organization, company, or contracted party, should any of the following occur, as determined by the ~~authorized department personnel~~ **authority**:

- (1) Causing environmental or property damage;
- (2) Causing damage to department lands, facilities, or resources;
- (3) Endangering public health, safety, or welfare;
- (4) Unreasonably causing or contributing to the degradation of the visitor experience; or

(5) Violating the terms or conditions of the agreement.

(c) Any person, group, or organization evicted from the property pursuant to the above, shall not receive a refund of department-related daily fees, including but not limited to, admission, parking, permit, or enterprise function fee, except for a portion of camping rental fees as allowed by RSA 216-I:6.

(d) Any person or organization evicted from the property pursuant to the above, shall not receive a refund of the unused portion of a season pass or seasonal or multi-year special use permit pending an adjudicative proceeding pursuant to RSA 541-A:30, III.

#### **APPENDIX A: State Statute Implementation**

<b>Rule</b>	<b>State or Federal Statute which the Rule is Intended to Implement</b>
Ncr 741.01 through Ncr 746.01	RSA 12-A:2-c, I and II (a) and (b); RSA 227-G:4, I
Ncr 747.01	RSA 12-A:2-c, I and II (a); RSA 541-A:30, III

#### **APPENDIX B: Incorporation by Reference**

<b>Rule</b>	<b>Title</b>	<b>Obtain at:</b>
<b>Ncr 743.02, (a)</b>	<b>NH State Parks Special Use Permit Application, Version 1.0, as accessed and printed on April 15, 2025</b>	<b>Online:</b> <a href="https://onlineforms.nh.gov/app/#/formversion/bc0fb00d-89fc-4135-9111-8d2e7f1bfba8">https://onlineforms.nh.gov/app/#/formversion/bc0fb00d-89fc-4135-9111-8d2e7f1bfba8</a> <b>Email:</b> <a href="mailto:dncr.stateparkpermits@dncr.nh.gov">dncr.stateparkpermits@dncr.nh.gov</a> <b>Cost: Free of Charge</b>
<b>Ncr 743.03, (a)</b>	<b>2025 Filming Permit Application, April 2025</b>	<b>Department of Natural and Cultural Resources</b> <b>Division of Parks and Recreation</b> <b>Special Use Permit Office</b> <b>172 Pembroke Rd</b> <b>Concord, NH 03301</b>  <b>Email:</b> <a href="mailto:dncr.stateparkpermits@dncr.nh.gov">dncr.stateparkpermits@dncr.nh.gov</a> <b>Cost: Free of Charge</b>
<b>Ncr 743.03, (b)</b>	<b>Unmanned Aircraft System (UAS) Questionnaire, April 2025</b>	<b>Department of Natural and Cultural Resources</b> <b>Division of Parks and Recreation</b> <b>Special Use Permit Office</b> <b>172 Pembroke Rd</b> <b>Concord, NH 03301</b>  <b>Email:</b> <a href="mailto:dncr.stateparkpermits@dncr.nh.gov">dncr.stateparkpermits@dncr.nh.gov</a>



		<i>Cost: Free of Charge</i>
<i>Ncr 744.02, (a)</i>	<i>Group Use Reservation Request, as accessed and printed on April 15, 2025</i>	<p><i>Online: <a href="https://www.nhstateparks.org/rentals/pavilions-group-use-areas">https://www.nhstateparks.org/rentals/pavilions-group-use-areas</a></i></p> <p><i>For Seacoast State Parks reservations: Seacoast State Parks Events Management 180 Ocean Boulevard PO Box 0924 Hampton, NH 03843-0924 603-227-8717</i></p> <p><i>Cost: Free of Charge</i></p>