



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
DIVISION of PARKS and RECREATION
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February 10, 2021

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

RE: HB 534 relative to municipal control of certain frozen water bodies.

Dear Chair Renzullo and Members of the Committee,

Please accept this testimony on behalf of the Department of Natural and Cultural Resources, Division of Parks and Recreation ("Division") regarding HB 534. **The Division opposes this legislation.**

HB 534 would authorize the municipality to regulate the use of frozen public waters of 100 acres or less within their boundaries. This contradicts RSA 271:20, I, which states "*All natural bodies of fresh water situated entirely in the state having an area of 10 acres or more are state-owned public waters, and are held in trust by the state for public use;*". HB 534 would take the authority to manage these water bodies 100 acres or less for public use, away from the state.

Lands held by our agency around public waters are also managed for public use. That both the lake and abutting land are managed by the state for public use has served the state and our visitors well. Our Division is responsible for the snowmobile trail system in the state along with Fish and Game and the local clubs. While our primary snowmobile trails generally do not cross public waters, snowmobile trails do lead to public waters for riding and the trails provide access for ice fishermen. We are concerned that this access could be lost over time.

Lastly, we assume that HB 534 refers to the public waters defined under RSA 271:20, as being 10 acres or more. However, if the intent is to regulate all waters, this would raise even greater concern regarding the management of state lands and private lands.

Thank you for the opportunity to submit testimony on HB 534. Please let me know if we can provide any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip A. Bryce".

Philip A. Bryce, Director

Cc: Sarah L. Stewart, Commissioner

PAB/ttl-20210209