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**Michele L. Tremblay**  
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Conservation  
Community

**Larry T. Spencer**  
Vice Chair  
Conservation  
Commissions

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Historic/Archeological  
Interests

**Christopher Hodgdon**  
NH Fish & Game  
Commission

**Mark Lombardi**  
Granite State  
Hydropower  
Association

**Frederick J. McNeill**  
Municipal Officer

**Allan G. Palmer**  
Business & Industry  
Association

**Ruth Ward**  
Local River Management  
Advisory Committees

**Donald L. Ware**  
Public Water Suppliers

**Stewart Yeaton**  
Agricultural Community

**Vacant**  
Recreational Interests

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**Peter Bowman**  
NH Department of  
Natural and Cultural  
Resources

**Jennifer Gilbert**  
NH Office of  
Strategic Initiatives

**Mark Hemmerlein**  
NH Department of  
Transportation

**Shawn Jasper**  
NH Department of  
Agriculture,  
Markets & Food

**John Magee**  
NH Fish & Game  
Department

**Meghan Wells**  
NH Department of  
Safety

Staff:

**Tracie Sales**  
Program Manager

**Vacant**  
Watershed Coordinator

**Vacant**  
Program Assistant

N.H. Rivers Management and Protection Program

# N.H. Rivers Management Advisory Committee

February 10, 2021

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

**RE: HB 426** *An act relative to municipal control of certain frozen water bodies.*

Dear Chair Renzullo and Members of the Committee:

The Rivers Management Advisory Committee (RMAC) is writing to express its opposition to House Bill 534, which would give municipalities control over the use of frozen waterbodies of 100 acres or less within their boundaries.

The state has defined a public water body as any lake or pond greater than 10 acres, all coastal waters, and all rivers of fourth order and higher. This allows both New Hampshire residents and visitors the freedom to use these water bodies in any legal manner as long as they have access to the water body. If passed, this bill would effectively remove the public's free use of the state's smaller lakes and ponds during the winter months, appropriating the state's role in holding these ponds in trust for the public good. The RMAC feels that this sets a poor precedent of giving municipalities rights traditionally held by the state for the good of all. The State should consider defining the legal uses of certain or other frozen water bodies, as appropriate, instead of giving this regulatory power to municipalities.

The RMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is comprised of members from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing legislation relevant to the Program and with advising the NHDES Commissioner on the merits of such legislation.

In conclusion, the RMAC opposes HB 534 as passage of this bill would remove the State of New Hampshire's role as protector of the public's riparian rights.

Should you have any questions regarding our testimony, please feel free to contact me at 603.796.2615 or [MLT@naturesource.net](mailto:MLT@naturesource.net).

Sincerely,



Michele L. Tremblay  
RMAC Chair

The Honorable Andrew Renzullo  
Chair, House Resources, Recreation and Development Committee  
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cc: Rep. Mary Beth Walz  
RMAC Representatives  
Robert R. Scott, Commissioner, NHDES  
Tom O'Donovan, Director, Water Division, NHDES  
Ted Diers, Administrator, Watershed Mgmt. Bur., NHDES  
Tracie Sales, Rivers and Lakes Programs Manager, NHDES  
Local River Management Advisory Committee Chairs