

Committee Report

CONSENT CALENDAR

February 18, 2020

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Resources, Recreation and Development to which was referred HB 1526,

AN ACT relative to the division of ports and harbors mooring wait list. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Rosemarie Rung

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Resources, Recreation and Development
Bill Number:	HB 1526
Title:	relative to the division of ports and harbors mooring wait list.
Date:	February 18, 2020
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The intent of this bill is to require the Division of Ports and Harbors of the Pease Development Authority to disclose whether a mooring on the mooring wait list has public access or, if not, whether there is access through a private club. This information is already available through a Department of Fish and Game's publication and can be made available through state websites, without requiring legislative action.

Vote 17-0.

Rep. Rosemarie Rung
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Resources, Recreation and Development

HB 1526, relative to the division of ports and harbors mooring wait list. **INEXPEDIENT TO LEGISLATE.**

Rep. Rosemarie Rung for Resources, Recreation and Development. The intent of this bill is to require the Division of Ports and Harbors of the Pease Development Authority to disclose whether a mooring on the mooring wait list has public access or, if not, whether there is access through a private club. This information is already available through a Department of Fish and Game's publication and can be made available through state websites, without requiring legislative action. **Vote 17-0.**

Original: House Clerk
Cc: Committee Bill File

RESOURCES, RECREATION AND DEVELOPMENT

COMMITTEE REPORT HB 1526

TITLE: relative to the division of ports and mooring wait list

DATE: February 18, 2020

Consent Calendar: YES

VOTE: Inexpedient to Legislate 17-0

STATEMENT OF INTENT:

The intent of this bill is to require the division of ports and harbors of the Pease Development Authority to disclose whether a mooring on the mooring wait list has public access or, if not, whether there is access through a private club. This information is already available through NH Fish and Game's publication and can be made available through state websites, without requiring legislative action. The committee voted unanimously for ITL.

Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 1526

BILL TITLE: relative to the division of ports and harbors mooring wait list.

DATE: February 18, 2020

LOB ROOM: 305

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Rung

Seconded by Rep. Bushway

Vote: 17-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Rosemarie Rung, Clerk



2020 SESSION

Resources, Recreation and Development

 Bill #: HB 1526 Motion: ITL AM #: — Exec Session Date: 2/18/20

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Smith, Suzanne J. Chairman	✓		
Maes, Kevin G. Vice Chairman	✓		
Spang, Judith T.	✓		
Parkhurst, Henry A. L.	✓		
Thomas, Yvonne D.	✓		
Grassie, Chuck W.	✓		
Bushway, Patricia J.	✓		
Cohen, Bruce L.	✓		
Noel, Henry W.	✓		
Rung, Rosemarie Clerk	✓		
Thomas, Wendy E.N.			✓
Renzullo, Andrew	✓		
Gould, Linda R.	✓		
Horgan, James F.			✓
Feeney, George	✓		
Gunski, Michael D.	✓		
Harb, Robert D.	✓		
Hobson, Deborah L.	✓		
Whittemore, James R.			✓
Spillane, James A.	✓		
TOTAL VOTE:	17	0	3

Hearing Minutes

NH HOUSE OF REPRESENTATIVES
RESOURCES, RECREATION AND DEVELOPMENT COMMITTEE
TESTIMONY ON HB 1526

1. Rep. Peter Torosian introduced this bill as the prime sponsor.
2. *Geno Marconi, Director of the NH Port Authority testified and provided written testimony. He responded to a question that in his experience, there have been no mooring grantees who have had problems from lack of access to their mooring.

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MOORING WAITLIST

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The PDA-Division of Ports & Harbors (“Division”) maintains wait lists for mooring fields and subfields in the tidal waters of the State of New Hampshire. Shorefront property owners may be exempt from the wait list process for a mooring in the shorefront property mooring area provided the Harbormaster has determined there is space available. The shorefront property mooring area is defined in NH Administrative Rules Pda 500 Moorings and Anchorages, Part Pda 502.26 as “a water surface area relating to the shorefront property of a shorefront property owner, marina, or condominium, determined by extending the side boundary lines of the property owner’s, marina’s, or condominium’s lot perpendicular to the shoreline into the State tidal waters out to, but not to cross, the channel, or, if there is no channel, to a line midway between the low water mark of the shorefront property and the low water mark of the opposite shore.” All other interested parties will be placed on the wait list if no mooring space is available in the mooring field or subfield requested.

All mooring areas and subfields in the State’s tidal waters are listed on the application. The waitlist fee, payable to the Pease Development Authority – Division of Ports and Harbors (PDA/DPH), is **\$10.00 per mooring field or subfield**. Vessel particulars are helpful, but not mandatory.

Reapplications will be sent to each applicant currently on a wait list by January 15th of each year. After making any updates or changes to the form, the reapplication must be returned with payment by March 1st in order to remain on the list. Late applications may be filed within 10 business days of March 1st. If the application is filed within the **late period, a fee of \$10.00** per mooring field or subfield applied will be assessed along with the regular wait list fee. The late fee must be paid when the application is submitted to the Division. **Failure to submit a completed wait list application form by the deadline (including late filing period) for any reason shall result in the removal of the applicant’s name from the wait list(s).** With this in mind, it is essential that each applicant notify the Division in writing of his or her mailing address within 30 days of any change per Pda 505.04.

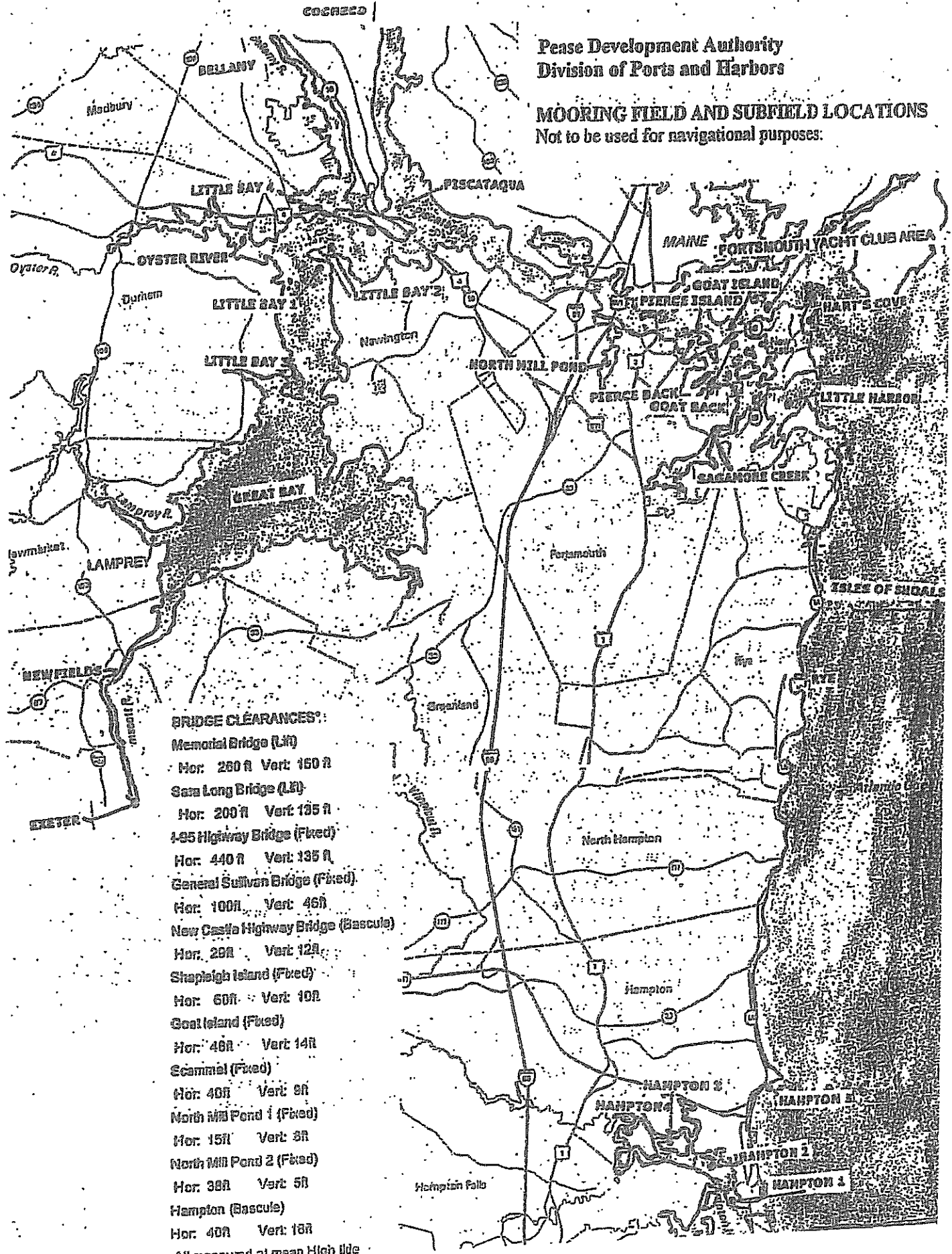
When a mooring site becomes available, a mooring offer will be sent by certified mail to the first person on the wait list for that mooring field or subfield. Resident and out of state applicants are treated equally.

Mooring Waitlist applications forms, ranked waitlists and active mooring permits, as well as the administrative rules pertaining to moorings in the tidal waters of New Hampshire are available at the Division of Ports & Harbors office or on the website at www.portofnh.org.

If you have any questions about the wait list process, please call the Division office at (603) 436-8500.

Pease Development Authority
Division of Ports and Harbors

MOORING FIELD AND SUBFIELD LOCATIONS
Not to be used for navigational purposes.



- BRIDGE CLEARANCES:**
- Memorial Bridge (Lift)
Hor: 260 ft Vert: 150 ft
 - Sara Long Bridge (Lift)
Hor: 200 ft Vert: 135 ft
 - I-95 Highway Bridge (Fixed)
Hor: 440 ft Vert: 135 ft
 - General Sullivan Bridge (Fixed)
Hor: 100 ft Vert: 46 ft
 - New Castle Highway Bridge (Bascule)
Hor: 29 ft Vert: 12 ft
 - Shapleigh Island (Fixed)
Hor: 60 ft Vert: 10 ft
 - Goat Island (Fixed)
Hor: 46 ft Vert: 14 ft
 - Scammel (Fixed)
Hor: 40 ft Vert: 9 ft
 - North Mill Pond 1 (Fixed)
Hor: 15 ft Vert: 3 ft
 - North Mill Pond 2 (Fixed)
Hor: 38 ft Vert: 5 ft
 - Hampton (Bascule)
Hor: 40 ft Vert: 18 ft
- All measured at mean High tide

Customer Number: _____

Date Received: _____

Check Received By: _____

Check Number: _____

Check Amount: _____



PEASE DEVELOPMENT AUTHORITY
STATE OF NEW HAMPSHIRE; DIVISION OF PORTS AND HARBORS
555 Market Street, Portsmouth NH 03801-3532 (603) 436-8500 Office (603) 436-2780 Fax

MOORING WAIT LIST APPLICATION

Please Print or Type. All Information Must Be Complete.

Applicant's Full Legal Name: _____

Permanent Mailing Address: Street Number and Name _____

P.O. Box Number/Apt. No. _____

City/Town _____ Zip Code _____

Legal Address (if different than mailing): _____

Email Address: _____

Telephone Number (including Area Code): _____ Cell : _____

Vessel Information (if available):

Name of Vessel: _____ Vessel Length Overall: _____

NH State Registration No. (if applicable): _____ Vessel Draft: (centerboard up): _____

Type of Vessel: Commercial or Pleasure Vessel power: Motor Sail Other

Documents (if available)

1. Attach a copy of the current NH State Registration for the above referenced vessel; or
2. Attach a photograph of the vessel if the above referenced vessel is not required to be registered under New Hampshire Law.

MOORING FIELDS

Mooring Fields and Mooring Subfields are listed on the reverse side of this page. Please check the Mooring Field and/or Subfield you are applying for. A Fee of \$10.00 per Mooring Field and/or Subfield will be charged.

"Nearshore Area" means that portion of a mooring field or mooring subfield, described in (a) or (b) below (whichever is greater):

- (a) Within 50 feet of the mean high-water mark; or
- (b) The portion from the mean high-water mark to the mean low water line.

\$10.00 application fee for each area checked.

Make check or money order payable to:

Pease Development Authority; Division of Ports and Harbors (or PDA/DPH).

Return completed application to:

Pease Development Authority; Division of Ports and Harbors
555 Market St
Portsmouth, NH 03801

*****APPLICANT MUST SIGN AND DATE THE BOTTOM OF THIS APPLICATION*****

To check a position on a mooring field wait list, you may go to the Division of Ports and Harbors' website at www.portofnh.org. Click on the link to Moorings, then click on the link to Active Mooring Waitlist in the "Resources" section. You may obtain the Division rules relating to mooring requirements (Pda 500) from the Division office for a fee or at no charge on the Division's website (click on Moorings).

http://gencourt.state.nh.us/rules/state_agencies/pda100-700.htm

Acknowledgement: I understand that it is my responsibility to confirm my intent to obtain mooring space by submitting a completed wait list application and \$10.00 wait list fee per wait list area by March 1 of each year, unless I submit a completed application, wait list fee, and late filing fee within 10 business days of March 1, or I will automatically be dropped from the wait list. I understand that it is my responsibility to notify the Division in writing within 30 days of any change of address or telephone number.

Applicant's Signature _____

Date _____

PEASE DEVELOPMENT AUTHORITY - DIVISION OF PORTS AND HARBORS

MOORING WAIT LIST APPLICATION
CHECK MOORING FIELD(S)/SUBFIELD(S) DESIRED

Area	Date Applied	Date Cancelled	Date Refused	Check area(s) desired (\$10 per Box)	
Cocheco River				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Exeter Town Landing				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Gosport Harbor <i>(Isles of Shoals)</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Great Bay				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Hampton: Area 1 <i>In the vicinity of the boat ramp at Hampton Beach state park</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Hampton: Area 2 <i>Extending northwest from Area 1, in the tidal flats up to the area known as the Willows</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Hampton: Area 3 <i>In the Hampton River in the vicinity of Blind Creek and Tide Mill Creek, northwest of Area 2</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Hampton: Area 4 <i>In the Hampton River, north of Area 3, by Nudds Canal</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Hampton: Area 5 <i>North of Great Boars Head on the oceanfront, in the vicinity of North Beach and Plaice Cove</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Lamprey River				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Little Bay: Area 1 <i>In the vicinity of Upper Fox Point just south of Fox Point</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Little Bay: Area 2 <i>The Fox Point area, east of Fox Point</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Little Bay: Area 3 <i>The Adams Point area, extending about 1/4 mile north of Adams Point</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Little Bay: Area 4 <i>The Scammel Bridge area, immediately adjacent to and south of the Scammel Bridge including the area around Cedar Point on the west and extending to Boston Harbor Road to the east.</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Little Harbour				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Newfields Town Landing				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Outer Cutts Cove <i>Near Terminal</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Oyster River				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Piscataqua River: Bloody Point <i>Bloody Point Harbor</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Piscataqua River: Hilton Park <i>Hilton Park Harbor</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Piscataqua River: Newington Town Landing <i>Newington Town Landing/Patterson Lane (H)</i>				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Goat Island - Back				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Goat Island				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Hart's Cove				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Peirce Island				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Peirce Island Back				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Portsmouth North Mill Pond				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Portsmouth Harbor: Portsmouth Yacht Club				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Rye				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Sagamore Creek				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore
Seabrook				<input type="checkbox"/> Harbor	<input type="checkbox"/> Near Shore

Bill as
Introduced

HB 1526 - AS INTRODUCED

2020 SESSION

20-2530

11/05

HOUSE BILL **1526**

AN ACT relative to the division of ports and harbors mooring wait list.

SPONSORS: Rep. Torosian, Rock. 14; Rep. Janigian, Rock. 8; Rep. True, Rock. 4

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill requires that the division of ports and harbors of the Pease Development Authority disclose whether a mooring on the mooring wait list has public access or, if not, whether there is access through a private club.

.....

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struckthrough~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT relative to the division of ports and harbors mooring wait list.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Pease Development Authority; Division of Ports and Harbors; Additional Powers and Duties.
2 Amend RSA 12-G:42, VI to read as follows:

3 VI. Administer and enforce permit programs for the placement and use of moorings,
4 including temporary seasonal moorings, and state-owned slips in state tidal waters, including
5 waiting lists for such permits, *provided that such rules require the division to disclose*
6 *whether any mooring on the mooring wait list has public access or private access through*
7 *a private organization.*

8 2 Effective Date. This act shall take effect 60 days after its passage.