

Bill as Introduced

HB 184 - AS INTRODUCED

2021 SESSION

21-0048
08/10

HOUSE BILL

184

AN ACT

relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

SPONSORS:

Rep. K. Murray, Rock. 24

COMMITTEE:

Resources, Recreation and Development

ANALYSIS

This bill prohibits the operation of personal water craft within 300 feet of any marsh land or flat of the Rye estuary and the New Castle back channel.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 One

AN ACT relative to the operation of personal water craft around the marshlands or flats of
the Rye estuary and the New Castle back channel.

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

1 1 Personal Water Craft. Amend RSA 270:74-c, II to read as follows:

2 II. No person shall operate a personal water craft within 300 feet of any marsh land or flat
3 in the Hampton/Seabrook estuary, *within 300 feet of the Rye marsh areas to include Witch*
4 *Creek, Seavey Creek, Berry's Brook, Parson's Creek, Awcomin Marsh, and Rye Harbor*
5 *Marsh, or within the New Castle Goat Island Back Channel Mooring Field as defined in*
6 *rules adopted by the Pease Development Authority Pda 500, or that area marked between*
7 *Shapleigh Island and Goat Island to Red Nun #4 to the Wentworth Bridge, to include the*
8 *areas around Pest, Leaches, and Clampit Islands, without regard to tide height. This*
9 *paragraph shall not apply to water craft operated by police, fire, or other emergency*
10 *services.*

11 2 Effective Date. This act shall take effect upon its passage.

HB 184 - FINAL VERSION

2021 SESSION

21-0048

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10 *services.*

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12 VETOED May 25, 2021 | Veto Sustained June 24, 2021

Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Bob Giuda, Vice Chair
Sen James Gray, Member
Sen David Watters, Member
Sen Rebecca Perkins Kwoka, Member

Date: April 7, 2021

HEARINGS

Monday	04/12/2021	
(Day)	(Date)	
Energy and Natural Resources	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. HB 309	relative to the computation of renewable energy credits.	
1:20 p.m. HB 289	relative to including electrical storage facilities in the definition of energy facility.	
1:30 p.m. HB 184	relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.	
1:45 p.m. HB 397	relative to permitting fees under the shoreland protection act.	
2:00 p.m. HB 413	establishing a solid waste working group on solid waste management planning and relative to compost.	
2:15 p.m. HB 437	establishing a committee to study the shortage of animal slaughter and meat processing facilities in New Hampshire and the implementation of the meat inspection program.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94523761333>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +19292056099,,94523761333# or +13017158592,,94523761333#
4. Webinar ID: [945 2376 1333](https://www.zoom.us/j/94523761333)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 309

Rep. Harrington

HB 289

Rep. Harrington

HB 184

Rep. K. Murray

HB 397

Rep. Pearl

Sen. Gannon

HB 413

Rep. Ebel

Rep. Merner

Rep. Massimilla

Sen. Watters

HB 437

Rep. Comtois

Rep. Lang

Rep. M. Murray

Rep. Suzanne Smith

Rep. Von Plinsky

Sen. Ward

Sen. Gray

Rep. Baldasaro

Rep. Sykes

Rep. Graham

Sen. Hennessey

Sen. Prentiss

Sen. French

Rep. Wolf

Rep. Milz

Sen. Whitley

Griffin Roberge 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee
Griffin Roberge 271-3042

HB 184, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

Hearing Date: April 12, 2021.

Time Opened: 1:31 p.m.

Time Closed: 1:44 p.m.

Members of the Committee Present: Senators Avard, Gray, Watters and Perkins Kwoka.

Members of the Committee Absent: Senator Giuda.

Bill Analysis: This bill prohibits the operation of personal water craft within 300 feet of any marsh land or flat of the Rye estuary and the New Castle back channel.

Sponsors:

Rep. K. Murray

Who supports the bill: Eric Pauer; Representative Kate Murray, Rockingham - District 24; Representative Suzanne Smith, Grafton - District 8; Andrew Moore; Barbara Moore; Nisa Marks; Alyson Tanguay; Brandon Tanguay; Representative Andrew Renzullo, Hillsborough - District 37; Jane Finn; Margaret Kennedy; Bradford Greeley; Beth Barnhorst; Mary Ann Driscoll; Rebecca Audet; Jane Lannon; Irene Bush.

Who opposes the bill: None.

Who is neutral on the bill: Captain Timothy Dunleavy, NH Marine Patrol.

Summary of testimony presented in support:

Representative Kate Murray

Rockingham – District 24

- Personal watercraft (PWC) can have a negative impact on environmentally sensitive areas.
 - “Thrillcraft: The Environmental Consequences of Motorized Recreation” highlights how wake waves from PWCs can create serious shoreline erosion, creating turbidity and sedimentation problems in shallow productive waters. PWCs have more serious impacts on birds, including interrupting their normal feeding ability and displacing their nesting areas, than conventional cars, motorboats, all-terrain vehicles, and pedestrians.
 - The Personal Watercraft Industry Association found that boats in shallow waters can stir up the bottom and suspended sediments, which limit light penetration and deplete oxygen. This affects fish and bird feeding. The Association encourages users to stay away from the shore because wildlife tends to inhabit the vegetation along the edge of the shore. PWC users should stay in marked channels and the deeper areas of a lake or river when possible.
 - The University of Vermont found that widespread PWC use has a significant impact on the environment due to the two stroke engines which leak millions of gallons of unburned fuel into the waters each year. Tiny organisms absorb the chemicals and become extremely sensitive to light, creating phototoxicity. The daylight sun kills these organisms, impacting the food chain as food sources are eliminated.

- HB 184 prohibits the operation of PWC within 300 feet of any marsh land or flat of the Rye estuary and the New Castle back channel. The areas outlined in HB 184 are environmentally sensitive. While PWC users are generally respectful, clearly demarcating these areas will provide important guidance to PWC users who do not want to cause negative environmental impacts.
- There were concerns raised in the House that HB 184's PWC prohibition around the Rye estuary and New Castle back channel may cause a negative impact on PWC businesses and discourage people from using PWCs. HB 184 is tailored to address just a few hundred square yards of wetlands out of hundreds of miles of navigational waterways.
- HB 184 came at the request of constituents who live in Rye and New Castle who are directly affected by PWC users operating in the area.
- HB 184 is a reintroduction of HB 1380 (2020). HB 1380 was recommended "ought to pass with amendment" by the House Resources, Recreation, and Development Committee on a 20-0 vote and was placed on the House consent calendar. The full House adopted the committee's recommendation on a voice vote. However, the bill died on the Senate table due to the outbreak of COVID-19 and the suspension of legislative activity.
- HB 184 was recommended "ought to pass" by the House Resources, Recreation, and Development Committee on a 21-0 vote and was placed on the House consent calendar. The full House adopted the committee's recommendation on a voice vote.
- Senator Watters clarified that HB 184 will not prevent anyone from enjoying PWCs. HB 184 seeks to limit PWC usage in certain areas that are environmental sensitive.
 - Representative Murray said Senator Watters was correct. PWC users are not prohibited from circumnavigating New Castle island, traveling up Sagamore Creek, or visiting local businesses. HB 184 prohibits PWC usage in a very small area. A frequent occurrence in the area is PWC users getting stuck in shallow waters. Getting stuck is not only a public safety hazard but can also impact the local environment.
- Senator Watters referenced the ongoing work of the Coastal Marine Natural Resources and Environment Commission and the issuance of MS4 permits to municipalities. While HB 184 is very narrow and focuses on PWC use in a small area, the bill would help prevent the degradation and increased turbidity/sedimentation issues in the area and may help prevent additional regulation from the Environmental Protection Agency (EPA) and others.
 - Representative Murray agreed with Senator Watters.

Representative Suzanne Smith

Grafton – District 8

- Before the outbreak of COVID-19 in 2020, the House Resources, Recreation, and Development Committee took a field trip to the New Castle area. Many committee members were ambivalent about HB 1380 because they did not understand the area that the bill referenced. The field trip helped the committee refine HB 1380, leading the committee to pass the bill unanimously.

Representative Andrew Renzullo

Hillsborough – District 37

- Reiterated Representative Smith's testimony. Representative Renzullo was reluctant to support HB 1380. However, Representative Renzullo became one of the bill's biggest supporters after viewing the area that HB 1380 would apply to on the committee's field trip in 2020.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

GJR

Date Hearing Report completed: April 12, 2021.

Speakers

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill HB184 on 2021-04-12

Support: 17 Oppose: 0 Neutral: 1 Total to Testify: 3

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Support	Yes	4/12/2021 7:44 AM
Murray, Kate	dr.karma2000@gmail.com	603.373.0458	An Elected Official	My constituents	Support	Yes	4/10/2021 10:02 AM
Dunleavy, Captain Tim	timothy.c.dunleavy@dos.nh.gov	603-630-4542	State Agency Staff	State Police-Marine Patrol	Neutral	Yes	4/11/2021 3:41 PM
Smith, Suzanne	zanne719@gmail.com	603-715-0086	An Elected Official	Grafton 8	Support	No	4/12/2021 7:16 AM
Moore, Andrew	amtmoore@gmail.com	603.319.8111	A Member of the Public	Myself	Support	No	4/11/2021 10:37 AM
Moore, Barbara	barbaramoore@aol.com	603.319.8111	A Member of the Public	Myself	Support	No	4/11/2021 2:02 PM
Marks, Nisa	Not Given	Not Given	A Member of the Public	New Hampshire Audubon	Support	No	4/9/2021 11:05 AM
Tanguay, Alyson	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 1:41 PM
Renzullo, Andrew	andrew.renzullo@leg.state.nh.us	Not Given	An Elected Official	Myself	Support	No	4/12/2021 9:54 AM
Finn, Jane	jane.finn4@gmail.com	603-436-7336	A Member of the Public	Myself	Support	No	4/12/2021 1:49 PM
Kennedy, Margaret	Maggie.kennedy1@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 1:58 PM
GREELEY, BRADFORD	uubrad@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 2:05 PM
Barnhorst, Beth	bbarn@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 11:24 AM
Driscoll, Mary Ann	driscoll.maryann@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 12:14 PM
Audet, Rebecca	rtaudet@gmail.com	603.294.0660	A Member of the Public	Myself	Support	No	4/12/2021 12:17 PM
Lannon, Jane	jane.lannon@gmail.com	603.373.8127	A Member of the Public	Myself	Support	No	4/12/2021 12:20 PM
Bush, Irene	Not Given	Not Given	A Member of the Public	Myself and my husband	Support	No	4/12/2021 12:29 PM
Tanguay, Brandon	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 12:31 PM

Testimony

Griffin Roberge

From: Kate Murray <dr.karma2000@gmail.com>
Sent: Saturday, April 10, 2021 10:24 AM
To: Griffin Roberge
Subject: HB184

I first sent this to the entire committee but part of your email was missing so I am sending this email, plus a second to correct that. The rest of the emails I need to send should have your address correct.

Kate

Thank you for your consideration of the HB184 this coming Monday. I will be sending a number of emails pertaining to and in support of this bill. I only saw Friday that the bill will be heard by you this Monday while the House was in session, so I apologize for sending all these emails over the weekend. This is my first opportunity to do so.

This is a constituent requested bill that passed unanimously last session in the house but was lost in the turmoil around COVID. I brought it back this year and it, again, passed the committee unanimously.

Enclosed in this email is a map showing the area to be protected. There were two particular questions regarding this area. One asked if PWC users would be able to access the bridge between Rye and New Castle, which we call the Wentworth bridge, and the answer is yes. The other question was whether or not people would be able to get up to BG's Boathouse and the answer is also yes.

Following this email, I will be sending another map of the New Castle area, my comments to the committee, and then several letters of support from residents of Rye and New Castle.

Thank you again. I look forward to meeting with you all on Monday. Please reach out if you have any questions that I may address before then.

Kate Murray (Rockingham 24, Rye and New Castle)

Attachments area

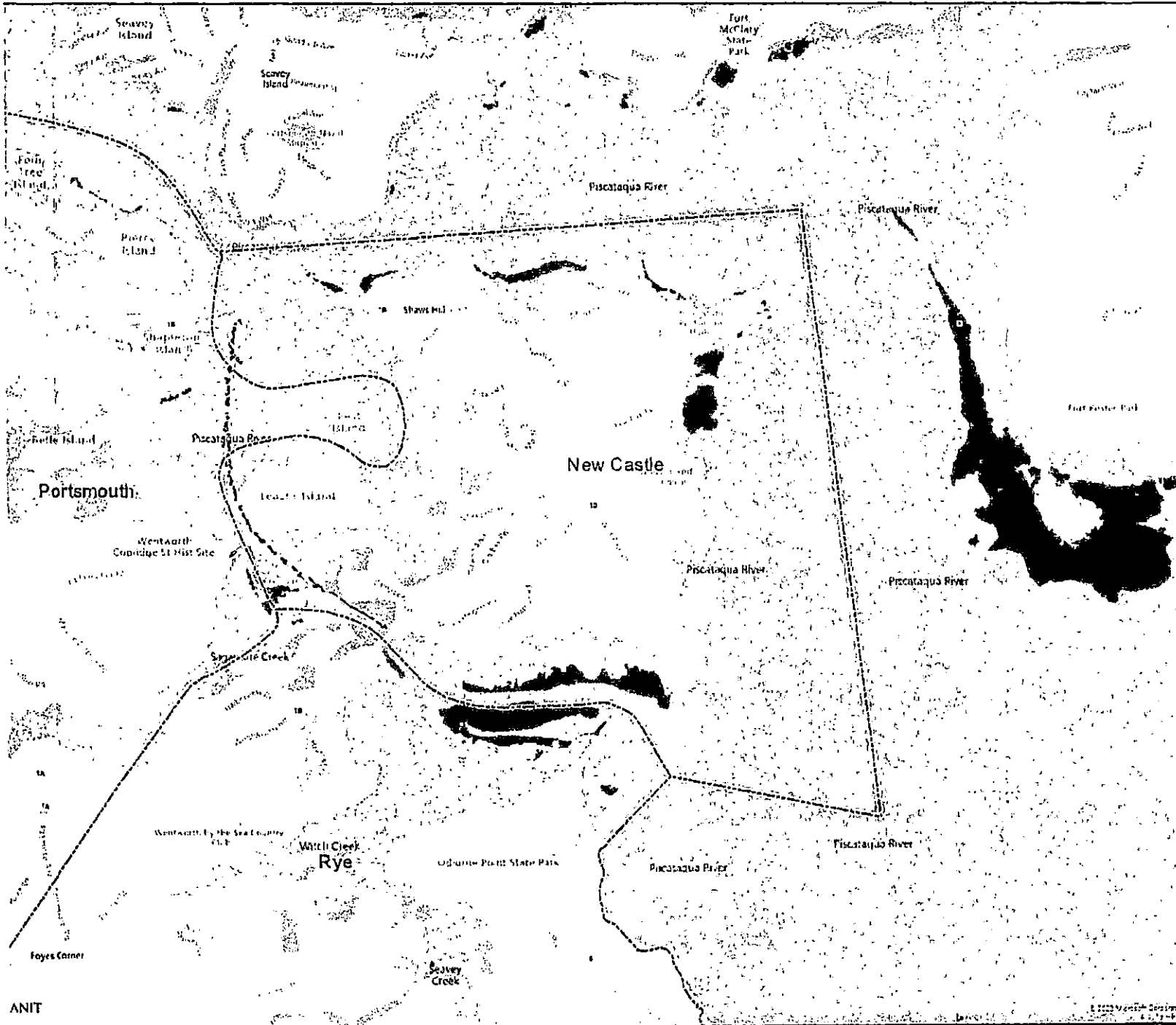
Griffin Roberge

From: Kate Murray <dr.karma2000@gmail.com>
Sent: Saturday, April 10, 2021 10:25 AM
To: Griffin Roberge
Subject: Fwd: Back channel protected area scan
Attachments: BackChannelProtectedAreaMapScan.pdf

This attachment is a somewhat larger area of New Castle. The area being requested for protection is a rather small area comparison to the entire area around the island.

Kate Murray

Areas of mapped Eelgrass New Castle and Odiorne Point Areas



Legend

- City/Town
- 2017

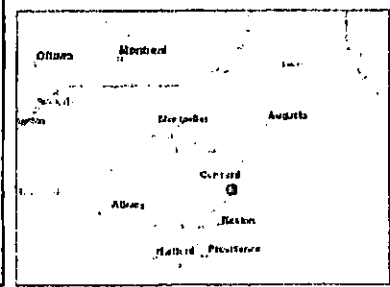
Blue Line from Portsmouth Ave. to Campbell's Island shows Protective Area

Map Scale
1: 24,000



© NH GRANIT, www.granit.unh.edu
Map Generated: 2/7/2020

Notes



Griffin Roberge

From: Kate Murray <dr.karma2000@gmail.com>
Sent: Saturday, April 10, 2021 10:26 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: Fwd: Letter HB 184

From: **Nancy Jackson** <NLJackson@msn.com>
Date: Sun, Feb 7, 2021 at 12:21 PM
Subject: Letter HB 184
To: Kate Murray (dr.karma2000@gmail.com) <dr.karma2000@gmail.com>

Dear Committee members,

I am writing to support HB184 to ban the use of personal watercraft (PWC), more commonly known as jet skis, in the fragile waterways of New Castle and Rye, New Hampshire.

There are three areas of particular concern:

- safety
- protections of this delicately balanced ecosystem
- noise pollution.

1) Safety: These waters are routinely used by the communities of Rye, New Castle, Portsmouth, and beyond for swimming, paddle boarding and fishing. Kayaks and small sailing craft, including a summer sailing school for children as young as eight years of age, regularly use the New Castle Back Bay/Back Channel precisely because it is a calm, safe area.

According to a University of Vermont study, personal watercraft "are involved in 35 percent of all accidents with water vessels."

The presence of PWC in these waterways would put at risk all of these activities.

2) Protections of the Ecosystem: PWCs, especially those with two-stroke engines, threaten the fragile ecosystem of these waters because unburned fuel, which may include known carcinogens benzene and toluene, is released into the water. These pollutants detrimentally affect fish, aquatic invertebrates, and plants.

PWCs are also responsible for bank erosion and turbidity. Owing to their small size and jet drive systems, PWCs can enter areas that are not navigable by larger craft. Operating in extremely shallow water (as little as eight inches), they disturb waterway floors, resulting in turbidity that is detrimental to the fauna and flora of this fragile habitat. Operating so close to shore, they are also a cause of bank erosion.

3) Noise Pollution: PWCs produce a loud, undulating noise that is, to many, a source of great irritation. The annoyance is made worse by the common practice of PWCs to travel in groups and to course back and forth in the same general area rather than moving from Point A to Point B. Such noise destroys the tranquility that has long drawn people to the New Hampshire Seacoast.

The effect of noise on wildlife is also serious. Sound travels four times faster, and much farther, in water than in air. Loud engine noise frightens aquatic vertebrates, and changes their behavior. Loud noise has also been shown to cause hearing damage in several fish species, including rockfish, herring and cod.

For all these reasons, we respectfully ask you to support this legislation.

Sincerely,

Nancy Jackson

38 Cranfield St

New Castle, NH

Griffin Roberge

From: Kate Murray <dr.karma2000@gmail.com>
Sent: Sunday, April 11, 2021 10:24 AM
To: Griffin Roberge
Subject: Letter from Andrew and Barbara Moore

We are writing to support HB184 to ban the use of personal watercraft (PWC), more commonly known as jet skis, in the fragile waterways of New Castle and Rye, New Hampshire.

There are three areas of particular concern:

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The effect of noise on wildlife is also serious. Sound travels four times faster, and much farther, in water than in air. Loud engine noise frightens aquatic vertebrates, and changes their behavior. Loud noise has also been shown to cause hearing damage in several fish species, including rockfish, herring and cod.

For all these reasons, we respectfully ask you to support this legislation.

12 Walbach Street
New Castle
NH 03954
603-319-8111

amtmoore@gmail.com
barbaramoore@aol.com

Griffin Roberge

From: Kate Murray <dr.karma2000@gmail.com>
Sent: Saturday, April 10, 2021 10:30 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: Fwd: Testimony in support of HB 184

I live on the seacoast in New Castle, NH. HB 184 will protect our fragile waterways. It is essential that we protect our shoreline, wetlands and salt marshes from destruction by the havoc that would be caused by jet skis.

Apart from the deleterious assault on the physical environment, jet skis create annoying noise and obnoxious odors from emissions as well as pollution of the waters. Jet skis are dangerous to fish and wild life.

For these reasons, I fully support HB184.

Irene Bush
17 Becker Lane
New Castle, NH 03854

Griffin Roberge

From: Kate Murray <dr.karma2000@gmail.com>
Sent: Saturday, April 10, 2021 10:31 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: Fwd: Jet ski in New Castle, HB184
Attachments: PersonalWatercraft HB 184.pdf

Letter in support of HB184

David Burdick (603) 862-5129
Associate Research Professor
Director, Jackson Estuarine Laboratory
School of Marine Science and Ocean Engineering
85 Adams Point Road, Durham, NH 03824



University of
New Hampshire

School of Marine Science and
Ocean Engineering

Jackson Estuarine Laboratory
85 Adams Point Road
Durham, NH 03824

V: 603.862.5127
F: 603.862.1101
TTY: 7.7.7 (Relay NH)

www.marine.unh.edu

February 5, 2021

Mr. Andrew Renzullo, Chair
Resources, Recreation, and Development Committee
NH Legislative Office Building, Room 305
Concord, NH 03301

Dear Ms. Smith,

I am writing today in support of House Bill HB 184 to restrict personal water craft from flats and marshlands of the Rye estuary and the New Castle back channel. As a UNH associate professor and restoration specialist of shorelines in general and marshlands in particular, I applaud the effort to remove the presence and influence of machines marketed to provide thrilling experiences while ignoring threats to personal safety and natural resources. Operation of personal water craft in and around salt marshes is another stressor to our natural environment. Erosive forces in marshlands and along our shores combined with long-term stressors like ditching and increasing sea levels are showing their effects. Marsh edges and unvegetated shorelines are eroding, and many landowners are taking steps to armor their property.

While I work with a small team to rebuild salt marshes and shorelines in the state, we need help from a wide variety of stakeholders. I appeal to the NH House to provide assistance with the restoration of our shorelines with a 'yea' vote on HB 184.

Sincerest thanks,

A handwritten signature in cursive script that reads "David M. Burdick".

David M. Burdick
Associate Research Professor
Director, Jackson Estuarine Laboratory
School of Marine Sciences and Ocean Engineering

Griffin Roberge

From: Kate Murray (via Google Docs) <drive-shares-dm-noreply@google.com>
Sent: Saturday, April 10, 2021 10:43 AM
To: Griffin Roberge
Cc: Bob Giuda; James Gray; Kevin Avard; Rebecca Perkins Kwoka
Subject: HB184 for Committee Handout - Invitation to view

dr.karma2000@gmail.com has invited you to **view** the following document:



HB184 for Committee Handout



Attached, please find my comments regarding HB184

Open in Docs

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because dr.karma2000@gmail.com shared a document with you from Google Docs.

Google™

From: Thrillcraft:

The Environmental Consequences of Motorized Recreation, 2008

The typical jet ski dumps an average of 3 gallons of gasoline directly in the water for every hour of operation. Indeed, jet skis release 8 times the amount of fuel as an equivalently horse powered motorboat.

An average two-hour "thrill" ride on a PWC can dump between 3 and 4 gallons of gas and oil into the water. The California Air Resources Board also reported that a day's ride on a 100 horsepower jet ski emits the same amount of smog-forming air pollution as driving 100,000 miles in a modern passenger car.

Besides the usual negative affects on water quality resulting from the use of two or even four stroke engines, PWC's also can operate in shallow, near-shore marine habitat, which is inaccessible to most conventional motorboats. Wake waves from PWC can create serious shoreline erosion, creating turbidity and sedimentation problems in shallow productive waters.

In addition, PWC have more serious negative impacts on birds, including interruption of normal feeding activity and repeated displacement from nesting areas, than conventional motorboats, cars, all-terrain vehicles and pedestrians.

The noise from thrillcraft can also affect habitat use by wildlife. In one study in Oregon, elk were found to respond to (by moving away) and avoiding thrillcraft use areas by more than a half mile, potentially removing a corridor of habitat up to a mile wide.

From: An Environmental Guide for Watercraft Operators put out by the Personal Watercraft Industry Association.

In shallow waters, boats may stir up the bottom and suspended sediments, which limit light penetration and deplete oxygen. This can affect fish and bird feeding.

Vegetation such as sea grasses are delicate nursery grounds where many of the fish in our waters originate. When possible, operate a fair distance from the shore because wildlife tends to inhabit the vegetation along the edge of the shore. The best way to avoid disturbing the local ecosystem is to stay in the marked channels and the deeper areas of a lake or river when possible.

Many migratory birds are easily stressed and are especially vulnerable during their migration periods. Birds will typically fly away from disturbing noises and any unnecessary expenditure of energy can harm a feeding or resting bird.

Excessive boat wakes may contribute to shoreline erosion, especially in narrow streams and inlets.

From: The University of Vermont

Widespread PWC use has a significant impact on the environment due to the two stroke engines which leak millions of gallons of unburned fuel into the waters each year (Pearce, 1998). Scientists estimate that 20 to 25 percent of the fuel used in personal watercraft and other watercraft with two stroke engines fail to combust, and is flushed out into the water as raw fuel vapor emissions (Pearce, 1998).

To illustrate the level of pollution, in Michigan, the 82,000 registered watercraft, if each rider expends a full 10-gallon tank, will expend more than 200,000 gallons of fuel into the water. If a watercraft carries four gallons of gas, then approximately one gallon will be directly leaked into the water (Pearce, 1998). Two hours of exhaust emissions from a Jet Ski is equivalent to the emissions created by driving a 1998 automobile 130,000 miles (Stienstra, 1998).

Biological Impact: The pollution emitted from PWCs have a considerable impact on wildlife. When the unburned fuel is released into the water, tiny organisms absorb the chemicals and become extremely sensitive to light, an occurrence called phototoxicity. The Daylight sun then kills the organism, which causes a collapse of the food chain as food sources slowly become eliminated (Pearce, 1998).

From: An Environmental Guide for Watercraft Operators

Turbidity

In shallow waters, boats may stir up the bottom and suspended sediments, which limit light penetration and deplete oxygen. This can affect fish and bird feeding. To avoid this effect, ride in main channels and limit riding in shallow water.

Vegetation

Vegetation such as sea grasses are delicate nursery grounds where many of the fish in our waters originate.

When possible, operate a fair distance from the shore because wildlife tends to inhabit the vegetation along the edge of the shore. The best way to avoid disturbing the local ecosystem is to stay in the marked channels and the deeper areas of a lake or river when possible.

Noise

Be aware that the noise and movements of all boats may disturb bird populations.

Many migratory birds are easily stressed and are especially vulnerable during their migration periods. Birds will typically fly away from disturbing noises and any unnecessary expenditure of energy can harm a feeding or resting bird.

Bird rookeries are especially vulnerable to noise from boats. Nesting birds may fly from the nest, exposing unprotected eggs and hatchling to the sun's heat or predators.

Erosion

Excessive boat wakes may contribute to shoreline erosion, especially in narrow streams and inlets.

Erosion is a concern for all shorelines including rivers, lakes and oceans. The slow destruction of shorelines affects the habitats of plants and animals.

Sea Grasses

Sea grasses are nursery grounds normally found in protected waters called estuaries where fresh water and salt water meet. Most of the world's fish have their beginnings in estuaries and their associated sea grass habitat. Sea grasses are very delicate and their destruction can lead to degradation of the entire marine cycle.

As a responsible vessel operator, stay away from both of these environmentally sensitive areas.

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 184

Hearing Date: 04/12/2021

Executive Session Date: 04/12/2021

Motion of: OTP Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Perkins Kwoka

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Monday, April 12, 2021

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 184**

AN ACT

relative to the operation of personal water craft
around the marshlands or flats of the Rye estuary
and the New Castle back channel.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Rebecca Perkins Kwoka
For the Committee

Griffin Roberge 271-3042

ENERGY AND NATURAL RESOURCES

HB 184, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

Ought to Pass, Vote 4-0.

Senator Rebecca Perkins Kwoka for the committee.

Docket of HB184

Bill Title: relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

Official Docket of HB184.:

Date	Body	Description
1/4/2021	H	Introduced (in recess of) 01/06/2021 and referred to Resources, Recreation and Development HJ 2 P. 38
1/21/2021	H	==RECESSED== Public Hearing: 01/27/2021 11:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/99531020872 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
1/29/2021	H	==CANCELLED== Public Hearing: 02/17/2021 09:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/93611943701 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
1/29/2021	H	==CANCELLED== Full Committee Work Session: 02/17/2021 09:30 am Remote info same as above
3/3/2021	H	==CONTINUED== Public Hearing: 03/03/2021 09:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94760331850 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/16/2021	H	Full Committee Work Session: 03/03/2021 09:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94760331850 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/10/2021	H	Committee Report: Ought to Pass (Vote 21-0; CC) HC 18 P. 21
4/7/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 45
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Energy and Natural Resources; SJ 11
4/7/2021	S	Remote Hearing: 04/12/2021, 01:30 pm; Links to join the hearing can be found in the Senate Calendar; SC 19
4/15/2021	S	Committee Report: Ought to Pass, 04/22/2021; SC 20
4/22/2021	S	Ought to Pass: RC 24Y-0N, MA; OT3rdg; 04/22/2021; SJ 12
5/17/2021	S	Enrolled Adopted, VV, (In recess 05/13/2021); SJ 16
5/17/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 104
5/27/2021	H	Vetoed by Governor Sununu 05/25/2021
6/24/2021	H	Veto Sustained 06/24/2021: RC 173-182 Lacking Necessary Two-Thirds Vote

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 184

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

N/A - amendment # _____ - amendment # _____

_____ - amendment # _____ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

_____ - amendment # _____ - amendment # _____

_____ - amendment # _____ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

_____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

_____ Enrolled Bill Amendment(s)

Governor's Veto Message

All available versions of the bill: (Clerk's Office)

_____ as amended by the senate _____ as amended by the house

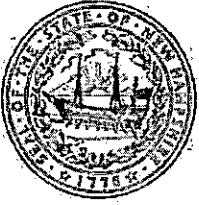
final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office AK



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

May 25, 2021

Governor's Veto Message Regarding House Bill 184

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 25th, 2021, I have vetoed House Bill 184, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

New Hampshire's waterways are the crown jewels of our state. As such, we strive to make sure every waterway is open and available for all to enjoy but also protected from unmitigated environmental harm. This bill would prohibit the operation of personal water craft, such as jet skis, within 300 feet of any marsh land or flat of the Rye estuary and the New Castle back channel.

This bill would create a barrier for public use to address what is a non-issue. The waterway that this bill seeks to "protect" does not experience high volumes of traffic from personal water craft. Shallow waterways can only be accessed by specific types of water craft and creating a limitation on who can gain access could have unintended consequences, especially to those recreationists that may need to access moorings in the harbor.

For the reasons stated above, I have vetoed House Bill 184.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christopher T. Sununu".

Christopher T. Sununu
Governor