

HB 591-FN - AS AMENDED BY THE HOUSE

15Feb2017... 0260h

2017 SESSION

17-0368

08/03

HOUSE BILL

591-FN

AN ACT relative to suction dredging in the surface waters of the state.

SPONSORS: Rep. Oxenham, Sull. 1; Rep. Gottling, Sull. 2; Rep. Messmer, Rock. 24; Rep. Mangipudi, Hills. 35; Rep. McConnell, Ches. 12; Rep. Spang, Straf. 6; Sen. Fuller Clark, Dist 21; Sen. Hennessey, Dist 5; Rep. Almy, Graf. 13

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill defines recreational prospecting.

This bill also prohibits the use of suction dredging for the purposes of recreational prospecting.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to suction dredging in the surface waters of the state.

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

1 1 Recreational Prospecting. RSA 482-A:3, XI is repealed and reenacted to read as follows:

2 XI.(a) In this paragraph:

3 (1) "Hand panning" means separating minerals from water by means of washing
4 sediments in a pan with water.

5 (2) "Highbanker" or "power sluice" means a sluice box that uses a water pump to
6 transport water through the box to mimic the flow of a stream or river where there is little water
7 and requires a withdrawal of water and a discharge.

8 (3) "Recreational prospecting" means searching for mineral deposits in the surface
9 waters of the state where such searching is undertaken primarily for recreational purposes.

10 (4) "Rocker box" means a mechanical device used to separate gold and other
11 minerals from lighter sediments, but it used where there is little water and requires a withdrawal
12 of water and a discharge.

13 (5) "Sluice box" means a trough or box through which water is directed to separate
14 minerals from sediments and which does not exceed 10 square feet in size.

15 (6) "Vacuum dredge" or "suction dredge" means a machine that uses a vacuum to
16 draw water and sediments through a hose to a recovery unit which separates minerals from the
17 sediments.

18 (b) Prospecting by hand panning or by using sluice boxes is allowed on the surface
19 waters of the state so long as:

20 (1) All necessary permissions and permits have been secured prior to initiation of
21 the prospecting activities;

22 (2) Reasonable efforts are made to ensure that such prospecting activities shall not
23 result in stream bank erosion when entering, exiting, and using the surface water for recreational
24 prospecting activities; and

25 (3) Reasonable efforts are made to ensure that such recreational prospecting
26 activities shall not result in water quality degradation.

27 (c) Recreational prospecting shall not be conducted on surface waters traversing or
28 bordering private, nonprofit, or conservation trust lands without prior authorization from the
29 landowner, or on state land without permission from the department of environmental services.

30 (d) No person shall use vacuum or suction dredges, highbankers, or rocker boxes when
31 engaged in recreational prospecting in any surface water of the state.

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1 (e) The state shall retain the right to prohibit recreational prospecting at certain times
2 or in certain locations when such activity would be detrimental to the public interest for reasons
3 including, but not limited to, environmental and wildlife protection.

4 (f) The department may enter into a cooperative agreement with the fish and game
5 department relative to enforcement of the provisions of this paragraph.

6 2 Effective Date. This act shall take effect January 1, 2018.

HB 591-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2017-0260h)

AN ACT relative to suction dredging in the surface waters of the state.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2018 through 2021.

AGENCIES CONTACTED:

Department of Environmental Services