Bill as Introduced

SB 250 - AS INTRODUCED

2012 SESSION

12-2935
10/09

SENATE BILL ***250***

AN ACT relative to operation of ATVs and trail bikes on state lands.

SPONSORS: Sen. Gallus, Dist 1; Sen. Sanborn, Dist 7; Sen. Bradley, Dist 3; Sen. Morse, Dist 22; Sen. Carson, Dist 14; Sen. Stiles, Dist 24; Rep. Theberge, Coos 4; Rep. Flanagan, Hills 5; Rep. M. Tremblay, Coos 4

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill adds specific exceptions to the evaluation criteria for the establishment of ATV and trail bike trails on state lands, and clarifies an exception for trail crossings and connectors.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

12-2935
10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to operation of ATVs and trail bikes on state lands.

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

1 ATV and Trail Bike Operation on State Lands; Evaluation Process. Amend RSA 215-A:43, II to read as follows:

II. A new ATV or trail bike trail proposal that has passed the initial screening process of the coarse filter criteria under paragraph I shall proceed into a planning and layout phase and shall be considered to have passed such phase if the following fine filter criteria are met:

(a) The new trail is supported by an organized ATV or trail bike club recognized by the bureau.

(b) ATVs or trail bikes operated on the trail will comply with maximum decibel limit established by law.

(c) Adequate parking exists or will be developed for the type of trail being proposed and the number of expected riders.

(d) The bureau has given due consideration to local planning and zoning ordinances.

(e) The proposed trail does not pass through a parcel with deed restrictions.

(f) The bureau has given due consideration to local noise and obnoxious use ordinances.

(g) The proposal is reasonably compatible with existing uses.

(h) The proposal does not violate federal, state, or local laws.

(i) The proposal includes a monitoring and response system designed to detect and correct adverse environmental impacts.

(j) The proposed trail layout incorporates existing motorized travel corridors whenever possible.

(k) The proposed trail layout minimizes further fragmentation of blocks of forestland by locating trails on areas with existing development whenever possible.

(l) The proposed trail does not pass through a [~~wellhead protection area~~] ***sanitary protective area of a public well*** as determined by the department of environmental services [~~under RSA 485:48, II~~].

(m) The proposed trail is not located on earthen dams, dikes, and spillways ***unless approved by the department of environmental services.***

(n) The proposed trail avoids areas having soil types classified as important forest soil group IIA or IIB as defined and mapped by the Natural Resources Conservation Service, unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.

(o) The proposed trail is not within 100 feet of the ordinary high water mark of first and second order streams, 330 feet of third order streams, and 600 feet of fourth order and higher streams, except for purposes of stream crossing, ***unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.***

(p) All stream crossing structures meet 5-year flood design criteria.

(q) The proposed trail is not within 200 feet of any water body, forested or non-forested wetland, or vernal pool, ***unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.***

(r) The proposed trail avoids elevations over 2700 feet.

(s) The proposed trail avoids important wildlife habitat features for species of concern.

(t) The proposed trail avoids known locations of federally and state listed endangered or threatened species, or their habitat, as specified on a site-specific basis by the fish and game department.

(u) The proposed trail avoids known locations of rare plants and exemplary natural communities, as specified on a site-specific basis by the natural heritage inventory.

(v) The proposed trail avoids alteration or disturbance of unique geologic features, formations, and designated state geologic waysides, as specified on a site-specific basis by the state geologist.

(w) The proposed trail avoids alteration, disturbance, and adverse impacts to cultural and historic resources.

(x) The proposed trail is not within 330 feet of known raptor nest trees, or within 650 feet of trees with eagle or osprey nests, ***or as specified on a site-specific basis by the fish and game department.***

(y) The proposed trail is more than 650 feet from eagle winter roosting areas and 330 feet from the edge of wetlands containing heron rookeries, ***or as specified on a site-specific basis by the fish and game department.***

(z) The proposed trail layout has a safe and appropriate trail design.

(aa) Safety standards for highway crossings are met.

(bb) Any planned use of the proposed trail with other uses is safely accommodated.

(cc) Local enforcement officers have been contacted to review and provide input regarding enforcement issues.

2 Exception; Trail Crossings and Connectors; Reference to Jericho Mountain State Park Removed. Amend RSA 215-A:43, VIII to read as follows:

VIII. This section shall not apply to department of transportation property required for trail crossing or connector permits [~~at, or which directly connect to, Jericho Mountain state park~~].

3 OHRVs and Snowmobiles; Trail Connectors in Coos County. Amend RSA 236:56, II(d) to read as follows:

(d) Trail Connectors. All OHRVs and snowmobiles may be operated within specified trail connectors and pursuant to the provisions of RSA 215-A:9 or RSA 215-C:9. The commissioner of the department of transportation may limit the operation of specified types of OHRVs and snowmobiles when the commissioner feels this is necessary in matters of safety and maintenance of trail corridors or at the suggestion of the chief supervisor of the bureau of trails. ***Trail connectors in Coos county shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A:43.***

4 New Paragraph; OHRVs; Limitations on Operation. Amend RSA 215-A:10 by inserting after paragraph III the following new paragraph:

IV.(a) Notwithstanding any provisions of the law to the contrary, a person may operate an OHRV on a class I, class II, class III, or class III-a highway that has been designated open for use, in Coos county, by the bureau of trails, after consultation with the department of transportation and department of safety and public notice to each community which would be directly affected by such designation. The bureau, or its designee, shall sign any approved sections of highway for OHRV use.

(b) OHRV use shall not be permitted on any section of Interstate, toll, or divided highway.

(c) The following sections of state highway shall be designated for OHRV use: Back Lake Road in Pittsburg, from the town dump to Route 3; Route 3 in Pittsburg from the intersection of Back Lake Road to Route 145; Route 145 in Pittsburg and Clarksville from the intersection of Route 3 to Cedar Stream Road; Diamond Pond Road in Stewartstown from the town-owned section south to Charles Heath Road; Jericho Lake Road in Berlin from Route 110 to Jericho Mountain State Park; the reduced speed section of Route 3 in North Stratford village as needed to reach services.

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

SB 250 – AS AMENDED BY THE SENATE

03/07/12 0370s

2012 SESSION

12-2935
10/09

SENATE BILL ***250***

AN ACT relative to operation of ATVs and trail bikes on state lands.

SPONSORS: Sen. Gallus, Dist 1; Sen. Sanborn, Dist 7; Sen. Bradley, Dist 3; Sen. Morse, Dist 22; Sen. Carson, Dist 14; Sen. Stiles, Dist 24; Rep. Theberge, Coos 4; Rep. Flanagan, Hills 5; Rep. M. Tremblay, Coos 4

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill adds specific exceptions to the evaluation criteria for the establishment of ATV and trail bike trails on state lands, and allows for OHRV operation on certain highways and trail crossings and connectors in Coos county.

Explanation: Matter added to current law appears in ***bold italics.***
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to operation of ATVs and trail bikes on state lands.

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

1 ATV and Trail Bike Operation on State Lands; Evaluation Process. Amend RSA 215-A:43, II to read as follows:

II. A new ATV or trail bike trail proposal that has passed the initial screening process of the coarse filter criteria under paragraph I shall proceed into a planning and layout phase and shall be considered to have passed such phase if the following fine filter criteria are met:

(a) The new trail is supported by an organized ATV or trail bike club recognized by the bureau.

(b) ATVs or trail bikes operated on the trail will comply with maximum decibel limit established by law.

(c) Adequate parking exists or will be developed for the type of trail being proposed and the number of expected riders.

(d) The bureau has given due consideration to local planning and zoning ordinances.

(e) The proposed trail does not pass through a parcel with deed restrictions.

(f) The bureau has given due consideration to local noise and obnoxious use ordinances.

(g) The proposal is reasonably compatible with existing uses.

(h) The proposal does not violate federal, state, or local laws.

(i) The proposal includes a monitoring and response system designed to detect and correct adverse environmental impacts.

(j) The proposed trail layout incorporates existing motorized travel corridors whenever possible.

(k) The proposed trail layout minimizes further fragmentation of blocks of forestland by locating trails on areas with existing development whenever possible.

(l) The proposed trail does not pass through a [~~wellhead protection area~~] ***sanitary protective area of a public well*** as determined by the department of environmental services [~~under RSA 485:48, II~~].

(m) The proposed trail is not located on earthen dams, dikes, and spillways ***unless approved by the department of environmental services.***

(n) The proposed trail avoids areas having soil types classified as important forest soil group IIA or IIB as defined and mapped by the Natural Resources Conservation Service, unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental

impacts.

(o) The proposed trail is not within 100 feet of the ordinary high water mark of first and second order streams, 330 feet of third order streams, and 600 feet of fourth order and higher streams, except for purposes of stream crossing, ***unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.***

(p) All stream crossing structures meet 5-year flood design criteria.

(q) The proposed trail is not within 200 feet of any water body, forested or non-forested wetland, or vernal pool, ***unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.***

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(aa) Safety standards for highway crossings are met.

(bb) Any planned use of the proposed trail with other uses is safely accommodated.

(cc) Local enforcement officers have been contacted to review and provide input regarding enforcement issues.

2 OHRVs and Snowmobiles; Trail Connectors in Coos County. Amend RSA 236:56, II(d) to read as follows:

(d) Trail Connectors. All OHRVs and snowmobiles may be operated within specified trail connectors and pursuant to the provisions of RSA 215-A:9 or RSA 215-C:9. The commissioner of the department of transportation may limit the operation of specified types of OHRVs and

snowmobiles when the commissioner feels this is necessary in matters of safety and maintenance of trail corridors or at the suggestion of the chief supervisor of the bureau of trails. ***Trail connectors, as defined in RSA 215-A:1, in Coos county shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A:43.***

3 New Paragraph; OHRVs; Limitations on Operation. Amend RSA 215-A:10 by inserting after paragraph III the following new paragraph:

IV.(a) Notwithstanding any provisions of the law to the contrary, a person may operate an OHRV on a class I, class II, class III, or class III-a highway that has been designated open for use, in Coos county, by the bureau of trails, with the approval of the department of transportation and the department of safety and a public meeting in each community which would be directly affected by such designation. The bureau, or its designee, shall sign any approved sections of highway for OHRV use.

(b) OHRV use shall not be permitted on any section of Interstate, toll, or divided highway.

(c) The following sections of state highway shall be designated for OHRV use: Back Lake Road in Pittsburg, from the town dump to Route 3; Route 3 in Pittsburg from the intersection of Back Lake Road to Route 145; Route 145 in Pittsburg and Clarksville from the intersection of Route 3 to Cedar Stream Road; Diamond Pond Road in Stewartstown from the town-owned section south to Charles Heath Road; Jericho Lake Road in Berlin from Route 110 to Jericho Mountain State Park; the reduced speed section of Route 3 in North Stratford village as needed to reach services.

4 Repeal. RSA 215-A:43, VIII, relative to trail crossing or connector permits at Jericho Mountain state park, is repealed.

5 Effective Date. This act shall take effect upon its passage.

CHAPTER 84
SB 250 – FINAL VERSION

03/07/12 0370s

2012 SESSION

12-2935
10/09

SENATE BILL ***250***

AN ACT relative to operation of ATVs and trail bikes on state lands.

SPONSORS: Sen. Gallus, Dist 1; Sen. Sanborn, Dist 7; Sen. Bradley, Dist 3; Sen. Morse, Dist 22; Sen. Carson, Dist 14; Sen. Stiles, Dist 24; Rep. Theberge, Coos 4; Rep. Flanagan, Hills 5; Rep. M. Tremblay, Coos 4

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill adds specific exceptions to the evaluation criteria for the establishment of ATV and trail bike trails on state lands, and allows for OHRV operation on certain highways and trail crossings and connectors in Coos county.

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CHAPTER 84
SB 250 – FINAL VERSION

03/07/12 0370s

12-2935
10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to operation of ATVs and trail bikes on state lands.

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

84:1 ATV and Trail Bike Operation on State Lands; Evaluation Process. Amend RSA 215-A:43, II to read as follows:

II. A new ATV or trail bike trail proposal that has passed the initial screening process of the coarse filter criteria under paragraph I shall proceed into a planning and layout phase and shall be considered to have passed such phase if the following fine filter criteria are met:

(a) The new trail is supported by an organized ATV or trail bike club recognized by the bureau.

(b) ATVs or trail bikes operated on the trail will comply with maximum decibel limit established by law.

(c) Adequate parking exists or will be developed for the type of trail being proposed and the number of expected riders.

(d) The bureau has given due consideration to local planning and zoning ordinances.

(e) The proposed trail does not pass through a parcel with deed restrictions.

(f) The bureau has given due consideration to local noise and obnoxious use ordinances.

(g) The proposal is reasonably compatible with existing uses.

(h) The proposal does not violate federal, state, or local laws.

(i) The proposal includes a monitoring and response system designed to detect and correct adverse environmental impacts.

(j) The proposed trail layout incorporates existing motorized travel corridors whenever possible.

(k) The proposed trail layout minimizes further fragmentation of blocks of forestland by locating trails on areas with existing development whenever possible.

(l) The proposed trail does not pass through a [~~wellhead protection area~~] ***sanitary protective area of a public well*** as determined by the department of environmental services [~~under RSA 485:48, II~~].

(m) The proposed trail is not located on earthen dams, dikes, and spillways ***unless approved by the department of environmental services***.

(n) The proposed trail avoids areas having soil types classified as important forest soil group IIA or IIB as defined and mapped by the Natural Resources Conservation Service, unless there

is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.

(o) The proposed trail is not within 100 feet of the ordinary high water mark of first and second order streams, 330 feet of third order streams, and 600 feet of fourth order and higher streams, except for purposes of stream crossing, ***unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.***

(p) All stream crossing structures meet 5-year flood design criteria.

(q) The proposed trail is not within 200 feet of any water body, forested or non-forested wetland, or vernal pool, ***unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts.***

(r) The proposed trail avoids elevations over 2,700 feet.

(s) The proposed trail avoids important wildlife habitat features for species of concern.

(t) The proposed trail avoids known locations of federally and state listed endangered or threatened species, or their habitat, as specified on a site-specific basis by the fish and game department.

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(z) The proposed trail layout has a safe and appropriate trail design.

(aa) Safety standards for highway crossings are met.

(bb) Any planned use of the proposed trail with other uses is safely accommodated.

(cc) Local enforcement officers have been contacted to review and provide input regarding enforcement issues.

84:2 OHRVs and Snowmobiles; Trail Connectors in Coos County. Amend RSA 236:56, II(d) to read as follows:

(d) Trail Connectors. All OHRVs and snowmobiles may be operated within specified

trail connectors and pursuant to the provisions of RSA 215-A:9 or RSA 215-C:9. The commissioner of the department of transportation may limit the operation of specified types of OHRVs and snowmobiles when the commissioner feels this is necessary in matters of safety and maintenance of trail corridors or at the suggestion of the chief supervisor of the bureau of trails. ***Trail connectors, as defined in RSA 215-A:1, in Coos county shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A:43.***

84:3 New Paragraph; OHRVs; Limitations on Operation. Amend RSA 215-A:10 by inserting after paragraph III the following new paragraph:

IV.(a) Notwithstanding any provisions of the law to the contrary, a person may operate an OHRV on a class I, class II, class III, or class III-a highway that has been designated open for use, in Coos county, by the bureau of trails, with the approval of the department of transportation and the department of safety and a public meeting in each community which would be directly affected by such designation. The bureau, or its designee, shall sign any approved sections of highway for OHRV use.

(b) OHRV use shall not be permitted on any section of interstate, toll, or divided highway.

(c) The following sections of state highway shall be designated for OHRV use: Back Lake Road in Pittsburg, from the town dump to Route 3; Route 3 in Pittsburg from the intersection of Back Lake Road to Route 145; Route 145 in Pittsburg and Clarksville from the intersection of Route 3 to Cedar Stream Road; Diamond Pond Road in Stewartstown from the town-owned section south to Charles Heath Road; Jericho Lake Road in Berlin from Route 110 to Jericho Mountain State Park; the reduced speed section of Route 3 in North Stratford village as needed to reach services.

84:4 Repeal. RSA 215-A:43, VIII, relative to trail crossing or connector permits at Jericho Mountain state park, is repealed.

84:5 Effective Date. This act shall take effect upon its passage.

Approved: May 23, 2012

Effective Date: May 23, 2012

Amendments

Sen. Gallus, Dist. 1
January 11, 2012
2012-0181s
10/05

Amendment to SB 250

Amend RSA 215-A:43, VIII as inserted by section 2 of the bill by replacing it with the following:

VIII. This section shall not apply to department of transportation property required for trail crossing or ***trail*** connector permits [~~at, or which directly connect to, Jericho Mountain state park~~] ***as defined in RSA 215-A:1.***

Energy and Natural Resources
January 25, 2012
2012-0370s
10/01

Amendment to SB 250

Amend the bill by replacing all after section 1 with the following:

2 OHRVs and Snowmobiles; Trail Connectors in Coos County. Amend RSA 236:56, II(d) to read as follows:

(d) Trail Connectors. All OHRVs and snowmobiles may be operated within specified trail connectors and pursuant to the provisions of RSA 215-A:9 or RSA 215-C:9. The commissioner of the department of transportation may limit the operation of specified types of OHRVs and snowmobiles when the commissioner feels this is necessary in matters of safety and maintenance of trail corridors or at the suggestion of the chief supervisor of the bureau of trails. ***Trail connectors, as defined in RSA 215-A:1, in Coos county shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A:43.***

3 New Paragraph; OHRVs; Limitations on Operation. Amend RSA 215-A:10 by inserting after paragraph III the following new paragraph:

IV.(a) Notwithstanding any provisions of the law to the contrary, a person may operate an OHRV on a class I, class II, class III, or class III-a highway that has been designated open for use, in Coos county, by the bureau of trails, with the approval of the department of transportation and the department of safety and a public meeting in each community which would be directly affected by such designation. The bureau, or its designee, shall sign any approved sections of highway for OHRV use.

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4 Repeal. RSA 215-A:43, VIII, relative to trail crossing or connector permits at Jericho Mountain state park, is repealed.

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2012-0370s

AMENDED ANALYSIS

This bill adds specific exceptions to the evaluation criteria for the establishment of ATV and trail bike trails on state lands, and allows for OHRV operation on certain highways and trail crossings and connectors in Coos county.

Committee Minutes

Printed: 12/30/2011 at 8:18 am

SENATE CALENDAR NOTICE
ENERGY AND NATURAL RESOURCES

Senator Bob Odell Chairman
Senator John Gallus V Chairman
Senator Jeb Bradley
Senator Gary Lambert
Senator Amanda Merrill

For Use by Senate Clerk's Office ONLY
☐ Bill Status
☐ Docket
☐ Calendar
Proof: ☐ Calendar ☐ Bill Status

Date: December 30, 2011

HEARINGS

Thursday **1/12/2012**

(Name of Committee)	(Place)	(Time)
ENERGY AND NATURAL RESOURCES	LOB 102	9:00 AM

EXECUTIVE SESSION MAY FOLLOW

9:00 AM	SB237-FN	relative to field purchases and transfers of funds for the state park system and the bureau of trails, and the use of gifts and donations to the division of parks and recreation.
9:15 AM	SB241	relative to expiration and extension of terrain alteration permits.
9:30 AM	SB250	relative to operation of ATVs and trail bikes on state lands.
9:45 AM	SB297	relative to the apprentice hunting license.

Sponsors:

SB237-FN

Sen. Bob Odell	Sen. Nancy Stiles	Sen. John Gallus	Sen. Sharon Carson
Rep. Andrew Renzullo	Rep. David Russell	Rep. Christopher Ahlgren	

SB241

Sen. Bob Odell	Sen. Tom De Blois	Sen. Fenton Groen	Rep. Charlene Lovett
Rep. Paul LaCasse			

SB250

Sen. John Gallus	Sen. Andy Sanborn	Sen. Jeb Bradley	Sen. Chuck Morse
Sen. Sharon Carson	Sen. Nancy Stiles	Rep. Robert Theberge	Rep. Jack Flanagan
Rep. Marc Tremblay			

SB297

Sen. Andy Sanborn	Sen. John Barnes, Jr.	Sen. David Boutin	Sen. Sharon Carson
Sen. Tom De Blois	Sen. James Forsythe	Sen. John Gallus	Sen. Gary Lambert
Sen. Jim Luther	Sen. Amanda Merrill	Sen. Bob Odell	Sen. Nancy Stiles

START: 9:56 AM
END: 11:13 AM

Richard Parsons 271-3076

Sen. Bob Odell
Chairman

Energy and Natural Resources Committee

Hearing Report

FROM: Richard Parsons, Legislative Aide

SB 250 – **relative to operation of ATVs and trail bikes on state lands.**

HEARING DATE: January 12, 2012

MEMBERS PRESENT: Senators Odell, Gallus, Bradley, Lambert, Merrill

MEMBERS ABSENT: No one.

Sponsor(s): Sen. Gallus, Dist 1; Sen. Sanborn, Dist 7; Sen. Bradley, Dist 3; Sen. Morse, Dist 22; Sen. Carson, Dist 14; Sen. Stiles, Dist 24; Rep. Theberge, Coos 4; Rep. Flanagan, Hills 5; Rep. M. Tremblay, Coos 4

What the bill does: This bill adds specific exceptions to the evaluation criteria for the establishment of ATV and trail bike trails on state lands, and clarifies an exception for trail crossings and connectors.

Who supports the bill: Senator Gallus; Senator Carson; Senator Stiles; Chris Gamache, DRED-Trails Bureau; Dan Bennett, NH Auto Dealers Association; Will Abbott, Society for the Protection of NH Forests (with amendment); Jim O'Brien, The Nature Conservancy (with amendment); Steve Weber, NH Fish and Game (Sections 1-3); John Wimsatt, NH Fish and Game (Sections 1-3); Caleb Dobbins (Section 1); Harry Brown, North Country OHRV Coalition; Clayton Hinds, North Country OHRV Coalition;

Who opposes the bill: Catherine Corkery, NH Sierra Club;

Neutral position: Timothy Fortier, NH Municipal Association; Robert Topik, Epsom;

Summary of testimony received:
Hearing opened at 9:56 am.

Senator John Gallus, Dist. 1, Prime Sponsor

- SB 250 comes is the recommendation from the SB 107 Study Committee that was created last year. The Study Committee met several times and received input from the Connecticut Lakes Headwaters ownership, all the involved departments and several other ATV coalitions and

stakeholders. The recommendations in SB 250 come before you today after being unanimously agreed upon by study committee members.

- RSA 215-A:43, as originally passed into law, is missing a key point regarding the *intent* of the fine filter section from the June 21st, 2000 DRED report "Evaluation Process for the Establishment of ATV Trails on State Land" which said the fine filter criteria is "designed to be guidelines that will be followed whenever possible and included. There may be exceptions to these criteria in some cases which will be resolved on a case-by-case basis." Additionally, suggestive language proposed within the original bill was inadvertently replaced with directive language as it relates to permissive action to accomplish ATV trail creation options. All parties involved concur on the inadvertent technical mistakes, and have asked the Committee to consider re-instatement of the original intent.
- The possibility of ATV trails on the Connecticut Lakes Headwaters Working Forest is important as it would serve as the only connector to link Pittsburg to Errol trails. In addition, if tied in with attempts to connect Pittsburg to the Beecher Fall trail system to the west and Errol to Berlin to the south it would create a managed trail system from Canada to Berlin. Construction of this trail system would establish the first connector trail in NH and provide a significant economic opportunity for the North Country. Therefore, the study committee felt it was both timely and important to examine possible trail options and identify impediments to see if there were legislative changes that could be made to help facilitate a trail connector in an expedited manner.
- These changes are not only intended to provide the potential guideline for additional ATV trails, but will be instrumental in helping to preserve our State parks via the ability to move ill placed older existing trails to preserve our natural resources. An example of how this bill will assist in the implementation of trail management, one can look at the present trail system at Pisgah State Park, where current trails are notably close to preservation areas and current language is prohibitive to corrective action. Passage of a this bill with corrective language will allow DRED, over time, to redirect trails in Pisgah State Park, to ensure both ATV access and preservation of identified areas.
- I have included for committee members today the SB 107 Final Report which gives detailed information on the changes that you will find in this bill beginning on page 4 with the recommendations section.
- The amendment being introduced simply adds "as defined in RSA-A:1".

Senator Odell asked if this bill was talking about connector trails on Connecticut Lakes Headwaters specifically. Senator Gallus responded that it applies to all potential connector trails, but his concern was only with the North Country.

Senator Merrill asked if the language about the changes in the fine filter criteria applies generally to any trails and Senator Gallus stated that was correct.

Senator Bradley asked if this would only apply to Coos County. Senator Gallus stated that it would also apply to places like Pisgah state park.

Senator Bradley asked about how many miles of connectors are going to need to be built in the North Country. Senator Gallus responded that it seems somewhat minimal, don't know how many miles specifically however. **Senator** Odell ask if this bill is authorizing, by policy, additional trails throughout the state or whether we are limiting this to certain areas whether by geography or criteria. Senator Gallus said that question would be best addressed by Chris Gamache and that he is mostly concerned with Coos County.

Chris Gamache, DRED Trails Bureau
In support of the bill.

- ATVing has an economic impact on tourism in our state and particularly the North Country. ATV criteria legislation started as a draft in 1999. It was released to the public and became a study committee before creating additional legislation. It was intended to be flexible and have case-by-case situations apply. That was not put into statute.
- Since 2003, the state has been testing the criteria. DRED believes SB 250 makes reasonable and realistic changes to the criteria finally.

All agencies have agreed with page 1 and all lines to line 31 of page 2 of the bill. It is making corrections that should have been in place.

- There are concerns with Bear Brook and this bill will not be going to Bear Brook and we will not be creating trails there. These changes will be statewide because there are other areas of the state that need these changes other than just the North Country. It is highly likely we will always need another piece of state land to make links.
- This does not open anything. On the Connecticut Lakes Headwaters the state owns many of the roads. Again, this bill doesn't open anything. There is a citizens committee that supported linking the trails and supported the changes in SB 250.
- The discussion will be on Page2, line 34-35 which is highway crossings or connector permits. The striking of the Jericho reference will make this statewide. We are only talking about the sections of DOT highway that they would run along side of.
- We are working with DOT to define the process and create a protocol. DOT still sets the policy and decides what is important to them. The control is still DOT's.
- The criteria right now is so restrictive that there will never be a connector.
- Final portion of the bill talks about where connectors may not even be feasible and there are areas were driving on the road in only the specifically defined roads would be used to connect trails. Environmentally, an ATV on a paved road isn't doing much damage.

Senator Odell stated that this seems like a substantial change in policy. This bill seems to be addressing statewide policy as opposed to the Connecticut Lakes Headwaters as was the policy proposal in SB 107. Chris Gamache responded that these are substantial policy changes that should realistically be addressed today.

Senator Odell asked if this bill is lessening the standards. Chris Gamache answered no. This will allow the departments to use the best approach that applies in each case.We already have the exemptions of the criteria in Jericho.

Senator Odell referred to Page 2, and asked where the definition of connector is found. Mr. Gamache refers to RSA 215-A:1; XVII, XVII. "Trail connector" means that specific portion of an OHRV trail or cross country ski trail on which an OHRV trail maintenance vehicle may operate authorized within a state highway right-of-way by the department of transportation." Basically, the section of trail that is in a DOT right of way.

Senator Merrill asks about the relationship between section 2 and section 3 of the bill. Section 3 is specifically about Coos County. Chris Gamache clarifies that section 2 and section 3 are in conflict. Recommendation would be to remove section 2 from statute.

Senator Odell asked what the implications of Senator Gallus' amendment would be. Chris Gamache answered that the amendment would not be needed because we would be taking out that section 2 anyway. But, would be more comfortable adding that amendment language to lines 5-6 on page 3. (Would read, "Trail connectors, as defined in RSA 215-A:1, in Coos county shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A:43.

Senator Bradley asked that if this bill is going to give flexibility on connectors and corridors, he would like to know how it has worked in Jericho. Chris Gamache replied that it has worked very well. F&G biologists come and walk the trail with DRED and DES used to walk with them. Has increased the communication between the agencies on the ground and makes the system work a lot better.

Senator Gallus pointed out that Berlin also has connectors on city roads already between trails. No one is trying to put trails everywhere but you do have cities like Berlin. The same thing is happening with Pittsburg. The state is in the way and not the local towns. Common sense dictates you would let the people on the ground make the decisions on what is beneficial.

Senator Merrill asked about section 1, the fine filter criteria changes. Specifically, Page 2, (o) and (q) relates to "existing soil conditions..." and what might come into play. Chris Gamache pointed to page 1, line 28, (m) and how you don't always need an existing surface. Soil can change within 10 or 15 feet.

Senator Odell asked who at Pisgah state park wants the trails to be moved. Chris Gamache pointed out it was recommendations in their master plan that said they should move the trails from the western side to the eastern side of the park.

Will Abbott, Society for the Protection of NH Forests

- In support of SB 250.
- This has come a long way from the original SB107.
- We are not eliminating any of the fine filters but rather adding language to filters already in place.
- In section 1, agree with those sections.

- Agree with the recommendation that section 2 of the bill be removed.
- Section 3, if you could amend lines 5-6 as discussed before we would support that section.
- One of the other things that came out of the SB 107 Study Committee was that they are on track to do something very constructive. The commitment by the departments to seek additional resources to ensure enforcement is important.

Senator Merrill asked Mr. Abbott to elaborate on the enforcement issue. Mr. Abbott referenced a letter to the SB 107 Study Committee which articulated concerns. One of the issues was with enforcement. The ATV clubs have made a commitment to help educate their clubs and the departments have made commitments to monitor the trails and roadways which has all been very productive.

Senator Merrill asked if the implications of this on the departments would mean there is need for additional personal. Mr. Abbott responded that he would argue that more personal would be needed. In order for this to be successful additional enforcement would be needed.

Steve Weber, NH Fish and Game Department

Department supports sections 1, 2, and 3. The department did not have adequate time to fully evaluate and form a position on all aspects of section 4. Also support the changes that have been discussed this morning.

John Wimsatt, NH Fish and Game Department

- With regard to new paragraph 4, in speaking with some of the conservation officers that are on those roads, some of the connectors can go as long as one mile.
- These machines are not designed for use on paved roads. There is a concern for safety because they do not handle well on paved roads. If they are operated appropriately there wouldn't be a problem so it comes to an enforcement issue. Enforcement is critical.

Senator Odell talks about how section 4 refers to Back Lake Road on RT. 3 and specifically asks who would supervise ATV use on that road. Captain Wimsatt said Fish and Game officers cannot enforce motor vehicle violations just ATV related issues. Do not have general authorities to enforce the motor vehicle laws. Can enforce anything that pertains to ATV and snowmobile laws though.

Senator Bradley asked if this is more a resource issue than a lack of authority. Captain Wimsatt responded that it is a matter of resources because enforcing the speed limits would be critical.

Senator Bradley asked that with more trail openings whether the Captain believes the state would see more ATV licenses that would increase funding to possibly increase resource. Captain Wimsatt replied that current funding structures are about 70-30 toward Snowmobile use. Would be able to target funding as that changes. Currently, do ATV details in the south, but would need to spread that into the north.

Chris Dobbins, Department of Transportation

- DOT has been working on this and has had a meeting with the departments to go over the issue.
- The concept of creating hardened trails is something we haven't discussed. In DOT right of ways it would be like creating a gravel bike path.
- In support of removing section 2. DOT has a lot of small corridors and some very large tracts of land.
- DOT has the greatest amount of abutters in the state. It would be going through front yards potentially.
- DOT does not oppose section 1. Concerned why DOT properties are being singled out to create a whole new set of rules. Those rules would probably mirror the statute and parts of section 1.
- Willing to work with DRED on sections 3 and 4.
- DOT suggests on line 11, of page 3 changing "consultation" to "concurrence" and not just a "public notice" but maybe a discussion with the town.
- If it can be confined to the North Country and DOT can develop a set of rules they are in concurrence with working with DRED on those issues. Concern is with opening it up statewide.

Senator Odell asked if there is not a counterbalance for abutters. Chris Dobbins referred to RSA 215-A:43, which requires DRED to hold a public meeting in a town to explain to them that they are trying to build a trail. This bill waives that and also RSA 215-A:42.

Senator Odell asked for clarification if he meant they were waiving the requirement for a public hearing. Chris Dobbins stated that he believes that it is waiving that relative to connectors on DOT properties. DOT can still require it in their process however.

Harry Brown, North Country OHRV Coalition

- The coalition of OHRV clubs and towns has given unilateral support for this bill.
- Huge interest in the economic viability of the North Country. This bill gives a shot in the arm. The North Country is already losing a quarter of a million dollars from the federal government this year.
- The closest ATV system to the one that this bill would help build is West Virginia. This would create a very unique system within the United States.
- This will increase revenue. There are 20,000 ATV registered users in the state and there are 50,000 ATVs in the state.
- This has been a two pronged approach. All the environmental and OHRV stakeholders have worked together in this process.
- The enforcement issue is a huge issue. The current fine system allows for a 1200 fine and impoundment of the vehicle and the coalition believes in the full enforcement of the law. The end result is the OHRV coalitions are just as concerned about the environment and the North Country.

- The town of Pittsburg also allows snowmobilers on the road up until the dump road because the state owns that road.
- The citizens committee which is an advisory committee for Commissioner Bald which gives a criteria.

Senator Odell asked if there was any downside to this expansion, specifically as it concerns abutters. Mr. Brown stated that they are trying to respect homeowners that don't want the ATVs going through their property. The groups that have worked together try to really accommodate hikers while also helping ATVers.

Robert Topik, Epsom(1:15:00)

- DOT wanted to change the language from consultation to concurrence. Local authority is only had by the DOT process. The local control should be represented somehow as well. Local control is my concern with this bill.

Recessed at 11:13 AM

Funding: *Not applicable.*

Future Action:
Pending

RMP
[file: SB 0250 report]
Date: 1/17/12

Printed: 01/25/2012 at 8:54 am

SENATE CALENDAR NOTICE
ENERGY AND NATURAL RESOURCES

Senator Bob Odell Chairman
Senator John Gallus V Chairman
Senator Jeb Bradley
Senator Gary Lambert
Senator Amanda Merrill

For Use by Senate Clerk's Office ONLY
☐ Bill Status
☐ Docket
☐ Calendar
Proof: ☐ Calendar ☐ Bill Status

Date: January 25, 2012

HEARINGS

Thursday **2/2/2012**

(Name of Committee)	(Place)	(Time)
ENERGY AND NATURAL RESOURCES	LOB 102	9:00 AM

EXECUTIVE SESSION MAY FOLLOW

Comments: Please note, SB 250 was previously recessed on 1/12.

9:00 AM	SB250	relative to operation of ATVs and trail bikes on state lands.
9:15 AM	SB344	allowing the department of resources and economic development to cut vegetation in shoreland areas where public safety is of concern.
9:30 AM	SB388	setting the natural mean high water mark of Silver Lake in Belmont and Tilton.

Sponsors:

SB250

Sen. John Gallus	Sen. Andy Sanborn	Sen. Jeb Bradley	Sen. Chuck Morse
Sen. Sharon Carson	Sen. Nancy Stiles	Rep. Robert Theberge	Rep. Jack Flanagan
Rep. Marc Tremblay			

SB344

Sen. Andy Sanborn	Sen. John Barnes, Jr.	Sen. Tom De Blois	Sen. James Forsythe
Sen. John Gallus	Sen. Fenton Groen	Sen. Gary Lambert	Sen. Jim Luther
Sen. Nancy Stiles	Sen. Raymond White	Rep. David Bettencourt	

SB388

Sen. James Forsythe	Sen. Andy Sanborn	Sen. Jeb Bradley	Rep. Dennis Fields
Rep. Elaine Swinford	Rep. Guy Comtois	Rep. Robert Malone	

START: 9:01AM
END: 9:25AM

Richard Parsons 271-3076

Sen. Bob Odell
Chairman

Energy and Natural Resources Committee

Hearing Report

FROM: Richard Parsons, Legislative Aide

SB 250 – **relative to operation of ATVs and trail bikes on state lands.**

HEARING DATE: February 2, 2012

MEMBERS PRESENT: Senators Odell, Gallus, Bradley, Lambert, Merrill

MEMBERS ABSENT: No one.

Sponsor(s): Sen. Gallus, Dist 1; Sen. Sanborn, Dist 7; Sen. Bradley, Dist 3; Sen. Morse, Dist 22; Sen. Carson, Dist 14; Sen. Stiles, Dist 24; Rep. Theberge, Coos 4; Rep. Flanagan, Hills 5; Rep. M. Tremblay, Coos 4

What the bill does: This bill adds specific exceptions to the evaluation criteria for the establishment of ATV and trail bike trails on state lands, and clarifies an exception for trail crossings and connectors.

Who supports the bill: Senator Gallus; Senator Carson; Senator Stiles; Senator Sanborn; Sen. Morse; Rep. Flanagan, Hills 5; Chris Gamache, DRED-Trails Bureau; John Wimsatt, NH Fish and Game; Harry Brown, North Country OHRV Coalition; Armand Verville, Allenstown; Sharon Guaraldo, Fish and Game Commission;

Who opposes the bill: No one.

Neutral position: Caleb Dobbins, DOT;

Summary of testimony received:
Hearing opened at 9:01 AM

Rep. Flanagan, Hills 5
There is an integral part that OHRVs can play on state park trails that can help benefit all forms of recreational use of the state parks system.

Senator Sanborn, Dist 7
Chaired the SB 107 Commission to try and find a way to bring divergent interests together to develop a program that will help economic development in the North Country.

Armand Verville, Allenstown
Abutter to Bear Brook State Park. In support of the bill.
One concern is in SB 250, as introduced, section (l) changing to "sanitary protection area" because with "wellhead protection area" is protecting parts of Bear Brook State Park today. However, in discussions with Chris Gamache and Senator Gallus that there is no indication that this would go to Bear Brook.

Harry Brown, North Country OHRV Coalition
Support the bill as amended and introduced letters from North Country supporters. The local communities are in support of this bill.

Caleb Dobbins, DOT
Submitting letter in regards to the bill as introduced and would like to look at the bill as amended.

Chris Gamache, DRED, Parks Bureau
The amendment addresses several points from the last hearing.
Line 10, adds "as defined in RSA 215-A:1" to make it clear it is the DOT rights of way.
Line 16, DOT concern, the use of designated roads is changed to upon "approval" and on the next line changing "public notice" to "public meeting."
Line 28, there would be no need for RSA 215-A:43, VIII, because that is relative to trail crossing and connector permits at Jericho State Park.
In response to Mr. Verville, there was an honest mistake made in the drafting as DES wanted the trails to stay out of the sanitary areas. Everyone admits that it was a mistake.
There is no intention to go to Bear Brook. It was the test case in 2003.
Senator Merrill stated after looking over the DOT letter of concerns it seems there is one remaining concern which relates to section 3 in the bill, as introduced, which remains in the amendment as the new section 2, and it adds the "as defined" language. Senator Merrill asked if the "as defined" language makes a substantive difference to DOT. Chris Gamache responded that it does not make a difference for DOT in the amendment. DOT does not want the use of their rights of way exempted from the criteria at all. Those connectors were never meant to be included or considered in the original criteria. DOT's concerns could all be addressed in the review phase.

John Wimsatt, Fish and Game
The Fish and Game Commission voted to monitor section 4 which is now section 3. With the language, one of the issues was with consultation and the new language is more favorable as the original wording was a sticking point. This is not an official position of the Commission, but believe they would be favorable.

Hearing closed at 9:25 AM.

Funding: *Not applicable.*

Future Action:
Pending

RMP
[file: SB 0250.2 report]
Date: 2/3/12

Speakers

Senate Energy and Natural Resources Committee: Sign-In Sheet

Date: 1/12/12 Time: 9:30 AM Public Hearing on SB 250

SB 250 relative to operation of ATVs and trail bikes on state lands.

Name	Representing					
Sen. Gallus	Dist. 1	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Sen. Carson	Dist. 14	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
Chris Gamache	DRED-Trails	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Catherine Corkery	NH Sierra Club	Support ☐	Oppose ☒	Speaking?	Yes ☐	No ☒
Senator Stiles	Dist 24	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
Dan Bennett	NH Auto Dealers Assoc.	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
Timothy Fortier	NH Municipal Assoc	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☒ SEE TESTIMONY
Will Abbott	SPNHF	Support ☑ w/ amendment	Oppose ☐	Speaking?	Yes ☑	No ☐
Jim O'Brien	TNC	Support ☑ w/ amendment	Oppose ☐	Speaking?	Yes ☐	No ☑
Steve Weber	F&G	Support ☒ Sects 1-3	Oppose ☐	Speaking?	Yes ☑	No ☐
John Winsatt	F&G	Support ☒ Sect 1-3	Oppose ☐	Speaking?	Yes ☑	No ☐
Caleb Dobbins	DOT	Support ☒ Sec 1	Oppose ☐	Speaking?	Yes ☑	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Energy and Natural Resources Committee: Sign-In Sheet

Date: 1/12/12 Time: 9:30 AM Public Hearing on SB 250

SB 250 relative to operation of ATVs and trail bikes on state lands.

Name	Representing					
Harry Brown	North Country OHRV Coalition	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Clayton Hibbs	Northern Country OHRV Coalition	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
Robert Tapik	Epsom	Support ☐	Oppose ☐	Speaking?	Yes ☑	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
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		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Energy and Natural Resources Committee: Sign-In Sheet

Date: 2/2/2012 Time: 9:00 am Public Hearing on SB250

SB250	relative to operation of ATVs and trail bikes on state lands.

Name	Representing					
SENATOR SHARON CARSON	SD #14	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
Sen Stiles	SD 24	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
ARMAND VERVILLE	ALLENSTOWN	Support ☐	Oppose ☐	Speaking?	Yes ☒	No ☐
SENATOR GALLUS	SD #1	Support ☑	Oppose ☐	Speaking?	Yes ☐	No ☑
Senator Sanborn	SD #7	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
John Wimsatt	NHFG	Support ☑	Oppose ☐	Speaking?	Yes ☐	No ☑
Harry Brown	North County OHRV Coalition	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Rep Jack Flanagan	Hills Dist 5	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
CALEB DORRIS CALEB DORRIS	NHMOT	Support ☐ X	Oppose ☐	Speaking?	Yes ☒	No ☐
Chris Ganache	NH DRED	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
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		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Energy and Natural Resources Committee: Sign-In Sheet

Date: 2/2/2012 Time: 9:00 am Public Hearing on SB250

SB250	relative to operation of ATVs and trail bikes on state lands.

Name	Representing					
Sharon Gerould	F+G Comm	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
John Wimsatt	NH F&G	Support ☑	Oppose ☐	Speaking?	Yes ☑	No ☐
Sen. Morse		Support ☑	Oppose ☐	Speaking?	Yes ☐	No ☑
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
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		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
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		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
		Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Testimony

New Hampshire DOT
Department of Transportation

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

February 1, 2012

Senator Bob Odell
Statehouse
Room 302
107 North Main Street
Concord, NH 03301
bob.odell@leg.state.nh.us

Re: **SB 250**

Dear Senator Odell,

The New Hampshire Department of Transportation wishes to submit to the members of the Legislature our position and concerns on SB 250, Relative to Operation of ATV's and Trail Bikes on State Lands. The Department of Transportation attended the study committee hearings during the summer of 2011 and participated in the discussions of that committee. The Department of Transportation continues to have the same concerns on issues that were brought up during that study committee process and currently remain in the SB 250 legislation.

The New Hampshire Department of Transportation understands the economic impact that increased ATV use within the state could generate. With that understanding recognized, the Department also realizes the importance of the overall mission that the Department is tasked with which is to maintain and make safe highway infrastructure, and be a good neighbor to abutters along roadway rights-of-way, and in doing so foster economic growth throughout the state.

The Department of Transportation supports Section 1 of SB 250 as these changes clarify long-standing concerns that DRED, Fish and Game and DES have had relative to the fine filter criteria process that is currently required for the permitting of ATV trails on state properties.

The Department of Transportation does not support the proposed language in Section 2 that essentially exempts all DOT properties from the same fine filter/course filter permitting process as would be required for all other state properties. Although the DOT is seen as typically owning narrow strips of property adjacent to already existing roadways, it is important to note there exist large properties (i.e., Circumferential Highway, Keene Bypass, Conway Bypass, wetland mitigation sites, etc.) that are under DOT ownership. In addition to these parcels, there are a considerable number of miles of highway rights-of-way for which the Department only has a prescriptive right to maintain the roadway at that location, and the abutting landowner actually owns the physical property to the centerline of the roadway. In these

cases, the abutting landowner may have cause to restrict this type of activity from their property. Exempting DOT property from the provisions of RSA 215-A:43, would remove the requirement of public notification by DRED of a proposed ATV trail in a certain location. The Department has great concern relative to the potential lack of notification to abutters regarding a planned ATV trail being proposed in front of a property owner's house.

The Department of Transportation also does not support Section 3 of SB 250, due to the complete exemption of RSA 215-A:42 and RSA 251-A:43 for Coos County. Although the Department does support a phased approach of approving ATV use within the DOT rights-of-way, such as limiting the initial scope to Coos County, the total exemption of RSA 215-A:42 negates the need for DRED/ATV clubs to have a management plan for the trail system, and removes all ability, as well as the very process, to close a trail once it is opened to the public in Coos County.

The Department of Transportation also does not support Section 4 of SB 250 as written. This section allows for the opening of highway segments for use by the public while operating OHRV's. The bill as currently proposed allows the use of these roads by DRED approval, after DRED ***consults*** with the DOT and DOS and a public notice being published. The Department suggests that DOT and DOS, must **concur** with DRED's recommendation prior to a road segment being opened for OHRV use. In addition, it is recommended that DRED hold a **public meeting,** versus provide public notice, prior to allowing OHRV road use on roadway segments to allow for any concerns by the local community to be heard prior to any connector trail implementation.

Hopefully these comments are helpful in bringing forward a framework for increasing the use of OHRV and ATV throughout the state.

Sincerely,

Christopher D. Clement, Sr.
Commissioner NH DOT

cc: Chris Gamache, DRED

CDC/CBD/erk

New Hampshire
Fish and Game Department

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New Hampshire Fish and Game Department

Testimony on SB 250 An Act relative to operation of ATV's and trail bikes on state lands

Senate Energy and Natural Resources Committee
January 12, 2012

Mr. Chairman and members of the Committee, for the record my name is Steve Weber. I'm Chief of the Wildlife Division for the New Hampshire Fish and Game Department. I'm representing the Department on SB 250, an act relative to operation of ATV's and trail bikes on state lands.

The Department's connection with this issue goes back to a cooperative effort between the Department of Resources and Economic Development, Fish & Game and the Department of Environmental Services, where back in the winter of 1999 – 2000 a process for siting ATV trails on state lands was developed. Through a legislative initiative in 2001 (HB 1273), the course and fine filter criteria developed by the 3 participating agencies was converted to state law (RSA 215-A:42 & 43 respectively).

In the original document there was an intent statement in the fine filter criteria which stated: "The following "fine filter criteria" are designed to be guidelines that will be followed whenever possible. There may be exceptions to these criteria in some cases which will be resolved on a case-by-case basis." That statement was not included or incorporated in spirit in RSA 215-A:43. As a result, there are some components of the existing law which at times would increase the impact on the environment, in contrast to the original intent. This bill will, in part, amend the language in a way which essentially implements the intent statement of the original cooperative agreement, to the benefit of our natural resources and all involved.

The Fish and Game Commission discussed this bill at their December 21st meeting, and they support sections 1, 2, and 3. The Department has not had adequate time to fully evaluate and form a position on all aspects of section 4.

SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS
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December 18, 2011

Senator Andy Sanborn
Legislative Office Building
Concord, NH 03301

Dear Senator Sanborn,

Thank you for your thoughtful and constructive efforts to address the recreational uses on the Connecticut Lakes Headwaters Forest. As one of the key organizations that led the effort to protect this extraordinary natural, recreation and economic asset, we remain focused on helping to ensure that the purposes for which the land was protected continue to be achieved.

We have shared our thoughts regarding the proposal to permit ATV use within the state owned road system of the Headwaters Forest. We will summarize them here with hopes that any legislative or policy decisions made regarding ATV use can accommodate our concerns. We believe that if our concerns are addressed, the Forest Society will be willing to endorse a "pilot" project allowing ATV use on specific roads.

1. Because the Headwaters Forest conservation easement specifically prohibits ATVs on the private land covered by the easement, any ATV access on the roads will require sufficient educational and information efforts to inform users that leaving the roads is prohibited.

2. Enforcing speed limits and responsible driving behavior on the roads is an important pre-requisite for safe, concurrent use by ATVs, passenger vehicles and forestry operations. We believe that additional financial resources or at a minimum, a formal program of volunteer assistance to enforcement personnel, is needed to monitor ATV use of the roads on which this use is allowed.

3. We can agree to a plan that provides for a single connector corridor from the area of Pittsburg village that provides access between Pittsburg and the existing ATV trails on private land to the east of the Headwaters. The Forest Society can agree that such a connector need not be restricted to a specific location, but may be relocated from year to year or season to season to accommodate forestry operations or address other problems or conflicts that may arise. We would not support the designation of multiple ATV trails on the state roads within the Forest.

4. We strongly endorse the establishment of the ATV corridor as a test or "pilot" project that runs for a specific number of years. We suggest three (3) years. During the pilot period the use of the corridor should be

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monitored, enforcement data collected and public comment solicited. At your suggestion we concur that the pilot should be reviewed annually at the fall meeting of the Connecticut Lakes Headwaters Citizens Advisory Committee. Before the pilot is continued beyond the original term the Committee should review the results and make a recommendation whether the corridor plan should be continued, revised or discontinued.

Thank you for your work to bring together the various interests to address this issue. The Forest Society hopes that any legislation or policy decisions made about ATVs at the Headwaters Forest can reflect the concerns of all parties and demonstrate a constructive compromise that will work over the long term for the benefit of all users of the Headwaters Forest.

Sincerely,

Paul A. Doscher
Vice President for Land Conservation
Member, Connecticut Lakes Headwaters Citizens Advisory Committee

Will Abbott
Vice President for Policy and Land Management

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of PARKS and RECREATION
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856
PHONE: (603) 271-3556 FAX: (603) 271-3553 E-MAIL: nhparks@dred.state.nh.us
WEB: www.nhstateparks.org

January 12, 2012

The Honorable Robert Odell, Chairman
and the Energy and Natural Resources Committee
NH Legislative Office Building, Room 102
Concord, NH 03301

RE: Support of SB 250 An act relative to operation of ATV's and trail bikes on state lands

Dear Chairman Odell and Members of the Committee,

Please accept this testimony on behalf of the Department of Resources and Economic Development, Division of Parks & Recreation in support of Senate Bill 250.

Senate Bill 250 makes reasonable and realistic changes to the criteria that are used to review and develop off highway recreational vehicle trails on State lands. You may not be aware that the original criteria were developed as an in-house guidance document, for land owning/managing State agencies, which had flexibility and allowed for case-by-case reviews of proposed trail locations. The current criteria language is very specific in its restrictions and does not allow the best decisions to be made in some cases. The topic has been discussed and several pieces of legislation have been filed in previous years to address these topics.

This bill makes realistic and reasonable changes to the "fine filter criteria" and other sections of law, which are in the interest of the NH Trail System, local communities and the stewardship of State lands. Off Highway Recreational Vehicle users are very important contributors to the tourism industry of NH and anything that we can do to appropriately support this use will be very important to the local economies, especially in the North Country.

We are available to answer any questions you may have on this bill. Thank you for the opportunity to submit testimony.

Sincerely,

Philip A. Bryce
Director

PAB/cg

C: George M. Bald, Commissioner

New Hampshire
Municipal Association

January 12, 2012

The Honorable Bob Odell, Chairman
Senate Energy and Natural Resources Committee
Room 102, Legislative Office Building
Concord, NH 03301

RE: Senate Bill 250, relative to operation of ATVs and trail bikes on state lands

Mr. Chairman and Honorable Committee Members:

My name is Tim Fortier and I am here today on behalf of the New Hampshire Municipal Association (NHMA).

The NHMA neither supports nor opposes SB 250, however, we do wish to raise one concern with the bill as proposed.

Specifically, in Section II, subsection (I), it is being proposed to modify existing statute that a "proposed trail does not pass through a *"wellhead protection area"* to a less protective standard as a *"sanitary protective area of a public well."* In effect, based on information provided by the Department of Environmental Services, this reduces the existing 4,000 foot buffer or protective radius around a public well down to 400 feet. NHMA wishes the public record to reflect our concern with this change as we strongly endorse the more protective standard of 4,000 feet buffer surrounding a public well.

Thank you for the opportunity to voice our concern on this matter.

Sincerely,

Timothy Fortier, Government Affairs Advocate

Cc: Sandy McKenney, Selectman, Town of Allenstown
Normand Provencher, Pembroke Water Works

25 Triangle Park Drive • PO Box 617 • Concord, NH 03302-0617 • Tel. 603.224.7447 • NH Toll Free 800.852.3358 • Fax 603.224.5406
e-mail: governmentaffairs@nhlgc.org • Web site: www.nhlgc.org

PETER BRAGDON
PRESIDENT OF THE SENATE

THE GENERAL COURT
OF
NEW HAMPSHIRE
CONCORD 03301

WILLIAM O'BRIEN
SPEAKER OF THE HOUSE

SB 107
Chapter 124:1, Laws of 2011

An Act establishing a committee to study the effectiveness of criteria for establishing ATV and trail bike trails on state lands.

FINAL REPORT

The above-named Joint Legislative Study Committee selected to study issues relative to the effectiveness of the existing evaluation process for ATV and trail bike trail proposals on state-owned property, known as coarse and fine filter pursuant to RSA 215-A:42 and RSA 215-A:43, and, if appropriate, make recommendations for legislation to revise the process, having duly met offers the following final report:

OVERVIEW

1. The committee met 10/4/11 and named Senator Sanborn the chairperson of the committee.

2. RSA 215-A:43, as originally passed into law, is both missing a key point regarding the *intent* of the fine filter section from the June 21st, 2000 DRED report "Evaluation Process for the Establishment of ATV Trails on State Land" which said the fine filter criteria is "designed to be guidelines that will be followed whenever possible and included. There may be exceptions to these criteria in some cases which will be resolved on a case-by-case basis." Additionally, suggestive language proposed within the Bill was inadvertently replaced with directive language as it relates to permissive action to accomplish ATV trail creation options. All parties involved concur on the inadvertent technical mistakes, and have asked the Committee to consider re-instatement of the original intent.

3. SB 107, as originally introduced, was designed to exempt the Connecticut Lakes Headwaters Working Forest from this prohibitive criterion and assist DRED with its attempt to create a connector trail across the parcel.

4. The possibility of ATV trails on the Connecticut Lakes Headwaters Working Forest is important as it would serve as the only connector to link Pittsburg to Errol trails. In addition, if tied in with attempts to connect Pittsburg to the Beecher Fall trail system to the west and Errol to Berlin to the south it would create a managed trail system from Canada to Berlin. Construction of this trail system would establish the first connector trail in NH and provide a significant economic opportunity for the North Country.

5. The Connecticut Lakes Headwaters Working Forest is owned by The Forestland Group and the State of New Hampshire has an easement on the property which encompasses approximately 264 miles of dirt roads, managed by DRED.

6. The Forestland Group is not opposed to ATV access on agreed upon existing roads but do have concerns including responsibility of the

road maintenance budget, enforcement, the definition of ATV, and protecting the major company asset which is the timber resources. They continue to work with DRED to find mutually agreeable solutions to these issues.

7. The Committee met 10/4, 10/13, 10/18, 10/20, 10/25 and 10/27. All of the meeting notes are included with this final report with the exception of the 10/27 meeting in Colebrook.

FINDINGS

1. The main objective of the study committee was to correct prohibitive language in fine filter criteria in order to allow for trails to be looked at on more of a case-by-case basis by adding flexibility. This permissive change, combined with including the original Intent Statement, will assist DRED in its review and design of ATV trails throughout the State. This change is not only intended to provide the potential guideline for additional ATV trails, but will be instrumental in helping to preserve our State parks via the ability to move ill placed older existing trails to preserve our natural resources. An example of how this Bill, if introduced, will assist in the implementation of trail management, one can look at the present trail system at Pisgah State Park, where current trails are notably close to preservation areas and current language is prohibitive to corrective action. Passage of a Bill with corrective language will allow DRED, over time, to redirect trails in Pisgah State Park, to insure both ATV access and preservation of identified areas.

2. The connection of North Country trails from Jericho State Park, to Errol over to Pittsburg; along with expansion toward the Canadian ATV system has the potential for significant positive economic impacts for the North Country. Therefore, the committee felt it was both timely and important to examine possible trail options and identify impediments to see if there were legislative changes that could be made to help facilitate a trail connector in an expedited manner.

RECOMMENDATIONS

1. The committee members feel legislation should be introduced to add flexibility to the current fine filter criteria and bring the process in line with the original intent. Specifically:

    - Change section (l) of RSA 215-A: 31, II to read, "The proposed trail does not pass through a sanitary protective area of a public well, as determined by the department of environmental services."
        - This change would bring it back to the original intent.

    - Change section (m) of RSA 215-A: 31, II by adding to the end "unless approved by the department of environmental services."
    - Change sections (o) and (q) of RSA 215-A: 31, II by adding to the end of the sections, "unless there is an existing soil condition or surface roadway that can be used to reduce adverse environmental impacts."
        - This change deals with defined setbacks and the current statute gives no flexibility to use better trails in an area.

    - Change section (x) and (y) of RSA 215-A: 31, II by adding to the end of the section, "or as specified on a site-specific basis by the fish and game department."
        - This change would also give fish and game flexibility.

    - The last change would remove from RSA 215:43, VIII the wording "at, or which directly connect to, Jericho Mountain state park."
        - It broadens the language by taking out the part that limited the exempt Department of Transportation property trail crossing and connector permits to only Jericho state park and applies it generally instead.

2. The committee members feel legislation should be introduced to make changes for designation of sections of DOT highway under RSA 215-A: 10 or 236:56. Specifically:
    - Make changes to RSA 215-A: 10 by adding Section III which would read: "III. Notwithstanding any provisions of the law to the contrary, a person may operate an OHRV on a class I, class II, class III, or class III-a highway that has been designated open for use, in Coos County, by the Bureau of Trails, after consultation with the Department of Transportation and Department of Safety and public notice to each community which would be directly affected by such designation. The Bureau, or its designee, shall sign any approved sections of highway for OHRV use. (a) OHRV use shall not be permitted on any section of Interstate, Toll or divided highway. (b) The following sections of state highway shall be designated for OHRV use: Back Lake Road in Pittsburg, from the town dump to Route 3; Route 3 in Pittsburg from the intersection of Back Lake Road to Route 145: Route 145 in Pittsburg and Clarksville from the intersection of Route 3 to Cedar Stream Road; Diamond Pond Road in Stewartstown from the town owned section south to Charles Heath Road; Jericho Lake Road in Berlin from Route 110 to Jericho Mountain State Park; the reduced speed section of Rte 3 in North Stratford village as needed to reach services."
    - Possible changes in RSA 236:56 would read:
        - Adding to the end of (d), "Trail connectors within Coos County shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A: 43."
        - Adding (f), which would read, "Paved shoulders and use of rights of way. The operation of OHRVs may be allowed within the rights of way or upon the paved shoulders or portions of class I, II, III and III-a highways within Coos County, upon request of a town, city, OHRV club after consultation with the bureau of trails and with the approval of the department of transportation and department of safety."

GRAND RESORTS. GRAND ADVENTURES.
NEW HAMPSHIRE Grand

Date: October 27, 2011

To: Connecticut Lakes Headwaters Citizens Committee

From: NH Grand Brand Leadership Team

Subject: Expanded Use of Trails for ATV's

The members of the NH Grand Brand Leadership Team would like to express our support of the expansion of use of ATV's on the Connecticut Lakes Headwater's Property. We understand there is a proposal from the local ATV club, the Great North Woods Riders, to allow two connector trails from their trail system to the Millsfield/Umbagog trails and to the Stratford trails. We feel this is something which would be beneficial to the local economy offering a different kind of riding experience. NH Grand has been working on the branding initiative of Coos County for approximately two years. From the beginning of the marketing initiative NH Grand, 'Grand Resorts, Grand Adventures' the County's ATV trail systems have been one of the certified grand adventures, and marketed to attract tourism in our area. The economic vitality of Coos County is one of our main objectives. We support the expansion of regional tourism opportunities including the enhancement to this existing NH Grand ATV Adventure.

We would like any concerns of the property owner and natural resources be recognized and taken under consideration in determining the proper location for these connector trails. We share the responsibility of promoting the Coos County brand with NH Grand and the local ATV Clubs.

"Grand Resorts, Grand Adventure" is the brand of New Hampshire's North Country marketing initiative – also known as New Hampshire Grand -- and is the official visitor information source for the Great North Woods and the Northern White Mountains. The Northern New Hampshire Marketing Project of New Hampshire Grand has created the County's first comprehensive tourism website, www.nhgrand.com which has reached over 30,000 people all over the world; built social media presence on Facebook, Twitter and YouTube; designed and distributed nearly 300,000 brochures in New Hampshire, Maine Coast, Massachusetts and Canada focusing on "Best of's," Adventures, and Lodging options available in the region. For more information on NH Grand, visit www.nhgrand.com, New Hampshire Grand on Facebook, and NH Grand on Twitter.



NORTH COUNTRY
Chamber of Commerce

P.O. Box 1, Colebrook, NH 03576

To whom it may concern,

The North Country Chamber of Commerce board of directors would like to express our support of opening and extending ATV trails in the towns our Chamber represents, Pittsburg NH to Stratford, Canaan VT to Bloomfield. We look at the growth in the sport of ATV's as a benefit to our local businesses and overall economy of our region. The local ATV clubs have worked diligently to acquire approval of these projects and we would like to show our support of these efforts.

One proposal currently in review is to open a connector trail from the Great North Woods ATV Riders Club trail system to trail system in Errol and Millsfield. This trail will utilize existing gravel roads of the Connecticut Lake Headwaters property. The proposed trail will strengthen the counties trail system and provide unique riding opportunities for the visitors of the area. The current expanded use of some of the town roads in Pittsburg has been seen as an additional benefit to the businesses in the town offering increased visibility and revenue.

The North Country ATV Club has been hard at work extending the trail system from Blue Mountain Varity thru Cree Notch down to Sims Stream. What would be extremely beneficial to the Colebrook area economy would be for the NH Bureau of Trails to remove the rails from the area of Columbia Trailer Park going north into Colebrook. This would give 4 Wheelers locations to obtain gas, food and lodging; in addition to creating a new trail head. This trail expansion would help provide a strongly needed boost to the North Country economy.

Thank you for your support in improving the economy of the North Country.

Sincerely,

Peter Rouleau
President
North Country Chamber of Commerce



ANDROSCOGGIN
VALLEY
Chamber of Commerce

961 Main Street, Berlin NH 03570

To whom it may concern,

The Androscoggin Valley Chamber of Commerce supports the efforts in opening and expanding ATV trails in all of Coos County. We look at the growth in the sport of ATV's as a benefit to the overall economy of our region. The local ATV clubs have worked diligently to improve the trail systems and facilities for ATVers and we would like to show our support of these efforts. The ATV community is a vibrant and active community who help to drive our economy. The continued efforts to enhance and connect trails are vital to our economy and the long term success of the area. Thank you for your support in improving the economy of the North Country

Sincerely,

Joanne Roy
President
Androscoggin Valley Chamber of Commerce

STRATFORD NIGHTHAWKS SNOWMOBILE CLUB

484 US Route 3 North Stratford NH 03590

To whom it may concern/CLHW,

Please consider the expansion of the ATV and Snowmobile trail system through the Connecticut Lakes Headwaters property to connect with the other trail systems to the south.

As a resident of the North Country and President of our local snowmobile club I have seen first hand how vital the business and revenue are that is attracted here due to the OHRV friendly atmosphere that we are known for.

I strongly feel that the decision to connect these various trail systems will be a tremendous economical boost to many North Country businesses such as restaurants, lodging, shops and stores.

Thank you for your consideration in this matter

Sincerely,

David Brewer President Stratford Nighthawks



Colebrook Ski-Bees

P.O. Box 125
Colebrook, NH 03576
www.ColebrookSki-Bees.com
e-mail: rider@ColebrookSki-Bees.com

To whom it may concern/CLHW:

The Colebrook Ski-Bees are in favor of the expansion of the ATV and Snowmobile trail system through the Connecticut Lakes Headwaters property to connect with the other trail systems to the south, ie; Stratford, Millsfield, and Jericho Park.

As a resident and business owner in the North Country and President of our local snowmobile club, I have experienced first hand, how vital the business and revenues have become due to the OHRV friendly atmosphere that we are known for.

I strongly feel, as does the Colebrook Ski-Bees, that the decision to connect these various trail systems will be a tremendous economical boost to many North Country businesses such as; restaurants, lodging, shops, and stores.

Thank you for your consideration in this matter.

Respectfully submitted,

Clayton Hinds President Colebrook Ski-Bees



NCATV
Po. Box 161
North Stratford, NH 03590

To whom it may concern,
NCATV would like to express our support of opening and connecting ATV trails from Pittsburg NH to all the other surrounding communities with ATV trails supporting their local businesses. With all other forms of industry leaving the North Country tourism is depended on now more than ever. Over the past 10 years we have seen ATV usage multiply with very little help from the State of NH. We look at this growth as a vital part of our overall economy in the North Country.

So we would like to see the connector trail from Pittsburg to Errol made possible. The positives far out way the negative.

Sincerely Greg Burns President of NCATV.

Town of Stratford
Board of Selectmen
10 Town Common Road PO BOX 366
N. Stratford, NH 03590-0366
http://www.stratfordnh.org/

TEL: (603) 922-5533, office
FAX: (603) 922-3317, office
stratfordnh@gmail.com

October 24, 2011

LETTER OF SUPPORT

North Country OHRV Coalition

To Whom It May Concern:

The Board of Selectmen supports bringing economic development throughout the North Country by allowing the use of OHRVs, including both ATVs and snow machines, on state lands. We understand that new criteria for building trails on state-owned property have been or shortly will be proposed—we agree with the concept. Our private landowners already support both ATV and snow machine use, as indicated by the fact that so many have opened their land to such use. Connecting trails, particularly through state lands, will further enhance North Country economic and tourism development.

Larry W. Ladd, Chairman

W. Timothy Brooks, Selectman

Robin Kimball Rheaume, Selectman
Town of Stratford

cc: Senator Gallus
Councilor Ray Burton
No. Country ATV Club (trail) ✓
Nighthawks (trail)
John Nugent (proposed connector trail)
Big Rock Campground (connector trail)

C:\Documents and Settings\Selectman\My Documents\General Correspondence\2011-010-24 support of state trail use for atv and snow machine.doc

TOWN OFFICE
PO BOX 119
WEST STEWARTSTOWN, NH 03597

TELEPHONE: (603) 246-3329

October 24, 2011

To Whom It May Concern:

We, the Stewartstown Board of Selectmen, wish it be known that we support the use of the Connecticut Lakes Headwaters Working Forest Properties for the purpose of interconnecting the ATV trail system from Dixville / Errol, NH to Pittsburg, NH and from Pittsburg, NH to Canaan, Vermont for the purpose of ATV travel.

Sincerely,

Hasen Burns

Allen Coats

James Gilbert
Stewartstown Selectboard

cc file

Town of Colebrook
17 Bridge Street
Colebrook, NH 03576
(603) 237-4142 or (603) 237-5365
(603) 237-5069
www.colebrook-nh.com

October 28, 2011

To Whom It May Concern/CLHW:

The Town of Colebrook Board of Selectmen requested I write this letter of support for the expansion of the ATV and Snowmobile trail system through the Connecticut Lakes Headwaters property to connect with all other OHRV trail systems to the south of our region.

Connecting these trail systems to existing trails will be a very large economic boost to our local economy. The existing trail systems would have a larger number of recreational units utilizing them, thereby bringing in more business to area towns and businesses. Currently residents and tourist have to trailer their recreational units to a park or registered trail system, which limits their usage.

Thank you for listening to the public and your consideration in connecting the trails, thereby enhancing New Hampshire's economic future.

Respectfully,

Donna J. Caron

Donna J. Caron
Colebrook Town Manager

P.O. Box 339
Pittsburg, NH 03592
October 21, 2011

Dear Connecticut Lakes Headwaters Committee Members:

I am a resident of Pittsburg, NH, with family genealogy dating back to settling in Pittsburg in 1831. I am also a local businessman, as well as the trail administrator for the Great North Woods Riders ATV Club of Pittsburg. I am writing to you regarding the need for permitted ATV use on the Connecticut Lakes Headwaters designated roads, as provided for in the Headwaters Easement. Our club has worked very hard for ten years to develop a trail system in the Pittsburg area, with considerable success. For nearly that long, we have tried to expand onto the aforementioned designated roads, with absolutely no success to date. I urge you to make it possible for ATV use on these designated roads. Without the use of these roads, our club is virtually landlocked, and future expansion to reach other ATV clubs' trail systems in the area is impossible. Given the current state of the local, regional, national, and global economies, we all must do everything we can to bring customers to our local businesses. Having an interconnected ATV trail system such as what is available to snowmobilers will certainly help. Thank you.

Sincerely,

Warren E. Chase

F.B. Spaulding Co. 244 Main St. Lancaster, NH 03584
Tel. 603-788-2281, Fax. 603-788-2544

Oct. 18,2011

To whom it may concern/CLHW,

Please consider the expansion of the ATV and Snowmobile trail system through the Connecticut Lakes Headwaters property to connect with the other trail systems to the south.

As a power sports dealer we have enjoyed increased business with the recent trail expansions at both Jericho ATV park and The Great North Woods ATV Club in Pittsburg.

We strongly feel that the decision to connect these various trail systems will be a tremendous economical boost to many North Country businesses such as restaurants, lodging, shops and stores.

Thank you for your consideration .

Sincerely,

Derek Snowman

Derek Snowman

BURNS TRUCKSTOP
37 OLD MILL ROAD
NORTH STRATFORD
NH 03590
603-922-3350



Gentelmen:

We applaud your efforts to try and ease the over restrictive requirements for building trails on State owned land. The Course and Fine Filter Criteria requirements have all but stopped trail development in areas where there would be little or no negative or environmental impact. We are in full support of changing these to a more reasonable set of Criteria that would allow trails to be put on in a responsible manner and feel that it would be a new and viable boost to our struggling economy at the same time.

Most of us that are involved in tourism in Coos County that have had the experience of recreational trial such as Snowmobile and ATV trials, have come to realize the economic importance of these trails. It is crucial that we become a more friendly state to these user groups rather than more regulating and restrictive. We can't have it both ways. Other states and Canada have turned Atving into a very profitable and friendly sport where you can use roadways to access town services as well as make linear connectors where they meet obstacles that they need to go around. We must do the same because we are already far behind what they are doing in Maine and unless we want to be bypassed we need to look at possibilities of enhancing our recourses.

Ted & Cathy Burns
Owners of
Burns Truck Stop Mini-Mart
North Stratford, NH 03590
Tel. 922-3838
tedburns0@hotmail.com

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: 2/16/2012

THE COMMITTEE ON Energy and Natural Resources

to which was referred Senate Bill 250

AN ACT relative to operation of ATVs and trail bikes on state lands.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-0

AMENDMENT # 0307s

Senator John T. Gallus
For the Committee

Richard Parsons 271-3076

New Hampshire General Court - Bill Status System

Docket of SB250

Docket Abbreviations

Bill Title: relative to operation of ATVs and trail bikes on state lands.

Official Docket of **SB250**:

Date	Body	Description
1/1/2012	S	**Introduced** 1/4/2012 and Referred to Energy and Natural Resources; **SJ 1**, Pg.5
1/3/2012	S	Hearing: 1/12/12, Room 102, LOB, 9:30 a.m.; **SC2**
1/26/2012	S	Hearing: === RECESSED === 1/12/12, Room 102, LOB, 9:30 a.m.
1/26/2012	S	Hearing: === RECONVENE === 2/2/12, Room 102, LOB, 9:00 a.m.; **SC5**
2/21/2012	S	Committee Report: Ought to Pass with Amendment **#2012-0370s**, 3/7/12; **SC9**
3/7/2012	S	Committee Amendment 0370s; AA, VV; **SJ 6**, Pg.155
3/7/2012	S	**Ought to Pass with Amendment** 0370s, MA, VV; OT3rdg; **SJ 6**, Pg.156
3/8/2012	H	Introduced and Referred to Resources, Recreation and Development; **HJ 23**, PG.1447
3/21/2012	H	Public Hearing: 3/27/2012 10:30 AM LOB 305
4/24/2012	H	Full Committee Work Session: 5/1/2012 10:40 AM LOB 305 ==Executive Session To Follow==
5/2/2012	H	Committee Report: Ought to Pass for May 9 (Vote 13-0; CC); **HC 36**, PG.2009
5/9/2012	H	**Ought to Pass**: MA VV; **HJ 40**, PG.2235
5/16/2012	S	Enrolled
5/17/2012	H	Enrolled; **HJ 46**, PG.2480
5/25/2012	S	Signed by the Governor on 05/23/2012; Chapter 0084; Effective 05/23/2012

NH House	NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

SB 250 ORIGINAL REFERRAL _____ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

✓ DOCKET (Submit only the latest docket found in Bill Status)

X COMMITTEE REPORT

X CALENDAR NOTICE

X HEARING REPORT

X HANDOUTS FROM THE PUBLIC HEARING

X PREPARED TESTIMONY AND OTHER SUBMISSIONS

X SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

✓ - AMENDMENT # 0181s ____ - AMENDMENT # _____

✓ - AMENDMENT # 0370s ____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

✓ AS INTRODUCED ____ AS AMENDED BY THE HOUSE

____ FINAL VERSION ✓ AS AMENDED BY THE SENATE

____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes): _____

DATE DELIVERED TO SENATE CLERK 6/21/12 _____

BY COMMITTEE AIDE

Revised 2011