

Commission to Study the Use of OHRVs in New Hampshire
MEETING MINUTES
Friday, June 2, 2023, 10 AM
Lancaster, NH Department of Natural and Cultural Resources
629B Main St., Lancaster, NH 03584

Present:

Suzanne Smith, Chair, New Hampshire Association of Conservation Commissions
Abby Evankow, Clerk, NH Rail Trails Coalition
Andy Renzullo, Representative, House Resources Recreation and Development Committee
Representative Eamon Kelley, House RRD Committee - via Microsoft Teams
Representative Mike Ouellet - Coos County
Representative George Sykes, House DOT Committee
Captain Michael Eastman, NH Fish and Game
Chief Dan Buteau, NH Association of Police Chiefs
Craig Rennie, NH Bureau of Trails
David Rodrigue, NH Department Of Transportation - via Microsoft Teams
Paul Robitaille, NH Municipal Association
Steve Jackson, North Country Council
Steven Wilkie, NH Off Highway Vehicle Association
Ann Davis, NH Timberland Association / NH Farm Bureau
Dan Bennett, NH Auto Dealers Association
Paul Doscher, Society for the Protection of NH Forests/ Appalachian Mtn Club/ Nature Conservancy

Guests:

Clint Savage , BOT; Buddy Dion NHOVA President; Richard Parsons NHOVA lobbyist;
Sean Creegan, Great North Riders; Terry Lambert NHOVA secretary; Matt Leahy,
SPNHF

Absent:

Member of Senate - not yet appointed; Captain Chris Vetter, NH State Police

10:06 AM Call to Order - Introduction of members and guests

Approval of Minutes from March 31 meeting. Corrections: *typos, UTV definition is 65" not 60". all manufacturers will have electric ATVs available by 2035.* NHMA Rules for minutes: do not name people for every comment. Mr. Wilkie motioned to accept w/ corrections. Captain Eastman 2nded. Minutes Approved.

Report on Connecticut Lakes Public Advisory Commission May meeting

Chief Rennie: Introduced Brian Wilson, new Director of Parks. Issues raised: 264 miles of roads in Ct. Lakes - maintained by BOT, most are snowmobile trails, ~ 6.5 miles of ATV trails, part of easement agreement. These roads are also maintained for timberland access. One full time BOT employee + ? maintaining Ct Lakes Rds. BOT is requesting 1.5 million \$ capital to improve roads, deferred maintenance needs to be done. Endowment funds are inadequate.

Captain Eastman : Discussion of OHRV expansion. F&G spoke against at previous meeting b/c inadequate enforcement. Pittsburg has part-time police chief and part time officers. F&G is helping out on Pittsburg roads b/c of complaints, even though they shouldn't be. County Sheriff is also helping out in Pittsburg. F&G needs officers in Colebrook, Stewartstown, Pittsburg, Stratford - towns where where they are getting a lot of complaints. Commission also discussed bringing ATVs onto Magalloway Rd.

Rep Ouellet: 1.5\$ million is inadequate. A sub committee is looking at the request for additional road mileage in the Headwaters. Opening roads in Ct. Headwaters would be to get OHRVs off town roads. Ct. Lakes Headwaters is in Pittsburg, Clarksville and abuts Stewartstown.

Mr. Doscher: Served on citizens advisory committee for 10 years, starting in 2003, when property was sold, subject to conservation easements, to a private timber investor by the Trust for Public Land. Most of the land (145,000 acres) is under an easement held by the state and managed by the Division of Forest and Lands. 25,000 acres are owned by NHF&G under an easement held by the Nature Conservancy.

The State owns the roads in order to continue to provide public use of the roads, even though lands are privately owned. Any proposal to put ATV trails off the road onto the conservation easement land would need both landowner permission and DFL/Parks Division approval and may be limited by the conservation easement.

Legislative Update:

SB160 *relative to the use of OHRVs on designated trails and requiring a permit to operate certain OHRVs from before sunrise and after sunset.*

House RRD Committee adopted Montana Plates provisions, but removed expanded Event Permit provision. The amended bill was pulled off the consent calendar and a non-germane floor amendment stuck to it. It is still waiting for House vote.

SB256 *establishing a safety program for off-highway recreational vehicles.*

House DOT Committee: 15-5 vote ought to pass. June 8 full house vote expected. Accepted amendment to specify date of birthday on or after.

Conflicts pertaining to OHRV use – (This will be an ongoing discussion at meetings)

Conflicts among users is one of the biggest issues. It is not the Commission's job to rehash known conflicts - but to find creative solutions.

Landowner decides when and where ATVs ride on private property. In 2013 Warren opened its town roads first - helped other towns open theirs. Claremont opened town roads to OHRVs 24/7/365 days/year in 2022, against recommendation Claremont club.

Topics:

Expansion of F&G Event Permits: House RRD Committee wanted this Commission to discuss provisions first. Warren ATV club receives permission from DNCR under the Special Use Permit for nighttime use to ride ATVs to and from fireworks for many years. They ride on a 4 mile stretch of state rail trail as well as town roads. Warren Old Home Days has fireworks. Next bill filing deadline is Sept.

F&G issues OHRV Event Permit (usually for unregistered machines at designated competition event area)

DNCR issues Special Use Permit.

For the annual August Jericho Jamboree - BOT requests permission from DOT & DOS for later OHRV riding hours on behalf of Berlin, Gorham and other towns. Abutters are not contacted. It is up to town officials to request.

DOT: State law dictates process for DNCR to apply for on-road connectors and for roadway crossings throughout the state. DOT Permit is required to cross state road. DOT permit limits OHRV usage to "half hour before sunrise/ half hour after sunset."

Mr. Savage: DOT 4 different Trail permits - bridge crossing permit; highway crossing permit; on-highway permit; connector permit within DOT's ROW - to build trail alongside of Rte 3. Criteria for site distance, speed limit etc.

Mr. Wilkie volunteers to make flow chart of required permits - showing how DNCR, F&G, DOT, DOS applications work together.

Concern that Event Permits with no limit for # of events per year could lead to abuse. Should allow for residential input. Winter events request repeated weekends b/c weather dependent.

Pittsburg: state portion of Back Lake Road opened, then became town road; trail built through woods - but heavy ATV traffic still documented on Back Lake Rd; use.

Chief Rennie and Mr. Savage met w/ Cliffords on Back Lake Rd a few years ago. Because the state no longer owns any part of Back Lake Rd, all BOT could do was to put up more signage directing riders to trail instead of road. It is the town choosing to keep the road open. What can be done?

Discussion about possibility, impacts of lowering speed limit: 10 mph signs - needs enforcement.; 65" UTVs machines are harder to ride on side of road, other road traffic can't get around as easily.

Colebrook : biggest problems people running up and down closed roads, 70 miles of rd, one cruiser.

Chief Rennie passed out some information about a potential bond in Maine to raise \$30 million for new trails, with emphasis on multiple use, accessibility and sustainability.

Ms. Evankow expressed concern that there are no consequences when OHRV trail siting laws are violated. She suggested waiving immunity for siting decisions. DNCR Commissioner is not bound by OHRV trail siting statutes, and statute does not apply to municipalities or private property.

DOT - law requires DOT to open road when certain conditions are met.

In 2019 - abutter notification for new OHRV trails passed - there are reports it is working.

Clubs always struggle for volunteers, but are seeing influx of younger riders joining OHRV clubs. Discussion about raising registration rates to raise more funds. Suggestion to raise UTV rate - b/c they are harder on trails than ATVs and trail bikes. Suggestion that rental agencies should pay higher rate - so most time in trails, i.e. more damage - are paying more. Snowmobile clubs supported raise in registration fee b/c they needed the funds.

Some states charge significantly higher rates for non-residential rates.

Temporary OHRV registration - can buy 2 separate weeks for less than year. Maine just raised their temporary registration fees to \$100 / 7 days. In contrast :NH \$42 / 7 days.

Captain Eastman sees abuse of temporary registrations. F&G is looking at how make temporary decals more obvious. F&G sells a lot of temporary registrations - would like to upsell to full registration. Maine only has 3 categories: resident, non-resident, temporary. Is NH's too complicated? Maine paper companies requires membership in local club to ride on their lands.

35,000 Coos residents. Colebrook ATV Club has 1000 members. It helps clubs to get memberships from away.

Invite House Municipal Committee Member to October meeting when discuss town responsibilities, also NHMA.

RSA manufacturing specs: 96 decible RSA 215-A:12

Mr. Jackson volunteers to review permit application.

Commission needs to address Class V & Class VI Roads; trail vs. road

Next meeting: August 11. In Lancaster. 10 am.

Sept 29, Concord.

12:00 PM Adjourn Sykes, Eastman seconded. Meeting Adjourned