



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

March 5, 2024

The Honorable Andrew Renzullo
Chairman, House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 1390 – AN ACT relative to regulating wakeboating and wakesport

Dear Chairman Renzullo and Members of the Committee:

Thank you for the opportunity to comment on HB 1390. This bill proposes to define the term “wakesports” and establish a “wakesports zone.” The NH Department of Environmental Services (NHDES) takes no position on this bill, but provides the following information for the Committee’s consideration.

Wakesports, as defined in the proposed bill, have become incredibly popular on New Hampshire’s surface waters. Should the committee decide to further regulate wake surfing, NHDES suggests defining the activity rather than the watercraft when considering proposals regarding the waters where these sports can occur. Additionally, NHDES, through its past experience on the 2020 Wake Boat Commission, concurs with the findings raised in the report; namely, that there exists the potential for environmental damage associated with these sports, such as shoreline erosion.

The proposed legislation identifies a “wakesports zone” that would place restrictions on where these activities could occur. Currently, all motorized vessels, including wake boats are required to operate at least 150’ from shore when traveling greater than headway speed. The proposed legislation would increase the buffer distance to 500’ from shore, add a 50-acre area minimum where these activities can take place, and a 20 foot water depth minimum. The Water Sports Industry Association currently advocates for staying 200 feet away from the shore, docks, and other structures as well as minimizing repetitive passes to one portion of the shoreline. Consistently, studies have shown that increased buffer distances from the shoreline have a positive impact on the potential environmental risks associated with wake surfing.

NHDES has completed a draft analysis of the proposed restrictions and concluded that, should this bill pass, wakesurfing would be “allowed” on 57 New Hampshire waterbodies. The list is available upon request as well as example maps showing the “useable” areas for wakesports on waterbodies of various sizes.

We encourage the environmental groups, the watersports industry, and the State to collaborate on a solution that would be acceptable for New Hampshire. The Department of Environmental Services is now able to assess how different buffer zones would affect where these activities can take places and would be happy to provide this information should these discussions occur.

The Honorable Representative Renzullo
Chair, House Resources, Recreation and Development Committee
March 5, 2024
Page 2

Thank you again for the opportunity to comment on HB 1390. Should you have questions, or need additional information, please feel free to contact either Dave Neils, Limnology Center Director, at 603-271-8865 or david.neils@des.nh.gov or Rene Pelletier, Water Division Director, at 603-271-0677 or rene.pelletier@des.nh.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert R. Scott
Commissioner

ec: Sponsors of HB 1390: Representatives Tanner, Rung, Vail, Darby, and Prentiss