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# ENVIRONMENTAL Fact Sheet

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## Voluntary Non-Tidal Dock Registration

Voluntary dock registration makes it easier to repair or replace existing non-tidal permanent docking structures. In addition, it offers an easy way to show that docking structures, whether seasonal or permanent, comply with relevant state statutes and rules. This is particularly useful when selling properties that include such structures. Please note that this option is only available to owners of existing non-tidal docking structures. It cannot be used for tidal structures or for constructing new docks.



**Pictured: Existing non-tidal permanent docking structure in need of repair.**

### **Do I have to register?**

No, but it could save you time and money.

### **How does this help me?**

#### *Permanent Dock Owners*

Currently, any repair or replacement of permanent docking structures that occurs in the water requires a permit from the NHDES Wetlands Bureau unless the structures are registered. Options for obtaining a permit include using a Permit-by-Notification, an Expedited Minimum Impact Wetlands Permit Application, or a Standard Wetland Application. The cost to apply using any of these options is \$400 or higher, and the permit is valid for five years. By registering your existing, non-tidal structures at the lower cost of \$200, you exempt them from requirements to obtain repair or replacement permits for five years or until the property changes owners.

This registration option is also comparatively easier than other wetlands permitting processes. Once you register, you can repair or replace your structure in kind, any time before your registration expires.

#### *Seasonal Dock Owners*

Owners of seasonal docking structures do not need permits to repair them, but there are still significant benefits to registering them. Simply, by registering docking structures they become compliant with state law on the placement of structures in public waters. Many seasonal docking structure owners have simply maintained what was on the property when they bought it. They often lack documentation proving their dock was ever legally constructed. This can complicate property sales, as well as enforcement response options if someone files a complaint against their structure. Registering a seasonal dock only requires proof the docking structure and configuration existed before January 1, 2000, and has been maintained since. This is much easier than proving the structures were in place before the original “seasonal structure jurisdiction” date of September 4, 1978. The burden of proof goes back only 21 years instead of 42 years!

#### **What if I choose not to?**

##### *Seasonal Dock Owners*

If your seasonal docking structures were installed and have been maintained in accordance with a permit, opting out of registration will not impact how you can maintain them. If you are unsure of (or cannot prove) the history of your seasonal docking structures, not registering will still not affect how you can maintain them, but it could impact your future property transactions.

##### *Permanent Dock Owners*

You can continue to use any pre-existing option to get your required repair permits. For more information, please consult the [docking structures section of our website](#), including our [Permitting for Private, Non-Commercial Freshwater Docking Structures](#) fact sheet.

#### **Does my dock qualify?**

Only the owners of existing docking structures in non-tidal waters can qualify. The owner must submit a completed Non-Tidal Docking Structures Registration Form, registration fee and attachments including photos of all existing structures constructed or installed in the waterbody and plans of the waterfront and structures to be repaired, showing that the plans will meet all requirements. This includes evidence that the docking structures to be repaired have been constructed and maintained in compliance with a permit issued under RSA 482-A or its preceding statutes, or maintained in their current size, location and configuration since at least January 1, 2000.

The following evidence is also necessary:

- Evidence that the structures were not constructed to create land in public waters.
- Evidence that the structures are not suitable for use as a dwelling, if the structure or any part of it extends beyond the shoreline of any public water or publicly owned water body.
- Evidence that the structures are not the subject of any municipal or state compliance action or pending civil action.

#### **How long is this registration valid?**

Five years, or until the property changes ownership, whichever occurs first.

#### **Sign me up! How do I register?**

[Register using onlineforms.nh.gov or download a paper version to submit by mail.](#)

#### **Where can I get more info?**

Visit our [Docking Structures page](#) or contact us by phone at [\(603\) 271-2147](#).