



**New Hampshire Marine Patrol
Presentation by Officer Hugh 'Chip' Dougherty
August 25, 2018**

Guest speaker Chip Dougherty, an officer in the New Hampshire Marine Patrol, addressed the membership at the annual meeting on August 25, 2018. Chip, who is a sworn NH State Trooper, has served as a Marine Patrol Officer for over 10 years. He reported that all Marine Patrol Officers are all certified State Troopers.

Marine Patrol is a division of NH State Police and has the mission of providing safe, enjoyable, and environmentally responsible use for all of the State's public waters. Among its many responsibilities, the division responds to emergencies and other calls for assistance; issues NH mooring licenses; enforces State boating and criminal laws; investigates boating accidents and drownings; conducts Boating Safety Education Classes; installs, maintains, and removes State marine aids to navigation; and conducts criminal investigations and generates cases for prosecution. Officers also work with the Coast Guard and in the harbors of the State. At the present time, there are eight full-time officers who operate out of the headquarters in Gilford, although each officer is assigned a specific area to patrol throughout NH

In addition, there is a group of highly trained civilians who also operate out of Gilford and are assigned to work any of the patrol areas located throughout the State. Marine Patrol also employs college students majoring in criminal justice. Currently there is a student officer in our area that is in this program. He has been out in the field and patrolling for a month.

The state is divided up into areas with Lake Winnepesaukee representing a single area. Three officers are assigned to our area which includes Stratford, Merrimack, Belknap and Rockingham Counties. There are nearly 500 bodies of water in this section, so if you call it may take a while for an officer to respond or arrive, but they take every call seriously and will follow-up as soon as possible.

Marine Patrol is completely self-funded through boat registration fees and grants from Homeland Security. Officer Dougherty noted that they are not underfunded, but just short-staffed because they have a hard time finding good, qualified people.

Officer Dougherty then opened up his talk to a Question & Answer session.

Q: Boaters' License: Currently the Boating Safety Education Course and Exam includes all categories of boating including sailboats, navigation in harbors and other information not related to boating on a lake. Would Marine Patrol ever consider offering courses/licenses for different levels of operation such as power boat operation in lakes only, very much like the DMV does, e.g. Standard Driver's License, Motorcycle License, Commercial License, etc.?

A: Probably not. We believe that the course includes important information for all operators, including necessary safety equipment, the meaning of buoys and other markers, when flares and lights are required, etc.. All this information applies to anyone operating a power boat or sail boat. For example, if you were boating on a river or in/out of a harbor in a large lake, you will encounter buoys. It is important for you to understand what they indicate and who has the right-of-way when you approach, overtake, or cross the path of another craft. The course is offered on-line, but we recommend that you take a classroom course that is taught by current or past marine patrol officers in our headquarters in Gilford. Our courses are posted on-line at <https://register-ed.com/programs/newhampshire/174>

- Q: Does Marine Patrol work with local police departments regarding shoreline matters?
- A: Absolutely. We used to be a separate entity under the Division of Safety Services which has since been disbanded. Marine Patrol officers are now members of the NH State Police and as such work closely with local police departments. In addition, a local police officer has the authority to write a citation for any violation of the regulations.
- Q: The Town of Barnstead restricts operation of Jet skis on Halfmoon Lake to week days only, not on the weekend. Does that mean that someone could operate a jet ski on the Alton side of the lake?
- A: No, this legislation is enforced throughout the entire lake. It would be difficult for anyone to determine where the boundary lines are.
- Q: We have a lot of new boaters on the lake and have observed a lot of misdemeanors. Since Marine Patrol officers cover such a broad area, what can people do when they see something such as underage kids operating a Personal Water Craft (PWC) or a boater interfering with loons?
- A: If you see a violation, please call 603-293-2037 and press 'O' for State Police dispatch to report the problem. They will try to dispatch an officer as soon as possible. Halfmoon Lake is patrolled once a week. We try to get out there on the weekends when there is the most traffic. If we get a lot of calls regarding violations, we may put a boat out for half a day. We sometimes use an unmarked boat or a PWCs when visiting the lake.
- Q: If we see a violation, can we take a video and send it to Marine Patrol?
- A: You can take a video, but we cannot give a summons based on the video alone. However, we can talk to the individual and provide a verbal warning.
- Q: What are the regulations regarding moorings on a lake? We have had several new mooring for boats and PWCs put into the lake this year. None of them are registered.
- A: There are only eight lakes in the State with mooring restrictions. Unfortunately, anyone can drop a mooring in your lake as long as it does not impede normal boat traffic. If that occurs, Marine Patrol will contact the owner and ask that it be moved. If that doesn't happen, Marine Patrol has the authority to remove the mooring and craft. If a lake becomes too congested with moorings and water craft, the lake-front residents can petition the State for a mooring restriction.
- Q: Do moorings have to be registered?
- A: Only if located on a lake with a mooring restriction.
- Q: Do we have any recourse on moorings that have been placed on privately owned property without the owners' permission?
- A: In this case, it becomes a civil matter. If the owner of the property did not agree to the mooring, then it would be considered trespassing and needs to be taken up with the town.
- Q: In a particular situation, a swim platform was built and moored off of a privately-owned lot without the owner's permission. Recently, the platform was floated out into the middle of the lake with no lights and used as an observation area for the July Fourth Fireworks display. What recourse do we have in this situation?
- A: There are clear restrictions for swim platforms. The rule is that they may not be more than 50 feet from shore or in over 8 feet of water. Regardless, if a swim platform poses a hazard to navigation, Marine Patrol will notify the owner or have it removed. It sounds like in this case it was definitely a violation of the regulations, particularly since it had no lights. Incidents such as this should be reported to Marine Patrol.

Q: What is the minimum distance from shore for a mooring?

A: It is based on boating traffic patterns and how much of an impediment it would pose to that.

Q: What is the cost to petition the State for a mooring restriction on our lake?

A: The petition is free. Once approved, anyone who wants to put in a mooring must apply to Marine Patrol, pay an annual fee, and get a sticker that needs to be attached to the mooring in plain view.

Q: One of our most significant concerns is for the safety of kids and youth. We have seen many infractions on our lake involving children. What is Marine Patrol doing to address this?

A: We are very keen on child safety. If we observe a violation, we will stop the boat and give them a warning. If it has to do with a child, we are more likely to give them a citation and fine. One common situation that we frequently encounter involves a PWC towing a tube carrying children, but with no observer; just the operator of the PWC looking back. In this case, we will stop the PWC and remove the children from the tube, taking them back to shore. The operator will receive a citation and fine.

Q: What about a PWC that has the ability to carry three people and has two adults on the craft and two people on the tube? We have frequently observed this activity on our lake.

A: In this case you have two people on the PWC and two people on the tube. If anything should happen with the tubers and they need to be taken out of the water, the PWC would be overloaded. This is definitely a violation. Again, we will stop the PWC, remove the tubers, and educate the operator on the safety of towing tubers.

Q: One of our concerns over the past few years is the practice of Wake Surfing. What is the State doing to regulate this activity?

A: This is a common problem not only in New Hampshire, but across all states. We recognize that wake boats that suck water into a ballast to create a wave that enables a boarder to simulate surfing causes havoc including shore erosion and danger to other water craft. If the wake boat remains 150 feet off shore, there is nothing we can do about it. However, many states are looking for ways to restrict this activity to larger bodies of water. We have approached the NH legislation about putting guidelines and regulations in place, but it could be a long, prolonged process. We encourage you to write to your local representative to encourage that the matter be put on the agenda.

Q: Is there a restriction on noise from boats operating on the lake? We have experienced loud stereo music being played from boats towing water skiers and wave surfers.

A: Yes, there are restrictions on sound coming from any boat: nothing over 88 decibels. If this occurs on your lake, you can report the boat owner to Marine Patrol