Bill as Introduced

SB 401-FN-A-LOCAL – AS AMENDED BY THE SENATE

2/3/00 3238s
4/6/00 4018s
4/6/00 4040s

2000 SESSION

00-2545
08/09

SENATE BILL ***401-FN-A-LOCAL***

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

SPONSORS: Sen. Russman, Dist 19; Sen. Larsen, Dist 15; Sen. Klemm, Dist 22; Sen. Johnson, Dist 3; Sen. Below, Dist 5; Rep. Torr, Straf 12; Rep. M. Fuller Clark, Rock 36; Rep. Burling, Sull 1; Rep. Musler, Straf 6; Rep. Scanlan, Graf 11

COMMITTEE: Environment

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire land and community heritage investment program.

II. Establishes the New Hampshire land and community heritage investment authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for acquisition of lands and other natural, cultural, and historical resources.

V. Increases the fee charged for the issuance of special conservation number plates from $25 to $30.

VI. Provides that a portion of funds received in the conservation numbers plate trust fund shall be distributed monthly to the New Hampshire land and community heritage investment authority for the purpose of administering the New Hampshire land and community heritage investment program.

VII. Provides a $50,000 appropriation for the purpose of administering the program for the biennium ending June 30, 2001, with such funds being transferred from the forest management and protection fund and the department of agriculture, markets, and food.

VIII. Provides appropriations to the program for 2001 and 2002, including a $3,000,000 bond issue for 2001 and a $6,000,000 bond issue for 2002.

IX. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

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

1 New Chapter; Land and Community Heritage Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural, cultural, and historical resources. Permanent protection of these resources, through acquisition of lands, buildings, and other physical assets, or interests in these assets, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural, cultural, and historical resources for this and future generations, the general court hereby establishes the New Hampshire land and community heritage investment program.

227-M:2 Land and Community Heritage Investment Program Established. There is established the New Hampshire land and community heritage investment program. The intent of the program is to conserve and preserve this state's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life. These lands and cultural and historical resources may include archaeological sites; historic buildings and structures which house cultural events and programs; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; historic properties including buildings and structures; historic and cultural lands and features; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands. The program shall acquire, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching

funds and incentives, lands or other physical assets, conservation or historic preservation easements, development rights, and other permanent interests in lands and cultural and historical resources. The program shall also provide funding for restoration and rehabilitation of cultural and historical resources; for certain costs associated with the acquisition of natural, cultural, and historical resources; and for the perpetual stewardship of these resources. All deeds or other documents evidencing purchase of any fee interest or other permanent interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of matching state funds, or in the name of the state of New Hampshire. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All projects shall involve a willing seller and willing buyer.

227-M:3 New Hampshire Land and Community Heritage Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community heritage investment authority (the authority), a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors (the board) composed of 16 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Six public members, 2 of whom shall represent natural resources and outdoor recreation interests, 2 of whom shall represent cultural and historic resource interests, one of whom shall represent business or real estate interests, and one of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(i) shall be advisory, non-voting members.

IV. The terms of the state members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 2 successive terms. Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filed for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Five voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairman.

VI. Board members shall not be subject to civil liability for acts performed in accordance with their duties under this chapter.

227-M:4 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt procedures and criteria for the regulation of its affairs and the conduct of its business, including but not limited to criteria and guidelines for acquiring lands, interests in lands, buildings and structures, other property or interests in property; guidelines for the stewardship of acquired resources; and definitions deemed important or necessary to carry out the purposes of this chapter.

II. Oversee, direct, and expend funds deposited in the trust fund of the New Hampshire land and community heritage investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of lands, buildings, structures, or other real property, interests therein, or related program purposes, and for the administrative costs of the program.

III. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

IV. Acquire real property or interests in real property, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

V. Designate, for management and stewardship purposes, each parcel of land, building, or other real property, and each interest in land, building, or other real property, to a municipality in cases where municipal matching funds are utilized to acquire the land, building or other real property; to a qualified publicly supported nonprofit corporation; or to a state agency.

VI. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council. The report shall include a listing of all the land and other property, or interests in land or other property acquired; the expenditure for these acquisitions, including all administrative costs associated therewith; and a complete financial accounting of the funds of the trust fund. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office.

(c) Accept from any source gifts and donations of money, including money from appropriate fundraising activities; land and other real property; interests in land and other real property; federal, local, private, and other matching funds and incentives; and other assets to deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:5 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the natural, cultural, or historical resources proposed for protection or restoration under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:6 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific authorization from the general court, except for federal funds accepted by the governor and council for purposes similar to those of this chapter.

227-M:7 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) State agencies;

(b) Municipalities or other political subdivisions of the state; and

(c) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants, block grants (grants to another organization for re-granting), loans, and loan guarantees. Relative to eligible resources, this financial assistance may be used for the following:

(a) Acquisition of real estate in fee simple.

(b) Acquisition of conservation, preservation, or scenic easements.

(c) Restoration or rehabilitation of buildings or structures which are publicly-owned, or which are owned by a qualified publicly-supported nonprofit corporation.

(d) Acquisition costs associated with permanent protection (surveys, appraisals, title work, and other legal work).

(e) Feasibility studies, resource inventories, and planning.

(f) Other professional services.

(g) Stewardship, to ensure that a permanently protected resource remains in its intended use.

IV. All eligible applicants, other than state agencies, are required to provide a minimum level of matching resources of 40 percent of the appraised market value of the assets to be acquired or expenses incurred. A minimum of 20 percent of the appraised market value of the assets to be acquired or expenses incurred must be provided in cash. The balance of the cost sharing match requirement may be met through use of in-kind services, the value of donated real estate or interest in real estate, or a combination of the 3. Where donated real estate value is utilized to partially satisfy the match requirement, such real estate must be located in the municipality or municipalities in which the applicant property is located. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The match may include pre-acquisition or acquisition expenses or a one-time investment in a stewardship endowment fund. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and a conservation fund established under RSA 36-A:5.

V. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a high degree of match shall rank

higher than other applications, all other criteria being equal. The board is authorized to override the requirement for a match, but only by an affirmative vote of 2/3's of its voting members.

VI. Of the funding provided to the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3's of its voting members.

227-M:8 Acquisition, Restoration, and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:4, I for acquiring lands, buildings, structures, or other property, or interests in lands, buildings, structures, or other property shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land or property, such that land conservation projects in rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Extent to which project meets multiple objectives of the program (natural, historic, and cultural);

(e) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(f) Strength of private support;

(g) Cooperation between or among communities;

(h) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement); and

(i) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected.

(j) Extent to which benefits can be conserved only through public fee acquisition of land, buildings, structures, or other property, weighed against acquisition of less-than-fee interest in such land, buildings, structures, or other property.

II. Nothing in this section shall be construed to require that each acquisition of land, buildings, structures, or other property, or interest in land, buildings, structures, or other property under this chapter must meet all the criteria listed in this section.

227-M:9 Management.

I. All land, buildings, structures, or other property, or interests in land, buildings, structures, or other property acquired under this chapter shall be assigned to one of the state agencies or, where the land, buildings, structures, or other property, or permanent interests in land, buildings, structures, or other property, is acquired directly using matching funds from a

municipality or other political subdivision, or qualifying nonprofit corporation, to the municipality or qualifying nonprofit corporation for management in the public interest in accordance with the purposes of this chapter and shall not be managed by the program, except to the extent permissible under RSA 227-M:4, IV. Each assignment of land, buildings, structures, or other property to a state agency, municipality or other political subdivision, or qualifying nonprofit corporation shall be subject to review and reassignment if the authority deems it advisable. The state of New Hampshire shall hold an executory interest in all land interests acquired by the program and assigned to municipalities or qualifying nonprofit corporations.

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a majority vote of the voting members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

227-M:10 Stewardship.

I. All applications submitted for funding resource protection under this chapter must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds for protection activities. Applications to the program for activities such as resource inventories, feasibility studies, and engineering studies are not required to include stewardship plans.

II. The authority is authorized to make funds available for resource stewardship, either in conjunction with protection activities or as a stand-alone request. Deferred maintenance on existing publicly-owned natural, cultural, and historical resources shall not be an eligible use of funds from the program. Historically significant buildings and structures which are publicly-owned, or which are owned by a qualified publicly-supported nonprofit corporation, shall be eligible for funding for restoration and rehabilitation work consistent with the historical nature of the structure.

III. Stewardship of assets acquired in fee simple under this chapter may be undertaken through state agencies, municipalities, other government agencies, or qualifying nonprofit corporations. Funding for stewardship may be provided to any of these eligible applicants under a 5-year stewardship plan developed by the applicant and approved by the authority.

227-M:11 Monitoring Endowment.

I. For every natural, cultural and historical resource protected under this chapter with conservation, preservation or scenic easements, a percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:11, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of

less-than-fee assets acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to legal agreements in conservation and preservation easements.

227-M:12 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community heritage authority shall recognize that the interest and public safety and welfare may, from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:13, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community heritage investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the

time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community heritage investment program and used for the purposes of this chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:13 Public Trust. The land, buildings, structures, or other property, or interests in land, buildings, structures, or other property acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this subdivision. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any land, buildings, structures, or other property, or interest in land, buildings, structures, or other property so acquired to uses or purposes not consistent with the purposes of this subdivision shall be permitted. The sale, transfer, conveyance, or release of any such land, buildings, structures, or other property or interest in land, buildings, structures, or other property from public trust is prohibited, except as provided in RSA 227-M:12.

227-M:14 Public Access; Liability.

I. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in conservation, preservation, or scenic easements secured through the program shall approximate the intent of the following:

(a) There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

(b) The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a

condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

(c) No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be [~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land, consistent with the purposes of this chapter~~] ***deposited in the trust fund of the New Hampshire land and community heritage investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:11.*** This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:11.***

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and***

RSA 227-M:11, and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:11*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~$25~~] ***$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~$25~~] ***$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph II-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, [~~and~~] the state conservation committee, ***and the New Hampshire land and community heritage investment authority.***

II-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community heritage investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community heritage investment authority shall be used for the administration of the New Hampshire land and community heritage investment program.

[~~V.~~] *VI.* The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

[~~VI.~~] *VII.* Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Appropriations; New Hampshire Land and Community Heritage Authority. The sums of $3,000,000 and $6,000,000 are hereby appropriated to the New Hampshire land and community heritage authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

10 Bonds Authorized. To provide funds for the appropriations made in section 9 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $3,000,000 for fiscal year 2001 and $6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

11 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

LBAO

00-2545
Amended 2/15/00

SB 401 FISCAL NOTE

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

FISCAL IMPACT:

The Office of State Planning and the Treasury Department have determined that this bill, as amended by the Senate, will increase state general fund expenditures by $244,455 in FY 2001, $250,800 in FY 2002, $407,290 in FY 2003, and $397,090 in FY 2004. There may be an indeterminable increase in local expenditures in FY 2001 and each year thereafter. There will be no fiscal impact on county expenditures or on state, county and local revenue. This bill increases general fund bonded indebtedness by $6,000,000.

This bill appropriates $200,000 in FY 2001 from the state general fund to the New Hampshire Land and Community Heritage Authority for the purposes of this act. The appropriation is nonlapsing.

METHODOLOGY:

The Office of State Planning has stated that this bill appropriates $200,000 in FY 2001 from the state general fund for the purpose of funding administrative costs of the New Hampshire Land and Community Investment Program established by this bill. The appropriation is nonlapsing. The program will provide grants to state agencies, and matching grants to municipalities and private sector entities. All eligible applicants for the New Hampshire Land and Community Investment Program, other than state agencies, are required to provide a minimum level of matching funds of 40% of the appraised market value of assets acquired or expenses incurred. Municipalities opting to participate in said program will be required to provide 40% of the market value of assets or expenses, and therefore will experience an increase in local expenditures. However, participation in said program is not mandatory.

The Treasury Department has determined that this bill will increase state general fund expenditures by $44,455 in FY 2001, $250,800 in FY 2002, $407,290 in FY 2003, and $397,090 in FY 2004.

The Treasury Department has indicated that the amount of all outstanding general fund bonded indebtedness on behalf of and incurred by the state as of June 30, 1999 is $645.9 million. The amount of general fund bonds authorized but unissued as of June 30, 1999 is $112.4 million.

The Treasury Department has assumed that the proposed bond authorization will be issued half in FY 2001 and half in FY 2002. The new issuance will be split 33% Zero Coupon Notes (College Savings Bonds) and 67% Current Interest Bonds. College Savings Bonds bear an estimated interest rate of 6% and are amortized at a level debt service model for 20 years. Current Interest Bond rates are variable based on July 1999 rates and are amortized over 20 years (60% of the principal paid in the first 10 years, 40% paid in the second 10 years). An estimated debt retirement schedule for all outstanding general fund bonded indebtedness including the proposed authorization contained in this bill through FY 2004 is displayed below.

FISCAL YEAR ENDING	CURRENT DEBT SERVICE	PROPOSED ADDITIONAL DEBT SERVICE	TOTAL
2000	$67,699,000	$ 0	$67,699,000
2001	$65,012,000	$ 44,455	$65,056,455
2002	$58,649,000	$250,800	$58,899,800
2003	$57,825,000	$407,290	$58,232,290
2004	$57,142,000	$397,090	$57,539,090

Amendments

Sen. F. King, Dist. 1
April 1, 2000
2000-4000s
08/10

Amendment to SB 401-FN-A-LOCAL

Amend RSA 227-M:8 as inserted by section 1 of the bill by replacing it with the following:

227-M:8 Acquisition, Restoration, and Protection Criteria and Guidelines.

I. An affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall be required for program acquisition of lands, buildings, structures, or other property, or interests in lands, buildings, structures, or other property.

II. The criteria and guidelines adopted pursuant to RSA 227-M:4, I for acquiring lands, buildings, structures, or other property, or interests in lands, buildings, structures, or other property shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land or property, such that land conservation projects in rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Extent to which project meets multiple objectives of the program (natural, historic, and cultural);

(e) Strength of private support;

(f) Cooperation between or among communities;

(g) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement); and

(h) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected.

(i) Extent to which benefits can be conserved only through public fee acquisition of land, buildings, structures, or other property, weighed against acquisition of less-than-fee interest in such land, buildings, structures, or other property.

III. Nothing in this section shall be construed to require that each acquisition of land, buildings, structures, or other property, or interest in land, buildings, structures, or other property under this chapter must meet all the criteria listed in paragraph II.

FILE

Rep. M. Fuller Clark, Rock. 36
Rep. Torr, Straf. 12
Rep. Burling, Sull. 1
Rep. Musler, Straf. 6
Rep. Scanlan, Graf. 11
April 21, 2000
2000-4206h
08/10

Amendment to SB 401-FN-A-LOCAL

Amend RSA 227-M:3, II as inserted by section 1 of the bill by replacing it with the following:

II. The authority shall be governed by a board of directors (the board) composed of 20 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Three members of the senate, to be appointed by the senate president.

(b) Three members of the house of representatives, to be appointed by the speaker of the house.

(c) Eight public members, 2 of whom shall represent natural resources and outdoor recreation interests, 2 of whom shall represent cultural and historic resource interests, one of whom shall represent business or real estate interests, and 3 of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

Amend RSA 227-M:3, IV and V as inserted by section 1 of the bill by replacing it with the following:

IV. The terms of the state agency members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 2 successive terms. Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be

filled for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Eight voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairperson.

Amend RSA 227-M:4, VI as inserted by section 1 of the bill by replacing it with the following:

VI. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council. The report shall include a listing of all the land and other property, or interests in land or other property acquired; the expenditure for these acquisitions, including all administrative costs associated therewith; and a complete financial accounting of the funds of the trust fund. A copy of the report, with acquisition expenditures listed separately from administrative costs, shall be made available for any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

Amend RSA 227-M:7, V and VI as inserted by section 1 of the bill by replacing it with the following:

V. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a high degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized to override the requirement for a match, but only by an affirmative vote of 2/3 of all voting members.

VI. Of the funding provided to the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3 of all voting members.

Amend RSA 227-M:9, II as inserted by section 1 of the bill by replacing it with the following:

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a 2/3 vote of all voting members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

Amend RSA 227-M:14 as inserted by section 1 of the bill by replacing it with the following:

227-M:14 Public Access; Liability. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in conservation, preservation, or scenic easements secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

Amend the bill by replacing section 7 with the following:

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph I-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and

economic development, [~~and~~] the state conservation committee, ***and the New Hampshire land and community heritage investment authority.***

I-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community heritage investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

Amend the bill by inserting after section 8 the following and renumbering the original sections 9-12 to read as 12-15, respectively:

9 New Hampshire Conservation Number Plate Advisory Committee; Membership. Amend RSA 261:97-d, I to read as follows:

I. A New Hampshire conservation number plate advisory committee is hereby established. The conservation number plate advisory committee shall be composed of the following:

(a) The commissioner of cultural resources, or designee.

(b) The executive director of fish and game, or designee.

(c) The chairperson of the state conservation committee or designee.

(d) The commissioner of resources and economic development, or designee.

(e) The commissioner of safety, or designee.

(f) The executive director of the New Hampshire land and community heritage investment authority, or designee.

[~~(f)~~] ***(g)*** Three house members appointed by the speaker of the house.

[~~(g)~~] ***(h)*** Three senators appointed by the president of the senate.

10 New Hampshire Conservation Number Plate Advisory Committee; Report. Amend RSA 261:97-f, I to read as follows:

I. The members representing the department of transportation, the department of cultural resources, the department of fish and game, the state conservation committee, the department of resources and economic development, ***the New Hampshire land and community heritage investment authority,*** and the department of safety shall each submit a report to the New Hampshire conservation number plate advisory committee chairperson no later than October 1 of each year. The committee chairperson shall compile the [6] ***7*** reports as a unified report and submit the unified report to the governor, senate president, and the speaker of the house no later than December 31 of each year.

11 New Hampshire Conservation Number Plate Advisory Committee; Report. Amend the introductory paragraph of RSA 261:97-f, II(b) to read as follows:

(b) A report from each of the [5] ***6*** agencies receiving proceeds under RSA 261:97-c, indicating:

2000-4206h

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire land and community heritage investment program.

II. Establishes the New Hampshire land and community heritage investment authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for acquisition of lands and other natural, cultural, and historical resources.

V. Increases the fee charged for the issuance of special conservation number plates from $25 to $30.

VI. Provides that a portion of funds received in the conservation numbers plate trust fund shall be distributed monthly to the New Hampshire land and community heritage investment authority for the purpose of administering the New Hampshire land and community heritage investment program.

VII. Adds the executive director of the New Hampshire land and community heritage investment authority to the membership of the New Hampshire conservation number plate advisory committee.

VIII. Provides a $50,000 appropriation for the purpose of administering the program for the biennium ending June 30, 2001, with such funds being transferred from the forest management and protection fund and the department of agriculture, markets, and food.

IX. Provides appropriations to the program for 2001 and 2002, including a $3,000,000 bond issue for 2001 and a $6,000,000 bond issue for 2002.

X. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

Rep. Royce, Ches. 9
Rep. Cooney, Rock. 26
April 25, 2000
2000-4220h
08/01

Amendment to SB 401-FN-A-LOCAL

Amend the title of the bill by replacing it with the following:

AN ACT establishing the New Hampshire land and community investment program and making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Land and Community Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural resources. Permanent protection of these resources, through acquisition of lands or interests in lands, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural resources for this and future generations, the general court establishes in this chapter the New Hampshire land and community investment program. The intent of the program is to conserve and preserve this state's most important natural resources through the acquisition of lands, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.

227-M:2 Definitions. In this chapter:

I. "Eligible resource" means a natural resource including archaeological sites; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands.

II. "Easement interests" means conservation or scenic easements, development rights, or any other similar protective interest in land held in perpetuity.

III. "Resource asset" means the lands, or the easement interests in the lands, that comprise the real property of an eligible resource.

227-M:3 Land and Community Investment Program Established. There is hereby established the New Hampshire land and community investment program. The program shall acquire resource assets, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives.. The program shall also provide funding for certain costs associated with the acquisition of resource assets, and for the perpetual stewardship of these resources. All deeds or other documents evidencing purchase of any fee interest or other easement interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of program funds, or in the name of the state of New Hampshire. The state of New Hampshire shall hold an executory interest in all easement interests acquired by the program and held by municipalities, other political subdivisions, or qualifying nonprofit corporations. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All acquisition projects shall involve a willing seller and willing buyer, or a willing donator of resource assets.

227-M:4 New Hampshire Land and Community Investment Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community investment authority (the authority), a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors (the board) composed of 14 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Four public members, 2 of whom shall represent natural resources and outdoor recreation interests, one of whom shall represent business or real estate interests, and one of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(i) shall be advisory, non-voting members.

IV. The terms of the state agency members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 2 successive terms. Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filled for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Five voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairperson.

VI. Board members shall not be subject to civil liability for acts performed in accordance with their duties under this chapter.

227-M:5 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt bylaws for the regulation of its affairs and the conduct of its business.

II. Adopt criteria and guidelines for:

(a) The acquisition of resource assets; and

(b) The stewardship and monitoring of resource assets on which program funds are expended.

III. Adopt definitions deemed important or necessary to carry out the purposes of this chapter.

IV. Oversee and direct the expenditure of funds deposited in the trust fund of the New Hampshire land and community investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of resource assets, or related program purposes, and for the administrative costs of the program.

V. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

VI. Temporarily acquire land or interests in land, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

VII. Designate, for management and stewardship purposes, each parcel of land and each interest in land, to a municipality in cases where municipal matching funds are utilized to acquire the land; to a qualified publicly supported nonprofit corporation; or to a state agency.

VIII. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council, and filed with the state library. The report shall detail the activities of the program during the past year including a listing of all resource assets acquired, along with the associated expenditures. All administrative costs shall be provided, as well as a complete financial accounting of the trust fund established under RSA 227-M:7. The report shall also include a historical summary of the program's activities to date. A copy of the report shall be made available to any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

IX.. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office and hire staff.

(c) Accept from any source gifts and donations of: money, including money from appropriate fundraising activities; labor, equipment, and supplies; land; interests in land; federal, local, private, and other matching funds and incentives; and other assets to be deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:6 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the eligible resources proposed for protection or restoration under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:7 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific

authorization from the general court. Federal funds accepted by the governor and council for purposes similar to those of this chapter may be deposited in the trust fund without general court authorization.

227-M:8 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) State agencies;

(b) Municipalities or other political subdivisions of the state; and

(c) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants, block grants (grants to another organization for re-granting), loans, and loan guarantees. Financial assistance may only be expended on eligible resources for the following purposes:

(a) Acquisition of land in fee simple.

(b) Acquisition of easement interests in land.

(c) Surveys, appraisals, title work, and other legal or ancillary work necessary to carry out acquisitions .

(d) Feasibility studies, resource inventories, and planning.

(e) Other professional services.

(f) Stewardship, to ensure that a permanently protected resource remains in its intended use.

IV. Except for state agency applications, the authority shall not fund more than 60 percent of the appraised market value of any resource asset acquisition or more than 60 percent of any other expense eligible for financial assistance under RSA 224-M:8, III(c)-(f).

V. All eligible applicants, other than state agencies, are required to provide a level of matching resources that is no less than 40 percent of the appraised market value for any resource asset acquisition and that is no less than 40 percent of any other expense for which financial assistance is sought under RSA 224-M:8, III(c)-(f). A minimum of one half of the applicant's minimum match requirement must be provided in cash to be used in the purchase of the resource asset. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The balance, if any, of the match requirement may be met through any combination of:

(a) In-kind services;

(b) The appraised market value of donated land or interest in land, provided such land is

located in the municipality or municipalities in which the applicant property is located;

(c) Expenses specified under RSA 224-M:8, III(c)-(f), incurred or to be incurred; or

(d) A one-time investment in a stewardship endowment fund established by the applicant for the resource asset.

VI. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and moneys from a conservation fund established under RSA 36-A:5.

VII. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a higher degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized, for a particular project, to either reduce the applicant's minimum match requirements under paragraph V or exceed the amount of financial assistance allowed under paragraph IV, but only by an affirmative vote of 2/3 of all voting members.

VIII. Of the funding provided by the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3 of all voting members.

227-M:9 Acquisition and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:5, II for acquiring resource assets shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land, such that land conservation projects in rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(e) Strength of private support;

(f) Cooperation between or among communities;

(g) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement);

(h) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected; and

(i) Extent to which benefits can be conserved only through public fee acquisition of the resource asset, weighed against acquisition through easement interest.

II. Nothing in this section shall be construed to require that each acquisition of a resource

asset under this chapter must meet all the criteria listed in this section.

227-M:10 Management.

I. Any owner of a resource asset acquired in fee simple under this chapter shall manage such asset in accordance with the purposes of this chapter and any stewardship plan approved for the asset. The authority shall assign such management responsibilities to a state agency when the state is the owner. The program shall not manage any resource asset, except to the extent permissible under RSA 227-M:5, VI.

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a majority vote of all voting members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

227-M:11 Stewardship.

I. All applications submitted for funding resource asset acquisitions must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds. Applications to the program for activities such as resource inventories, feasibility studies, and engineering studies are not required to include stewardship plans.

II. The authority is authorized to make funds available for resource stewardship, either in conjunction with protection activities or as a stand-alone request. Deferred maintenance on existing publicly-owned natural resources shall not be an eligible use of funds from the program.

III. Stewardship of assets acquired in fee simple under this chapter may be undertaken through state agencies, municipalities, other government agencies, or qualifying nonprofit corporations. Funding for stewardship may be provided to any of these eligible applicants under a 5-year stewardship plan developed by the applicant and approved by the authority.

227-M:12 Monitoring Endowment.

I. For every eligible resource protected under this chapter by an easement interest, a percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:12, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of easement interests acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to the legal agreements concerning easement interests in the resource.

227-M:13 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community investment authority shall recognize that the interest and public safety and welfare may,

from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:14, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community heritage investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community investment program and used for the purposes of this

chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:14 Public Trust. Resource assets acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this chapter. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any resource asset so acquired to uses or purposes not consistent with the purposes of this chapter shall be permitted. The sale, transfer, conveyance, or release of any resource asset from public trust is prohibited, except as provided in RSA 227-M:13.

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be ~~[maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors~~

~~to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land, consistent with the purposes of this chapter~~] ***deposited in the trust fund of the New Hampshire land and community investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:12***. This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:12***.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:12***, and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:12*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in

RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~$25~~] ***$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~$25~~] ***$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph I-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, [~~and~~] the state conservation committee***, and the New Hampshire land and community investment authority***.

I-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community heritage investment authority shall be used for the administration of the New Hampshire land and community investment program.

[~~V.~~] ***VI.*** The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

[~~VI.~~] ***VII.*** Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Appropriations; New Hampshire Land and Community Investment Authority. The sums of $3,000,000 and $6,000,000 are hereby appropriated to the New Hampshire land and community

investment authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

10 Bonds Authorized. To provide funds for the appropriations made in section 9 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $3,000,000 for fiscal year 2001 and $6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

11 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community investment authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

2000-4220h

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire land and community investment program.

II. Establishes the New Hampshire land and community investment authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for the acquisition of lands.

V. Increases the fee charged for the issuance of special conservation number plates from $25 to $30.

VI. Provides that a portion of funds received in the conservation numbers plate trust fund shall be distributed monthly to the New Hampshire land and community heritage investment authority for the purpose of administering the New Hampshire land and community heritage investment program.

VII. Provides a $50,000 appropriation for the purpose of administering the program for the biennium ending June 30, 2001, with such funds being transferred from the forest management and protection fund and the department of agriculture, markets, and food.

VIII. Provides appropriations to the program for 2001 and 2002, including a $3,000,000 bond issue for 2001 and a $6,000,000 bond issue for 2002.

IX. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

Rep. Royce, Ches. 9
Rep. Cooney, Rock. 26
April 26, 2000
2000-4239h
08/09

Amendment to SB 401-FN-A-LOCAL

Amend the title of the bill by replacing it with the following:

AN ACT establishing the New Hampshire land and community investment program and making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Land and Community Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural resources. Permanent protection of these resources, through acquisition of lands or interests in lands, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural resources for this and future generations, the general court establishes in this chapter the New Hampshire land and community investment program. The intent of the program is to conserve and preserve this state's most important natural resources through the acquisition of lands, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.

227-M:2 Definitions. In this chapter:

I. "Authority" means the New Hampshire land and community investment authority.

II. "Board" means the board of directors of the New Hampshire land and community investment authority.

III. "Easement interests" means conservation or scenic easements, development rights, or any other similar protective interest in land held in perpetuity.

IV. "Eligible resource" means a natural resource including archaeological sites; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; lands for recreation; riverine, lake, estuarine, and ocean

shorelands; scenic areas and viewsheds; and wetlands and associated uplands.

V. "Monitoring" means the regular and systematic gathering of information about a resource asset to identify changes to the property overtime to ensure that it is being used in accordance with any easement interest restrictions or other legal obligations entered into under this chapter.

VI. "Resource asset" means the lands and associated structures, or the easement interests in the lands and associated structures, that comprise the real property of an eligible resource.

VII. "Stewardship" means planning for and taking the necessary actions over the long term to successfully preserve and protect the natural, cultural, or historical value of a resource asset. Such actions include, as applicable, managing the resource asset in accordance with all legal obligations entered into under this chapter, performing regular maintenance and upkeep, providing for necessary monitoring, educating or informing those that might negatively impact upon the resource asset about the need and/or legal obligation to protect and preserve it, paying tax or in-lieu-of tax obligations, obtaining liability insurance, and securing sufficient levels of financial resources to carry out all such necessary actions.

227-M:3 Land and Community Investment Program Established. There is hereby established the New Hampshire land and community investment program. The program shall acquire resource assets, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives. The program shall also provide funding for certain costs associated with the acquisition of resource assets. All deeds or other documents evidencing purchase of any fee interest or other easement interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of program funds, or in the name of the state of New Hampshire. All easement interests or other legal obligations that are attached in perpetuity to any property shall be recorded in the deed. The state of New Hampshire shall hold an executory interest in all easement interests acquired by the program and held by municipalities, other political subdivisions, or qualifying nonprofit corporations. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All acquisition projects shall involve a willing seller and willing buyer, or a willing donor of resource assets.

227-M:4 New Hampshire Land and Community Investment Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community investment authority, a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors composed of 17 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Eight public members, to be appointed by the governor and council:

(1) One of whom shall represent natural resources interests;

(2) One of whom shall represent outdoor recreation interests;

(3) One of whom shall represent business or real estate interests;

(4) One of whom shall represent municipal interests;

(5) One of whom shall represent local planning interests;

(6) One of whom shall be a member of a regional planning commission; and

(7) Two of whom shall be from the public at large.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of resources and economic development, or designee.

(f) The commissioner of the department of environmental services, or designee.

(g) The commissioner of the department of agriculture, markets, and food, or designee.

(h) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(h) shall be advisory, non-voting members.

IV.(a) The terms of the state agency members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 10 consecutive years; no such members may be appointed for a less than full term immediately after serving a full term.

(b) Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, in capacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filled for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Seven voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairperson.

VI. Board members shall not be subject to civil liability for acts performed in accordance

with their duties under this chapter.

227-M:5 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt bylaws for the regulation of its affairs and the conduct of its business.

II. Adopt criteria and guidelines for:

(a) The acquisition of resource assets; and

(b) The stewardship and monitoring of resource assets on which program funds are expended.

III. Adopt definitions deemed important or necessary to carry out the purposes of this chapter.

IV. Oversee and direct the expenditure of funds deposited in the trust fund of the New Hampshire land and community investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of resource assets, or related program purposes, and for the administrative costs of the program.

V. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

VI. Temporarily acquire land or interests in land, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

VII. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council, and filed with the state library. The report shall detail the activities of the program during the past year including a listing of all resource assets acquired, along with the associated expenditures. All administrative costs shall be provided, as well as a complete financial accounting of the trust fund established under RSA 227-M:7. The report shall also include a historical summary of the program's activities to date. A copy of the report shall be made available to any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VIII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office and hire staff.

(c) Apply for and accept from any source gifts and donations of: money, including money from appropriate fundraising activities; labor, equipment, and supplies; land; interests in land; federal, local, private, and other matching funds and incentives; and other assets to be deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:6 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the

original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the eligible resources proposed for protection under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:7 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific authorization from the general court. Federal funds accepted by the governor and council for purposes similar to those of this chapter may be deposited in the trust fund without general court authorization.

227-M:8 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) State agencies;

(b) Municipalities or other political subdivisions of the state; and

(c) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants and block grants (grants to another organization for re-granting). Financial assistance may only be expended on eligible resources for the following purposes:

(a) Acquisition of land in fee simple.

(b) Acquisition of easement interests in land.

(c) Surveys, appraisals, title work, and other legal or ancillary work necessary to carry

out acquisitions .

(d) Resource inventories and planning.

(e) Other professional services.

IV. Except for state agency applications, the authority shall not fund more than 60 percent of the appraised market value of any resource asset acquisition or more than 60 percent of any other expense eligible for financial assistance under RSA 224-M:8, III(c)-(e).

V. All eligible applicants, other than state agencies, are required to provide a level of matching resources that is no less than 40 percent of the appraised market value for any resource asset acquisition and that is no less than 40 percent of any other expense for which financial assistance is sought under RSA 224-M:8, III(c)-(e). A minimum of one half of the applicant's minimum match requirement must be provided in cash to be used in the purchase of the resource asset. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The balance, if any, of the match requirement may be met through any combination of:

(a) In-kind services;

(b) The appraised market value of donated land or interest in land, provided such land is located in the municipality or municipalities in which the applicant property is located;

(c) Expenses specified under RSA 224-M:8, III(c)-(e), incurred or to be incurred; or

(d) A one-time investment in a stewardship endowment fund established by the applicant for the resource asset.

VI. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and moneys from a conservation fund established under RSA 36-A:5.

VII. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. State agencies shall be encouraged to provide matching funds if available. Projects with a higher degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized, for a particular project, to either reduce the applicant's minimum match requirements under paragraph V or exceed the amount of financial assistance allowed under paragraph IV, but only by an affirmative vote of 2/3 of all voting members.

VIII. Of the funding provided by the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3 of all voting members.

227-M:9 Acquisition and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:5, II for acquiring resource

assets shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land, such that land conservation projects in densely developed or rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(e) Strength of private support;

(f) Cooperation between or among communities;

(g) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement);

(h) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected; and

(i) Extent to which benefits can be conserved only through fee acquisition of the resource asset, weighed against acquisition through easement interest.

II. Nothing in this section shall be construed to require that each acquisition of a resource asset under this chapter must meet all the criteria listed in this section.

227-M:10 Management.

I. Any owner of a resource asset acquired in fee simple under this chapter or for which program funds have been expended shall manage such asset in accordance with any stewardship plan approved for the asset and any legal obligations entered into under this chapter pertaining to the resource asset. The authority shall assign such management responsibilities to a state agency when the state is the owner. The program shall not manage any resource asset, except to the extent permissible under RSA 227-M:5, VI.

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a majority vote of all voting members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

227-M:11 Stewardship. All applications submitted for funding resource asset acquisitions must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds. Applications to the program for activities such as resource inventories, feasibility studies, and engineering studies are not required to include stewardship plans.

227-M:12 Monitoring Endowment.

I. For every eligible resource protected under this chapter by an easement interest, a

percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:12, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of easement interests acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to the legal agreements concerning easement interests in the resource.

227-M:13 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community investment authority shall recognize that the interest and public safety and welfare may, from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:14, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this

paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community investment program and used for the purposes of this chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:14 Public Trust. Resource assets acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this chapter. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any resource asset so acquired to uses or purposes not consistent with the purposes of this chapter shall be permitted. The sale, transfer, conveyance, or release of any resource asset from public trust is prohibited, except as provided in RSA 227-M:13.

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in

lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be [~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land, consistent with the purposes of this chapter~~] ***deposited in the trust fund of the New Hampshire land and community investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:12***. This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:12***.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:12***, and expenditures from the endowment for those purposes shall be limited to the

interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:12*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~$25~~] ***$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~$25~~] ***$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph I-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, [~~and~~] the state conservation committee***, and the New Hampshire land and community investment authority.***

I-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund;

Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community investment authority shall be used for the administration of the New Hampshire land and community investment program.

[~~V.~~] *VI.* The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

[~~VI.~~] *VII.* Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Initial Appointees. The terms of the initial appointees by the governor and council to the New Hampshire land and community investment authority under RSA 227-M:4, II(c) shall be staggered as follows:

I. The member representing natural resources interests and the member representing local planning interests shall serve a one-year term.

II. The member representing municipal interests and one member from the public at large shall serve a 2-year term.

III. The member representing business or real estate interests and the member from a regional planning commission shall serve a 3-year term.

IV. The member representing outdoor recreation interests and one member from the public at large shall serve a 4-year term.

10 Appropriations; New Hampshire Land and Community Investment Authority. The sums of $3,000,000 and $6,000,000 are hereby appropriated to the New Hampshire land and community investment authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

11 Bonds Authorized. To provide funds for the appropriations made in section 10 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $3,000,000 for fiscal year 2001 and $6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

12 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community investment authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food

funds for fiscal year 2000.

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

2000-4239h

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire land and community investment program.

II. Establishes the New Hampshire land and community investment authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for the acquisition of lands.

V. Increases the fee charged for the issuance of special conservation number plates from $25 to $30.

VI. Provides that a portion of funds received in the conservation numbers plate trust fund shall be distributed monthly to the New Hampshire land and community investment authority for the purpose of administering the New Hampshire land and community investment program.

VII. Provides a $50,000 appropriation for the purpose of administering the program for the biennium ending June 30, 2001, with such funds being transferred from the forest management and protection fund and the department of agriculture, markets, and food.

VIII. Provides appropriations to the program for 2001 and 2002, including a $3,000,000 bond issue for 2001 and a $6,000,000 bond issue for 2002.

IX. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

Rep. Royce, Ches. 9
Rep. Cooney, Rock. 26
April 26, 2000
2000-4242h
08/09

Amendment to SB 401-FN-A-LOCAL

Amend the title of the bill by replacing it with the following:

AN ACT establishing the New Hampshire land and community investment program and making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Land and Community Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural resources. Permanent protection of these resources, through acquisition of lands or interests in lands, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural resources for this and future generations, the general court establishes in this chapter the New Hampshire land and community investment program. The intent of the program is to conserve and preserve this state's most important natural resources through the acquisition of lands, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.

227-M:2 Definitions. In this chapter:

I. "Authority" means the New Hampshire land and community investment authority.

II. "Board" means the board of directors of the New Hampshire land and community investment authority.

III. "Easement interests" means conservation or scenic easements, development rights, or any other similar protective interest in land held in perpetuity.

IV. "Eligible resource" means a natural resource including archaeological sites; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; lands for recreation; riverine, lake, estuarine, and ocean

shorelands; scenic areas and viewsheds; and wetlands and associated uplands.

V. "Monitoring" means the regular and systematic gathering of information about a resource asset to identify changes to the property overtime to ensure that it is being used in accordance with any easement interest restrictions or other legal obligations entered into under this chapter.

VI. "Resource asset" means the lands and associated structures, or the easement interests in the lands and associated structures, that comprise the real property of an eligible resource.

VII. "Stewardship" means planning for and taking the necessary actions over the long term to successfully preserve and protect the natural, cultural, or historical value of a resource asset. Such actions include, as applicable, managing the resource asset in accordance with all legal obligations entered into under this chapter, performing regular maintenance and upkeep, providing for necessary monitoring, educating or informing those that might negatively impact upon the resource asset about the need and/or legal obligation to protect and preserve it, paying tax or in-lieu-of tax obligations, obtaining liability insurance, and securing sufficient levels of financial resources to carry out all such necessary actions.

227-M:3 Land and Community Investment Program Established. There is hereby established the New Hampshire land and community investment program. The program shall acquire resource assets, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives. The program shall also provide funding for certain costs associated with the acquisition of resource assets. All deeds or other documents evidencing purchase of any fee interest or other easement interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of program funds, or in the name of the state of New Hampshire. All easement interests or other legal obligations that are attached in perpetuity to any property shall be recorded in the deed. The state of New Hampshire shall hold an executory interest in all easement interests acquired by the program and held by municipalities, other political subdivisions, or qualifying nonprofit corporations. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All acquisition projects shall involve a willing seller and willing buyer, or a willing donor of resource assets.

227-M:4 New Hampshire Land and Community Investment Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community investment authority, a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors composed of 17 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Eight public members, to be appointed by the governor and council:

(1) One of whom shall represent natural resources interests;

(2) One of whom shall represent outdoor recreation interests;

(3) One of whom shall represent business or real estate interests;

(4) One of whom shall represent municipal interests;

(5) One of whom shall represent local planning interests;

(6) One of whom shall be a member of a regional planning commission; and

(7) Two of whom shall be from the public at large.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of resources and economic development, or designee.

(f) The commissioner of the department of environmental services, or designee.

(g) The commissioner of the department of agriculture, markets, and food, or designee.

(h) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(h) shall be advisory, non-voting members.

IV.(a) The terms of the state agency members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 10 consecutive years; no such members may be appointed for a less than full term immediately after serving a full term.

(b) Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, in capacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filled for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Seven voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairperson.

VI. Board members shall not be subject to civil liability for acts performed in accordance

with their duties under this chapter.

227-M:5 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt bylaws for the regulation of its affairs and the conduct of its business.

II. Adopt criteria and guidelines for:

(a) The acquisition of resource assets; and

(b) The stewardship and monitoring of resource assets on which program funds are expended.

III. Adopt definitions deemed important or necessary to carry out the purposes of this chapter.

IV. Oversee and direct the expenditure of funds deposited in the trust fund of the New Hampshire land and community investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of resource assets, or related program purposes, and for the administrative costs of the program.

V. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

VI. Temporarily acquire land or interests in land, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

VII. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council, and filed with the state library. The report shall detail the activities of the program during the past year including a listing of all resource assets acquired, along with the associated expenditures. All administrative costs shall be provided, as well as a complete financial accounting of the trust fund established under RSA 227-M:7. The report shall also include a historical summary of the program's activities to date. A copy of the report shall be made available to any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VIII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office and hire staff.

(c) Apply for and accept from any source gifts and donations of: money, including money from appropriate fundraising activities; labor, equipment, and supplies; land; interests in land; federal, local, private, and other matching funds and incentives; and other assets to be deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:6 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the

original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the eligible resources proposed for protection under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:7 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. Federal funds accepted by the governor and council for purposes similar to those of this chapter may be deposited in the trust fund without general court authorization.

227-M:8 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) Municipalities or other political subdivisions of the state; and

(b) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants and block grants (grants to another organization for re-granting). Financial assistance may only be expended on eligible resources for the following purposes:

(a) Acquisition of land in fee simple.

(b) Acquisition of easement interests in land.

(c) Surveys, appraisals, title work, and other legal or ancillary work necessary to carry out acquisitions .

(d) Resource inventories and planning.

(e) Other professional services.

IV. The authority shall not fund more than 50 percent of the appraised market value of any resource asset acquisition or more than 50 percent of any other expense eligible for financial assistance under RSA 224-M:8, III(c)-(e).

V. All eligible applicants are required to provide a level of matching resources that is no less than 50 percent of the appraised market value for any resource asset acquisition and that is no less than 50 percent of any other expense for which financial assistance is sought under RSA 224-M:8, III(c)-(e). A minimum of one half of the applicant's minimum match requirement must be provided in cash to be used in the purchase of the resource asset. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The balance, if any, of the match requirement may be met through any combination of:

(a) In-kind services;

(b) The appraised market value of donated land or interest in land, provided such land is located in the municipality or municipalities in which the applicant property is located;

(c) Expenses specified under RSA 224-M:8, III(c)-(e), incurred or to be incurred; or

(d) A one-time investment in a stewardship endowment fund established by the applicant for the resource asset.

VI. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and moneys from a conservation fund established under RSA 36-A:5.

VII. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a higher degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized, for a particular project, to either reduce the applicant's minimum match requirements under paragraph V or exceed the amount of financial assistance allowed under paragraph IV, but only by an affirmative vote of 2/3 of all voting members.

227-M:9 Acquisition and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:5, II for acquiring resource assets shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land, such that land conservation projects in densely developed or rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(e) Strength of private support;

(f) Cooperation between or among communities;

(g) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement);

(h) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected; and

(i) Extent to which benefits can be conserved only through fee acquisition of the resource asset, weighed against acquisition through easement interest.

II. Nothing in this section shall be construed to require that each acquisition of a resource asset under this chapter must meet all the criteria listed in this section.

227-M:10 Management.

I. Any owner of a resource asset acquired in fee simple under this chapter or for which program funds have been expended shall manage such asset in accordance with any stewardship plan approved for the asset and any legal obligations entered into under this chapter pertaining to the resource asset. The authority shall assign such management responsibilities to a state agency when the state is the owner. The program shall not manage any resource asset, except to the extent permissible under RSA 227-M:5, VI.

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a majority vote of all voting members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

227-M:11 Stewardship. All applications submitted for funding resource asset acquisitions must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds. Applications to the program for activities such as resource inventories, feasibility studies, and engineering studies are not required to include stewardship plans.

227-M:12 Monitoring Endowment.

I. For every eligible resource protected under this chapter by an easement interest, a percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:12, I shall be used to support monitoring by local municipalities and qualifying nonprofit corporations of easement interests acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to the legal agreements concerning easement interests in the resource.

227-M:13 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community investment authority shall recognize that the interest and public safety and welfare may,

from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:14, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this

chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:14 Public Trust. Resource assets acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this chapter. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any resource asset so acquired to uses or purposes not consistent with the purposes of this chapter shall be permitted. The sale, transfer, conveyance, or release of any resource asset from public trust is prohibited, except as provided in RSA 227-M:13.

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program shall be open in perpetuity for passive recreational purposes. Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be [~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land,~~

~~consistent with the purposes of this chapter]~~ ***deposited in the trust fund of the New Hampshire land and community investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:12***. This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:12***.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:12***, and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:12*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~$25~~] ***$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~$25~~] ***$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph I-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, [~~and~~] the state conservation committee***, and the New Hampshire land and community investment authority***.

I-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community investment authority shall be used for the administration of the New Hampshire land and community investment program.

[~~V.~~] ***VI.*** The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

[~~VI.~~] ***VII.*** Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Initial Appointees. The terms of the initial appointees by the governor and council to the New Hampshire land and community investment authority under RSA 227-M:4, II(c) shall be staggered as follows:

I. The member representing natural resources interests and the member representing local planning interests shall serve a one-year term.

II. The member representing municipal interests and one member from the public at large shall serve a 2-year term.

III. The member representing business or real estate interests and the member from a regional planning commission shall serve a 3-year term.

IV. The member representing outdoor recreation interests and one member from the public at large shall serve a 4-year term.

10 Appropriations; New Hampshire Land and Community Investment Authority. The sums of $3,000,000 and $6,000,000 are hereby appropriated to the New Hampshire land and community investment authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

11 Bonds Authorized. To provide funds for the appropriations made in section 10 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $3,000,000 for fiscal year 2001 and $6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

12 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community investment authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

2000-4242h

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire land and community investment program.

II. Establishes the New Hampshire land and community investment authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for the acquisition of lands.

V. Increases the fee charged for the issuance of special conservation number plates from $25 to $30.

VI. Provides that a portion of funds received in the conservation numbers plate trust fund shall be distributed monthly to the New Hampshire land and community investment authority for the purpose of administering the New Hampshire land and community investment program.

VII. Provides a $50,000 appropriation for the purpose of administering the program for the biennium ending June 30, 2001, with such funds being transferred from the forest management and protection fund and the department of agriculture, markets, and food.

VIII. Provides appropriations to the program for 2001 and 2002, including a $3,000,000 bond issue for 2001 and a $6,000,000 bond issue for 2002.

IX. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

Resources, Recreation and Development
April 27, 2000
2000-4259h
08/09

Amendment to SB 401-FN-A-LOCAL

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Land and Community Heritage Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural, cultural, and historical resources. Permanent protection of these resources, through acquisition of lands, buildings, and other physical assets, or interests in these assets, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural, cultural, and historical resources for this and future generations, the general court establishes in this chapter the New Hampshire land and community heritage investment program. The intent of the program is to conserve and preserve this state's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.

227-M:2 Definitions. In this chapter:

I. "Authority" means the New Hampshire land and community heritage investment authority.

II. "Board" means the board of directors of the New Hampshire land and community heritage investment authority.

III. "Building" means a construction made by humans and created to shelter human activity.

IV. "Easement interests" means conservation, historic preservation, or scenic easements, development rights, or any other similar protective interest in real property held in perpetuity.

V. "Eligible resource" means a natural, cultural, or historical resource including archaeological sites; historic buildings and structures which house cultural events and programs; historic properties including buildings and structures; historic and cultural lands and features; ecologically significant lands; existing and potential public water supply lands; farmland; forestland;

habitat for rare species or important wildlife; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands.

VI. "Monitoring" means the regular and systematic gathering of information about a resource asset to identify changes to the property over time to ensure that it is being used in accordance with any easement interest restrictions or other legal obligations entered into under this chapter.

VII. "Resource asset" means the lands, buildings, structures, and other physical assets or the easement interests in the lands, buildings, structures, and other physical assets that comprise the real property of an eligible resource.

VIII. "Stewardship" means planning for and taking the necessary actions over the long term to successfully preserve and protect the natural, cultural, or historical value of a resource asset. Such actions include, as applicable, managing the resource asset in accordance with all legal obligations entered into under this chapter, performing regular maintenance and upkeep, providing for necessary monitoring, educating or informing those that might negatively impact upon the resource asset about the need and/or legal obligation to protect and preserve it, paying tax or in-lieu-of tax obligations, obtaining liability insurance, and securing sufficient levels of financial resources to carry out all such necessary actions.

227-M:3 Land and Community Heritage Investment Program Established. There is hereby established the New Hampshire land and community heritage investment program. The program shall acquire resource assets, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives. The program shall also provide funding for restoration and rehabilitation of cultural and historical resources and for certain costs associated with the acquisition of resource assets. All deeds or other documents evidencing purchase of any fee interest or other easement interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of program funds. All easement interests and legal obligations that are attached in perpetuity to any property shall be recorded in the deed. The state of New Hampshire shall hold an executory interest in all easement interests acquired by the program and held by municipalities, other political subdivisions, or qualifying nonprofit corporations. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All acquisition projects shall involve a willing seller and willing buyer, or a willing donor of resource assets.

227-M:4 New Hampshire Land and Community Heritage Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community heritage investment authority, a body corporate and politic. The authority is constituted a public instrumentality of the

state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

II. The authority shall be governed by a board of directors composed of 18 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Eight public members, to be appointed by the governor and council:

(1) Two of whom shall represent cultural and historic resource interests;

(2) One of whom shall represent natural resources interests;

(3) One of whom shall represent outdoor recreation interests;

(4) One of whom shall represent business or real estate interests;

(5) One of whom shall represent municipal interests;

(6) One of whom shall represent local planning interests; and

(7) One of whom shall represent regional planning commissions.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(i) shall be advisory, non-voting members.

IV.(a) The terms of the state agency members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 10 successive years.

(b) Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filled for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Seven voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall

have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairperson.

VI. Board members shall not be subject to civil liability for acts performed in accordance with their duties under this chapter.

227-M:5 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt bylaws for the regulation of its affairs and the conduct of its business.

II. Adopt criteria and guidelines for:

(a) The acquisition of resource assets;

(b) The restoration or rehabilitation of cultural and historical buildings or structures; and

(c) The stewardship and monitoring of resource assets on which program funds are expended.

III. Adopt definitions deemed important or necessary to carry out the purposes of this chapter.

IV. Oversee and direct the expenditure of funds deposited in the trust fund of the New Hampshire land and community heritage investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of resource assets, or related program purposes, and for the administrative costs of the program.

V. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

VI. Temporarily acquire real property or interests in real property, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

VII. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council, and filed with the state library. The report shall detail the activities of the program during the past year including a listing of all resource assets acquired and restoration and rehabilitation projects undertaken, along with the associated expenditures. All administrative costs shall be provided, as well as a complete financial accounting of the trust fund established under RSA 227-M:7. The report shall also include a historical summary of the program's activities to date. A copy of the report shall be made available to any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VIII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office and hire staff.

(c) Apply for and accept from any source gifts and donations of: money, including money

from appropriate fundraising activities; labor, equipment, and supplies; land and other real property; interests in land and other real property; federal, local, private, and other matching funds and incentives; and other assets to be deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:6 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the eligible resources proposed for protection or restoration under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:7 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific authorization from the general court. Federal funds accepted by the governor and council for purposes similar to those of this chapter may be deposited in the trust fund without general court authorization.

227-M:8 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) Municipalities or other political subdivisions of the state; and

(b) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants and block grants (grants to another organization for re-granting). Financial assistance may only be expended on eligible resources for the following purposes:

(a) Acquisition of real property in fee simple.

(b) Acquisition of easement interests in real property.

(c) Restoration or rehabilitation of buildings or structures which are publicly-owned, or which are owned by a qualified publicly-supported nonprofit corporation.

(d) Surveys, appraisals, title work, and other legal or ancillary work necessary to carry out acquisitions .

(e) Resource inventories and planning.

(f) Other professional services.

IV. The authority shall not fund more than 50 percent of the appraised market value of any resource asset acquisition or more than 50 percent of any other expense eligible for financial assistance under RSA 224-M:8, III(c)-(f).

V. All eligible applicants are required to provide a level of matching resources that is no less than 50 percent of the appraised market value for any resource asset acquisition and that is no less than 50 percent of any other expense for which financial assistance is sought under RSA 224-M:8, III(c)-(f). A minimum of one half of the applicant's minimum match requirement must be provided in cash to be used in the purchase of the resource asset. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The balance, if any, of the match requirement may be met through any combination of:

(a) In-kind services;

(b) The appraised market value of donated real property or interest in real property, provided such real property is located in the municipality or municipalities in which the applicant property is located;

(c) Expenses specified under RSA 224-M:8, III(d)-(f), incurred or to be incurred; or

(d) A one-time investment in a stewardship endowment fund established by the applicant for the resource asset.

VI. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and monies from a conservation fund established under RSA 36-A:5.

VII. Matching beyond the minimum shall be encouraged of all applicants. The board is authorized, for a particular project, to either reduce the applicant's minimum match requirements under paragraph V or exceed the amount of financial assistance allowed under paragraph IV, but only by an affirmative vote of 2/3 of all voting members.

227-M:9 Acquisition, Restoration, and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:5, II for acquiring resource

assets shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land or property, such that land conservation projects in densely developed or rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Extent to which project meets multiple objectives of the program (natural, historic, and cultural);

(e) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(f) Strength of private support;

(g) Cooperation between or among communities;

(h) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement);

(i) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected; and

(j) Extent to which benefits can be conserved only through fee acquisition of the resource asset, weighed against acquisition through easement interest.

II. Nothing in this section shall be construed to require that each acquisition of a resource asset under this chapter must meet all the criteria listed in this section.

227-M:10 Management. Any owner of a resource asset acquired in fee simple under this chapter or for which program funds have been expended for restoration or rehabilitation work, shall manage such asset in accordance with any stewardship plan approved for the asset and any legal obligations entered into under this chapter pertaining to the resource asset. The authority shall assign such management responsibilities to a state agency when the state is the owner. The program shall not manage any resource asset, except to the extent permissible under RSA 227-M:5, VI.

227-M:11 Stewardship. All applications submitted for funding resource asset acquisitions or restoration or rehabilitation projects must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds. Applications to the program for activities such as resource inventories and engineering studies are not required to include stewardship plans.

227-M:12 Monitoring Endowment.

I. For every eligible resource protected under this chapter by an easement interest, a percentage of funds from the program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:12, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of

easement interests acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to the legal agreements concerning easement interests in the resource.

227-M:13 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community heritage authority shall recognize that the interest and public safety and welfare may, from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:14, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community heritage investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the

time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community heritage investment program and used for the purposes of this chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:14 Public Trust. Resource assets acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this chapter. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any resource asset so acquired to uses or purposes not consistent with the purposes of this chapter shall be permitted. The sale, transfer, conveyance, or release of any resource asset from public trust is prohibited, except as provided in RSA 227-M:13.

227-M:15 Public Access; Liability. Lands and interests in lands purchased with funds from this program by any eligible applicant shall be open in perpetuity for passive recreational purposes. Language to be used in easement interests secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be [~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land, consistent with the purposes of this chapter~~] ***deposited in the trust fund of the New Hampshire land and community heritage investment program established under RSA 227-M and used for the purposes of that program***. Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:12***. This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

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I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:12***.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:12***, and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:12*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~$25~~] ***$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~$25~~] ***$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall distribute the funds annually on July 1, ***except as provided in paragraph I-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, [~~and~~] the state conservation committee***, and the New Hampshire land and community heritage investment authority.***

I-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community heritage investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community heritage investment authority shall be used for the administration of the New Hampshire land and community heritage investment program.

[~~V.~~] ***VI.*** The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

[~~VI.~~] *VII.* Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Initial Appointees. The terms of the initial appointees by the governor and council to the New Hampshire land and community heritage investment authority under RSA 227-M:4, II(c) shall be staggered as follows:

I. The member representing regional planning commissions and the member representing business or real estate interests shall serve a one-year term.

II. The member representing municipal interests and the member representing local planning interests shall serve a 2-year term.

III. The member representing outdoor recreation interests and the member representing natural resources interests shall serve a 3-year term.

IV. The members representing cultural and historic resource interests shall each serve a 4-year term.

10 Appropriations; New Hampshire Land and Community Heritage Authority. The sums of $3,000,000 and $6,000,000 are hereby appropriated to the New Hampshire land and community heritage authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

11 Bonds Authorized. To provide funds for the appropriations made in section 10 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $3,000,000 for fiscal year 2001 and $6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

12 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # SB 401-FN-A-LOCAL Date April 19, 2000

Committee Resources, Recreation + Development

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Mike McKeon	11 Gamble Rd	8887807	SHPC	✓	
Miraj Shah	11 Indian Fern Dr	888-4029	"	✓	
Suzanne Young	45 HIGHLAND AV	673-7389	Self	✓	
Samir Ghia	5 Penny Lane	888-9510	SHPT	✓	
Robert Lockwood	398 E. Dunstable RD	888-1539	SHPT	✓	
Alison Lavoie	24 Booth St	8872328	SHPT	✓	
Raymond Peeples	205 Charles Bancroft Hwy	424-1557	LCC	✓	
Lawrence K. Smith	91 Pawtuckaway Rd E. Kingston		East Kingston Conservation Comm	✓	
Russell MacCleery	19 Carpenter R. Chichester			✓	
Marjory Patches	23 Martin Ln, Litchfield	595-7684	Lit. Con. Com	✓	
Kai Stoetzbeldt	15 Lily Pond Barrington	664-9549	self	✓	
Meiying Koo	10 Cliff Rd, Nashua,	888-1841	self	✓	
Tim Murphy	20 Central Square, 2nd Floor, Keene	03431	Southwest RPC	✓	
Carl Paulsen	54 Portsmouth St Concord	03301	NH Rivers Council	✓	
~~Sara Hatch~~					
Susanne Kibler-Hacker	8 Kay Rd Dunbarton NH			✓	
Leslie K. Ward	7010 School St. Loudon NH	03307		✓	
Lawrence B. Sunderland	38 Baldwin Rd	Deering NH	03244	✓	
Rev. Vera M. Wilmoth	54 Newbury St	Bethany Chapel Manchester, NH	03103	✓	
Tom Howard	Rt 62 Box 158	Center Harbor	03226	✓	
Mary Beth Robin	64 Franklin St.	Concord. NH		✓	
Gabrielle Laperle	118 Westwood	888-4113	SHPT	✓	
Meagan Hooper	112 Linwood St.	Nashua NH 03063	883-8769 SHPT	✓	

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To Register Opinion If Not Speaking

Bill # HB 401-FN-A-LOCAL Date April 12, 2000

Committee R R & D

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Rep Carol Williams	200 Hanover	624-5885		✓	
Laura D. Simões	447 Center Rd. Hillsborough	464-4242		✓	
Cynthia Gruen	2107 Greenleaf Rd. Springfield	763-4570		✓	
Jayne H. Simões	447 Center Rd Hillsborough	464-5401		✓	
Ellen Hall	7 Binton Lane Barn.			✓	
[illegible]	Effingham			✓	
Pat Parker	Effingham			✓	
Maxine Strahan	Canterbury			✓	
[illegible]	Nashua			✓	
Stacy Fierley	Nashua			✓	
Kristine Kenison	21 Butternut Ln. Tuftonboro NH			✓	
JOAN McKIBBEN	2 Whittemore Litchfield, NH	424-2131		✓	
Zach Booher	14 Bryant Road Nashua, NH	888-8077 "SHPT"		✓	
Ms. Mary Coe	14 pennichuck St. Nashua	889-5930		*	
Kelly McDonough	6 Blanchard St. Nashua	598-8580			
Rep Frank Dan	One Old Littleworth Rd, Dover, NH 03			✓	
Rep Marjorie Smith	Dunbar			✓	
Judy Silva	PO Box 617 Concord	NHMA		✓	
Evangelyn Mose	28 Langdon St. Apt 4 Portsmouth	NH 03801		✓	
Terese Tanzo-Lowy	2 McQuesten Cir Litchfield			✓	
Robert T Eckert	15 Lily Pond Rd Barrington	NH		✓	
Wm Robinson	64 Franklin St. Concord			✓	
Sumith Otunbar	154 Lund rd. Nashua			✓	

Name	Address	Representing	Pro	Con
Bill Hyman	Birch Hill Rd., Lee	—	X	
Rob Riley	PO Box 65 Plymouth		X	

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To Register Opinion If Not Speaking

Bill # SB ~~4~~ 401 Date 4-19-2000

Committee

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Debra Dineen	301 Central Ave Dover NH Dover main St program 03820	740-6435	Dover main St program	✓	
Ann Poole	479 N State Concord		self	✓	
Peggy Fife	92 S. Main Franklin	934-3066	self	✓	
Edwina L. Morrell		753-4925	self	✓	
Donald J. Morrell	"	"	self	✓	
Laura S. Deming	Audubon Soc. of NH	224-9909	Audubon Soc. of NH	✓	
Kathy LaPlante	408 Groundwork Rd. Pembroke	268-0542	NH Main Street	✓	
John Vaillancourt	175 State #2 Concord	227-0632	CNHRPC	✓	
DAVID SCHAARSMITH	46 BROOK ST KEENE	357-1496	NHLA	✓	
George F. Clash	8 Jones Cety Rd Deerfield			✓	
Nancy Christie	NH Lakes Assn. 7 S. State St. Concord	226-0299		✓	
Leslie Enroth	PO Box 159 Sutton NH 03260	927-4569	Town of Sutton	✓	
Ann & Jim Schulz	168 Scruton Pond Rd Barrington			✓	
Jennifer Goodman	446 Hanover St Manchester	647-6626	NH Preservation Alliance		
CLARK J. NICHOLS	30 RUSTIC RD HENNIKER, NH	428-6584	Self	✓	
Fiona Hutchins	613 London Ridge Rd London, NH		SPNHF	✓	
Martin Frank	PO Box 1858 Conway, NH	447-3590	self	✓	
Rep. Peter Burling (co-sponsor)	Tornish Sullivan-01			✓	
Elizabeth Schmuckler	S. NH RC+D 10 Ferry St Box 4 Concord, NH	Concord	Southern NH RC+D Council	✓	
Kristin Loomis	#7 Elm St Ext. Antrim, NH 03440	588-2390		✓	
Eric Kingsley, NHTOA	54 Portsmouth, Concord	03301		✓	
Richard Ober	187 Jones Rd. Hillsboro, NH			✓	
David Allerblom	2 Weare Rd. Henniker, NH 03242			✓	

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To Register Opinion If Not Speaking

Bill # SB 401 Date 4-19-2000

Committee

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
David Meader	Cheshire 16		Legislator	X	
KATHLEEN NORTHRUP	HOOKSETT NH	6698926	ROBIES COUNTRY STORE PRES CORP.	X	
Jed Callen	New Boston	487-3823	Piscataquog Watershed Assoc.	X	
Galen Beale	Canterbury			X	
KEN STERN	CANTERBURY	783-4866	CANTERBURY PLANNING BD, CONCORD CONSERVATION TR.	X	
MICHAEL ANDREWS	WASHINGTON	495-3195	CON COM	X	
CAROL ANDREWS	WASHINGTON	495-3195	ConCom	X	
ANDREA BALLISTA	263 Union Sq MILFORD	6724567	MAIN Street	X	
Dijit Taylor	54 Portsmouth St Concord	224-5953	NH Wetlands Bureau	✓	
[illegible]	PO Box 3160 Peterborough, NH	03458		✓	
Bob & Donna Marshall	POB 319 Henniker	336-5881		X X	
Lionel Chute	217 Half Moon Pd. Rd. Washington, NH	03280		X	
SANDRA PHICKSON	58 BELKNAP PT RD GILFORD, NH	03246		X	
BILL LUTI	46 LYNDON ST. CONCORD NH	03301		X	
~~TERRY FROST~~	~~37 CLINTON ST. CONCORD NH~~				
Sara Hilbert	New England College Henniker	428-2537		X	
Chris Pueggeberg	NH Sierra Club			X	
P. Sullivan	PO Box 215, Rye Beach	964-5942		X	
Gail Page	90 Eastside Dr Concord	225-9778		X	
P.A. Churchill				X	
Faith Mattison	1999 Buffalo Rd. Rumney 03266			X	
Adam Ray	32 Hall Ave Henniker NH	03242		X	
BETH McGUINN	31 LILAC LA., HOPKINTON, NH			X	

03229

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To Register Opinion If Not Speaking

Bill # HB 1 Date 4/18/2000

Committee Public Works + Highways

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
William P Brennan	15 Harvard St	332-0404	Dist 16	✓	
Charles W Thompson	Pembroke	224-3825	—	✓	
Clarence I. Fife	Franklin	934-3066	self	✓	
Geoffrey Jones	Stoddard	446-3439	Town	✓	
REP BARBARA C. FRENCH	MEREDITH		self	✓	
Sandra Jones	Ashland	968-7467	self Atty	✓	
Gene Mackerman	P.O. Box 128 Milford, N.H.	673-2293	self	✓	
Russell Dickerman	PO Box 128 Milford	672-2297	Self	✓	
GEORGE QUACKENBOS	PO Box 144 New London	5265944	Self	✓	
REV. VERA M. WINGATE	Bethany Chapel-54 NEWBURY RD, MANCHESTER 03103			✓	
Senator Burt Cohen			Dist 24	✓	
James L. Garvin	Pembroke			✓	
Aileen Ruggles	Hillsboro			✓	
Jane Kellogg				✓	
Susan Ingto-Moore	27 Bedford Center Rd.	472-3227 Bedford, NH	Bedford Land Trust	✓	
Jeanene Procopis	18 Rumford Ln. Bedford, NH		Bedford Land Trust	✓	
RICHARD HICKEY	58 BELKNAP PT. RD	GILFORD NH		✓	
Malin Ely Clyde	51 Mill Rd. Durham NH	03824	Self	✓	
Russell Bassett	Old Harrisville Road, Dublin	03444-0312		✓	
Brian Hart,	9 Evans Rd, Madbury NH	03820	as amended by Senate	✓	
Kipp Cooper	115A Airport Rd, Concord	NH	REALTORS	✓	

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To Register Opinion If Not Speaking

Bill # SB 401-FN-A-LOCAL Date 4/19/00

Committee R. R & O

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Tom Burack	1175 Black Brook Rd Dunbarton NH		LCHC 627-8122	✓	
Esther Cowles	207 Morrison Rd Sanbornton NH		286-2355	✓	
Margaret Cisza	PO Box 900 Hanover NH		224-9945	✓	
Ellen Snyder	26 Johnson Drive Newmarket NH		659-6250	✓	
Muriel Spring	28 Columbia Rd Manchester			✓	
Paul Robinson	155 South Rd. Brentwood			✓	
GARY STANSFIELD	110 ERBERG RD. GOSHEN			✓	
Jim Ehmgren-Carlson	62 North State St Concord			✓	
BRAD VAUGHN	68 3/4 Ash St	Nashua N.H.	598-6874 SHPO	✓	
Elizabeth Klementovicz	10 Freshwater Ct Nashua NH		Student Historic Preservation Team	Y	
Phil Auger	PO Box 33, Stafford		Bear-Paw Regional Greenways	✓	
Shelley Hartford	PO Box 114, Meriden, NH 03770			✓	
Camilla Lockwood	POB 400 Chester 03036			✓	
Robert M Bodwell	Box 93 Sanbornton 03269		NH State Grange	✓	
Chris Kane	6 Donovan St, Concord	228 9755		✓	

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To Register Opinion If Not Speaking

Bill # SB401 Date 4/19/00

Committee

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Ann S. Friend	150 N Raymond Rd Nottingham	895-9216	myself	✓	
Amanda Sears	34 Birch Rd Deerfield	NH 03037	"	✓	
Jim Deely	3 Ridge Rd Deerfield	03037	NHPR	✓	
Paul Ferguson	6R Topaz Cir Derry NH	03038	Derry Main Street	✓	
Marjory Bacque	54 Portsmouth St Concord	NHACC		✓	
Richard C Cook	138 Iron Kettle, Warner			✓	
Holly H. Green	34 Dodge Hill Rd Henniker		myself	✓	
Richard McCarthy	"		Henniker myself	✓	
Art Monty	268 Loudon Rd Loudon		Conservation Comm	✓	
Michele Talwani	RR1 Box 360 Thornton, NH	03223	NH Main Street Center	✓	
Marie Helinski	7 Bread & Butter Drive		Concord	✓	
Muriel Sprague	28 Columbia Rd Manchester, N.H.			✓	
William Henderson	114 Hiram Patch Franklin		NH	✓	
Dudie Henderson	" " " "			✓	
Richard H. Sign	513 Gould Hill Rd., Hopkinton, NH			✓	
Julian Zelazny	3 Silk Farm Rd Concord		Audubon Society NH	✓	
Steve Duckledge	80 N Main St, Ste 201 Concord		NHPIRG	✓	
Thoreau Raymond	Havenwood Concord NH			✓	
Judy Carlson	41 Appleton St. Concord			✓	
Jack Waldron	169 Portsmouth St #74 Concord			✓	
Thomas Hoopes	Rt 1, Box 53-A, Alton, N.H.	03809		✓	
F.M. Blodgett Jr.	P.O. 762	03894		✓	
Andrew Duncan	16 Kinhill St., Concord NH		New England Co Recycle	✓	

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To Register Opinion If Not Speaking

Bill # SB 401-FN-A-LOCAL Date 4/19/00

Committee Resources, Recreation & Development

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Sladen P	PO Box 706	526-4321	4 SB401	X	
Sladen F	"	"	"	X	
James McConaha	7 Cypress, Concord	224-7941	Self	X	
Charles Grausa	62 Cedric Hill	229-4180	self	X	
Godfrey Howard	Tuftonboro		Town	X	
Lea Winton	P.O. Box 1097	763-9743		X	
Rep Joseph D. Kenny	P.O. Box 201, Union N.H.	522-6305		X	
Kelly M Short	107 Haddeboro Rd	Canterbury 783-3334	District 6 self	X	
Miranda Levis	486 Rowe Mt Rd.	Bradford	self	X	
Jamie Grantham	24 Bridge St.	Henniker NH 03242		X	
Keri Messina	19 Thorndike St.	Concord 228-6888, [redacted]		X	
Charles Levesque	37 Old Pound Rd	Antrim	The Trust For Public Land	X	
Betsy Kruse	Candia NH		Candia, Board	X	
Cliff Sinnott	Rockingham Planning Commission 156 Water St. Exeter NH			✓	
J. Willcox Brown	149 East Side Dr. #120, Concord		self	✓	
Joseph Tenerelli	64 TOLEND RD DOVER N.H.			✓	
Susan D Duncan	45 Cedar St., Bristol, NH 03222		self	✓	

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # ______________________ Date ______________________

Committee ______________________

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
William B. Miller	6 Tuell Place Durham	868-7389	Strawbery Banke	✓	
Joyce W. Marlewski	38 Cross Rd Exeter	772-2129	Strawbery Banke	✓	
Sam McKnut	RR2, Box Ledem Ctr Barnstead	776-4124	myself	✓	
Lucia Kittredge	565 Putney Hill Rd. Hopkinton	746-3790	Canterbury Shaker Village	✓	
Paul Doane	P.O. Box 557	432-2590	Derry Cons Comm	X	
Katherine Clark	Drinkwater Rd Kensington		Historical Society	X	
W.J. Clark	"	"	"	X	

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # ______ Date 4/19/00

Committee ______

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Alicia Woodburn	14 Holly St.	223-9742	myself	✓	
Jeff Woodburn	14 Holly St	223-9742	myself	✓	
Janet Normandeau	Box 190	539-6285	Effingham	✓	
Senator Ned Gordon			District 2	✓	

Hearing Minutes

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON SB 401-FN-A-LOCAL

BILL TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

DATE: 4/19/00

LOB ROOM: 305 & 307 **Time Public Hearing Called to Order:** 1:30 P.M.

Time Adjourned: 5:14 P.M.

(please circle if present)

Committee Members: Reps. Royce, D. Lawton, Whalley, Cooney, Kibbey, Mirski, Lavoie, O'Connell, Corbin, Roberts, Fields, Czech, Gallus, D. Russell, Blanchard, Downing, Williams, Lefebvre, Robb-Theroux, Fortnam, Glines and Spang.

Bill Sponsors: Sen. Russman, Dist 19; Sen. Larsen, Dist 15; Sen. Klemm, Dist 22; Sen. Johnson, Dist 3; Sen. Below, Dist 5; Rep. Torr, Straf 12; Rep. M. Fuller Clark, Rock 36; Rep. Burling, Sull 1; Rep. Musler, Straf 6; Rep. Scanlan, Graf 11

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Chairman Royce moved the hearing from the LOB Room 305 to Representatives Hall to accommodate those wishing to attend.

Senator Clifton Below - Co-sponsor. Supports the bill. Sen. Below introduced the bill and stated that it could be the most important bill the legislature passes this year. He noted that the Senate looked at revenue sources, which took considerable time. They settled on bonding. He described the funding proposal including administrative costs. Increasing the conservation plate fees would provide $150K, enough for the first year's administrative costs.

Walter Peterson (Former Governor) - Supports the bill. He noted that he is representing 5 former governors who support this bill. They are concerned about what is being lost in the state as development proceeds. This issue motivates people and protects the real NH advantage.

* **Susan Arnold, Representing Governor Shaheen** - Supports the bill. Written testimony, attached.

* **John Cavanaugh, Representing U.S. Senator Gregg** - Supports the bill. Written testimony, attached.

Rep. Martha Fuller Clark - Supports the bill. Noted that she served on the Heritage Commission and on several similar committees. This program differs from LCIP in that it includes more than land. She described the bill in some detail. She quoted from a document listing other state's laws (attached) and noted NH was not listed.

Senator Fred King - Supports the bill. Described the importance of this program to Coos County. He presented a proposed amendment for the committee's consideration, number 2000-4000s, attached.

Rep. David Scanlan - Supports the bill. Described his experience with forests, woods, etc. Has concern about the loss of lands which is occurring which this bill could reduce.

Rep. Pierre Bruno - Noted that many of his constituents support this bill, but others want to keep their taxes low.

* **Rep. Bill Rose** - Opposes the bill. Written testimony, attached. Against the bill as written. The Governor supports phasing in the bill. Suggested putting $1 in the budget line. We have a $40M deficit now and we must remember the money comes from taxpayers. He noted Rep. Brewster has an amendment. He has concern about bonding.

12 - ?

Noted that an appropriate funding source is needed. Suggested a telephone tax increase of ½ %, which would cost an average of $5.80 per year per phone or only $0.44 per month.

LCIP COMMISSION MEMBERS – CHAIRMAN TOM HURAD – SUPPORTS

Mr. Hurad introduced the commissioners and noted they had 22 meetings covering a time of 70 hours. Described the principal features of the bill.

Several commissioners made comments.

Senator Sylvia Larsen - Supports the bill. Commented on the need for the bill and on the need being now. This was the reason for the bonding proposal. Noted that there is growing public support for this initiative.

* **Rep. Chris Konys, Nashua Mayor & Board of Aldermen** - Supports the bill. Noted that she became involved in politics because of environmental concerns. Written testimony, attached.

* **Philip Bryce, DRED** - Supports the bill. Written testimony, attached.

Rep. Joe Kenney - Supports the bill. Noted that one of his constituents of 80 years old supports this bill. He described the community of Wakefield and surrounding communities and described their need for this bill.

Rep. Richard Kennedy - Supports the bill. Described the efforts to save the Contoocook RR station. Described the need for the bill and noted it is needed to protect irreplaceable items.

Rep. Richard Brewster - Described the importance of the committee process and noted some of the funding problems. He discussed his proposed amendment # 2000-4158h (attached).

Rep. Steve Vaillancourt - Opposes the bill. This bill lacks his support due to the $6M cost. With the LCIP program in 1987, towns were told they would get a windfall. This program spent $48.7M of state money including $20M of budget surplus. Commented that Manchester received less than its pro rated share of this money based on population. He stated that other priorities might take precedent over this program.

Senator Rick Russman - Prime sponsor. Supports the bill. This is the most important bill of the decade. The weakness is that there is not enough money in it. A phase in of this program is proposed. Stated that if we do not do this NOW, WHEN? If not YOU, WHO?

Rep. George W. Chase - Supports the bill. Noted the problems with funding. The LCIP and Current Use programs had a common focus. Suggested that a source of funding might be in changing the Current Use penalty upwards from 10%, maybe on a graduated basis.

* **Jane Difley, SPNHF** - Supports the bill. Written testimony, attached.

George T. Hamilton - Supports the bill. Described the need to establish priorities for this program. Chairman Royce noted that Mr. Hamilton was involved with the former LCIP program and is a former Director of Parks.

Geoffrey Jones, Town of Stoddard - Supports the bill. Noted that much of the town was protected in the LCIP program. Although the town is a "Donor" town, taxes having gone up from $10 to $12-13, the resolution received unanimous support at the town meeting. Stated that neighboring towns would benefit from this new program.

Deborah B. Johnson, Selectman of Groton - Supports the bill. Described an old townhouse, which is in desperate need of being saved. The town supported the resolution overwhelmingly. Noted that the town is 70% in current use.

Thomas Hoopes, Alton Conservation Commission - Supports the bill. Noted that the negative vote at the town meeting on the resolution was due to misinformation. There are two possible projects in town, which this bill could help, a 500-acre site and one other.

Darrel Covell, NH Wildlife Federation - Supports the bill. Read prepared statement in support of the bill.

* **Paul Doscher** - Supports the bill. Written testimony, attached.

Michael Provost, Team Jaffrey - Supports the bill. Their aim is to rejuvenate downtown. This bill would help.

Robert Garneau, Kensington Conservation Commission - Supports the bill. Noted that he is a small business owner in Exeter and that he is thankful for the existing protected places and hopes this bill will provide more.

*# 32 ? – DANBURY PLANNING BOARD – SUPPORTS. Written testimony, attached.

* **Kate Read, Upper Valley Land Trust** - Supports the bill. Written testimony, attached.

William D. Moore, Enfield Shaker Museum - Supports the bill. Described coalition of groups supporting this bill. 101 towns passed the resolution and the list of towns, attached.

Rep. Cooney: How many towns failed to pass the resolution? ANS: Four.

* **Kristine Kenison, Tuft Conservation Commission** - Supports the bill. Written testimony, attached.

* **Gail Colglazier/Pat Meyers, Manchester Historic Association** - Supports the bill. Written testimony, attached.

* **Tom Howard, NH Association of Realtors** - Supports the bill. Written testimony, attached.

* **Kevin Koo, Student Historic Preservation Team** - Supports the bill. Written testimony, attached. Described bill, emphasized Heritage.

* **Dan Yetter** - Supports the bill. Written testimony, attached.

Will Brown - Supports the bill. Was born in 1915, putting in perspective the importance of the bill. Was speaking for grandchildren and great-grandchildren.

* **Eric Kingsley, NH Timberland Owner Association** - Supports the bill. Left written testimony, attached.

Carl Lindblade, NH Travel Council - Supports the bill. This bill helps tourism and travel businesses, which have a total of 6,600 employees. He is involved with the Flying Yankee train and offered to give the house a ride when it is ready.

THERE WERE MANY MORE PINK CARDS BUT THE SPEAKERS HAD LEFT DUE TO THE LATE HOUR: The following is a list of those people all in support of this bill:

Peter Spaulding, Exec. Councilor, Sen. Carl Johnson, Sen. Arthur Klemm, Rob Trowbridge, Tom Burack, Leslie Enroth, Margaret Watkins, Elizabeth Hengen, Eric Orff, Susan Slack, Will Abbott, Richard Moore, Robert E. Goodrich, Holly K., Martha Kierstead, Peter Helm, Loa Winter, Thomas S. Deans, Jameson French, Joanna Lubkin, William F. Carney, Chris Rueggeberg, Jeff Woodburn, Elizabeth Durfee, Sandra Jones, John Frisbee, Carolyn Baldwin, Terry Frost, Eric Aldrich, Keri Messina, and Alice Chamberlin.

Respectfully submitted,

Richard T. Cooney
Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON SB 401-FN-A-LOCAL

BILL TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

DATE: 4/19/00

LOB ROOM: 305 & 307 **Time Public Hearing Called to Order:** 1:30 P.M.

Time Adjourned: 5:14 p.m.

(please circle if present)

Committee Members: Reps. Royce, D. Lawton, Whalley, Cooney, Kibbey, Mirski, Lavoie, O'Connell, Corbin, Roberts, Fields, Czech, Gallus, D. Russell, Blanchard, Downing, Williams, Lefebvre, Robb-Theroux, Fortnam, Glines and Spang.

Bill Sponsors: Sen. Russman, Dist 19; Sen. Larsen, Dist 15; Sen. Klemm, Dist 22; Sen. Johnson, Dist 3; Sen. Below, Dist 5; Rep. Torr, Straf 12; Rep. M. Fuller Clark, Rock 36; Rep. Burling, Sull 1; Rep. Musler, Straf 6; Rep. Scanlan, Graf 11

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

PUBLIC HEARING ON SB 401

BILL TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

DATE: April 19, 2000

LOB ROOM: Reps Hall **Time Public Hearing Called to Order:** 1:50 PM

Time Adjourned: 5:14 PM

(please circle if present)

Committee Members: Reps. Royce, D. Lawton, Whalley, Cooney, Kibbey, Mirski, R. Lawton, Lavoie, O'Connell, Corbin, Roberts, Fields, Czech, Gallus, Blanchard, Downing, Williams, Lefebvre, Robb-Theroux, Fortnam, Glines and Spang.

Bill Sponsors: Sen. Russman et al

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Chairman Royce moved the hearing from the LOB Room 305 to Representatives Hall to accommodate those wishing to attend.

SEN. BELOW – CO-SPONSOR - SUPPORTS

Sen. Below introduced the bill and stated that it could be the most important bill the legislature passes this year. He noted that the Senate looked at revenue sources, which took considerable time. They settled on bonding. He described the funding proposal including administrative costs. Increasing the conservation plate fees would provide $150K, enough for the first year's administrative costs.

FORMER GOVERNOR PETERSON – SUPPORTS

He noted that he is representing 5 former governors who support this bill. They are concerned about what is being lost in the state as development proceeds. This issue motivates people and protects the real NH advantage.

SUSAN ARNOLD – REPRESENTING GOVERNOR SHAHEEN – SUPPORTS

Written testimony, attached.

JOHN CAVANAUGH - REPRESENTATIVE OF SEN. GREGG – SUPPORTS

Written testimony, attached.

REP. MARTHA FULLER CLARK – CO-SPONSOR – SUPPORTS

Noted that she served on the Heritage Commission and on several similar committees. This program differs from LCIP in that it includes more than land. She described the bill in some detail. She quoted from a document listing other state's laws (attached) and noted NH was not listed.

SEN. FRED KING – DISTRICT 1 – SUPPORTS

Described the importance of this program to Coos County. He presented a proposed amendment for the committee's consideration, number 2000-4000s, attached.

REP. DAVID SCANLON – CO-SPONSOR – SUPPORTS

Described his experience with forests, woods, etc. Has concern about the loss of lands which is occurring which this bill could reduce.

REP. BRUNO – HILLS DIST. 4

Noted that many of his constituents support this bill, but others want to keep their taxes low.

REP BILL ROSE – RICHMOND – OPPOSES

Written testimony, attached.

Against the bill as written. The Governor supports phasing in the bill. Suggested putting $1 in the budget line. We have a $40M deficit now and we must remember the money comes from taxpayers. He noted Rep. Brewster has an amendment. He has concern about bonding.

12 - ?

Noted that an appropriate funding source is needed. Suggested a telephone tax increase of ½ %, which would cost an average of $5.80 per year per phone or only $0.44 per month.

LCIP COMMISSION MEMBERS – CHAIRMAN TOM HURAD – SUPPORTS

Mr. Hurad introduced the commissioners and noted they had 22 meetings covering a time of 70 hours. Described the principal features of the bill.

Several commissioners made comments.

SEN. LARSON – C0-SPONSOR – SUPPORTS

Commented on the need for the bill and on the need being now. This was the reason for the bonding proposal. Noted that there is growing public support for this initiative.

REP. CHRIS KONYS – NASHUA MAYOR AND BOARD OF ALDERMEN – SUPPORTS

Noted that she became involved in politics because of environmental concerns.

Written testimony, attached.

PHILIP BRYCE – REPRESENTING DRED COMMISSIONER BALD – SUPPORTS

Written testimony, attached.

REP. JOE KENNY – CARROLL COUNTY DIST. 6 – SUPPORTS

Noted that one of his constituents of 80 years old supports this bill. He described the community of Wakefield and surrounding communities and described their need for this bill.

REP. KENNEDY – MERRIMACK DIST. 7 – SUPPORTS

Described the efforts to save the Coontooket RR station. Described the need for the bill and noted it is needed to protect irreplaceable items.

REP. RICHARD BREWSTER – SELF –

Described the importance of the committee process and noted some of the funding problems. He discussed his proposed amendment # 2000-4158h (attached).

REP. STEVE VAILLANCOURT – HILLS #44, MANCHESTER WARD 8 – OPPOSES

This bill lacks his support due to the $6M cost. With the LCIP program in 1987, towns were told they would get a windfall. This program spent $48.7M of state money including $20M of budget surplus. Commented that Manchester received less than its pro rated share of this money based on population. He stated that other priorities might take precedent over this program.

SEN. RUSSMAN – PRIME SPONSOR – SUPPORTS

This is the most important bill of the decade. The weakness is that there is not enough money in it. A phase in of this program is proposed. Stated that is we do not do this NOW, WHEN? If not YOU, WHO?

REP. GEORGE W. CHASE – MERR #7 – SUPPORTS

Noted the problems with funding. The LCIP and Current Use programs had a common focus. Suggested that a source of funding might be in changing the Current Use penalty upwards from 10%, maybe on a graduated basis.

JANE DIFLEY – SPNHF – SUPPORTS

Written testimony, attached.

GEORGE T. HAMILTON – SELF – SUPPORTS

Described the need to establish priorities for this program. Chairman Royce noted that Mr. Hamilton was involved with the former LCIP program and is a former Director of Parks.

GEOFFREY JONES – TOWN OF STODDARD – SUPPORTS

Noted that much of the town was protected in the LCIP program. Although the town is a "Donor" town, taxes having gone up from $10 to $12-13, the resolution received unanimous support at the town meeting. Stated that neighboring would benefit from this new program.

DEBORAH B. JOHNSON – SELECTMEN OF GROTON – SUPPORTS

Described an old townhouse, which is in desperate need of being saved. The town supported the resolution overwhelmingly. Noted that the town is 70% in current use.

THOMAS HOOPES – ALTON CC – SUPPORTS

Noted that the negative vote at the town meeting on the resolution was due to misinformation. There are two possible projects in town, which this bill could help, a 500-acre site and one other.

DARREL COVELL – NH WILDLIFE FEDERATION – SUPPORTS

Read prepared statement in support of the bill.

PAUL DOSCHER – SUPPORTS

Written testimony, attached.

MICHAEL PROVOST – TEAM JAFFREY – SUPPORTS

Their aim is to re-junavate downtown. This bill would help.

ROBERT GARNEAU – KENSINGTON CC – SUPPORTS

Noted that he is a small business owner in Exeter and that he is thankful for the existing protected places and hopes this bill will provide more.

32 ? – DANBURY PLANNING BOARD – SUPPORTS

Written testimony, attached.

KATE READ – UPPER VALLEY TRUST – SUPPORTS

Written testimony, attached.

WILLIAM D. MOORE – ENFIELD SHAKER MUSEUM – SUPPORTS

Described coalition of groups supporting this bill. 101 towns passed the resolution and the list of towns, attached.

Rep. Cooney: How many towns failed to pass the resolution? A: 4.

KRISTINE KENISON – TUFTONBORO CC – SUPPORTS

Written testimony, attached.

GAIL GOLGLAZIER & PAT MEYERS – MANCHESTER HISTORICAL ASSOC. – SUPPORTS

Written testimony, attached.

TOM HOWARD – NH ASSOCIATION OF REALTORS – SUPPORTS

Written testimony, attached.

KEVIN KOOO – STUDENT HISTORICAL PRESERVATION TEAM, NASHUA HIGH SCHOOL – SUPPORTS

Written testimony, attached.

Described bill, emphasized Heritage.

DAN YETTER – SELF – SUPPORTS

Written testimony, attached.

WILL BROWN – SELF – SUPPORTS

Was born in 1915, putting in perspective the importance of the bill. Was speaking for grandchildren and great-grandchildren.

ERIC KINGSLY – NH TIMBERLAND ASSOC. – SUPPORTS

Left written testimony, attached.

CARL LINDBLADE – NH TRAVEL COUNCIL – SUPPORTS

This bill helps tourism and travel businesses, which have a total of 6,600 employees. He is involved with the Flying Yankee train and offered to give the house a ride when it is ready.

THERE WERE MANY MORE PINK CARDS BUT THE SPEAKERS HAD LEFT DUE TO THE LATE HOUR.

HEARING CLOSED AT 5:14 PM

Testimony

FOR FILE
SB 401

OFFICE OF SELECTMEN
TEL. 603-363-4624
FAX 603-363-6047



P.O. BOX 175
Town of Chesterfield, NEW HAMPSHIRE 03443

April 6, 2000

To Whom It May Concern:

At the March 14, 2000 Chesterfield Town Meeting, the following resolution was passed:

Resolved: New Hampshire's natural, cultural and historic resources in this town and throughout the state are worthy of protection and,
Therefore, the State of New Hampshire should establish and fund a permanent public/private partnership for the voluntary conservation of these important resources.

Sincerely,
Chesterfield Board of Selectmen

Timothy Butterworth, chairman

Chester Greenwood

W. Robert Johnson

FILE

24 DEPOT ROAD
EAST KINGSTON, NH 03827

CONSERVATION COMMISSION

April 24,2000

Rep. Charles Royce, Chair
Resources, Recreation & Development Committee
LOB, Room 305
Concord, NH 03301

Dear Chairman Royce;

I would like to offer a few brief comments regarding SB 401, the NH Land and Community Heritage Investment Program for your committee's consideration. I understand that this bill is on a fast track, so I hope these comments arrive in a timely manner.

The need for LCHIP was clearly articulated at the public hearing on April 19,2000, so there is no need to repeat that here, but there are some misconceptions that were obvious in some of the testimony that I feel need to be clarified.

First, some of the speakers felt that this bill would result in the creation of a lot of new "public land", and that there is enough already. This is not necessarily the case, as a conservation easement placed on a parcel means that the land stays in private ownership, stays on the tax rolls, and is really the preferred method of protecting open space while benefitting all parties concerned.

Secondly, the amendment proposed by Sen. King is inappropriate as the outright acquisition of land by a municipality already requires a public hearing, and the placing of a conservation easement on a parcel of land by a private landowner is really none of the Town's business anyway, because the land stays on the tax rolls, etc..

Finally, I would refer you to the results of several Cost of Community Services Studies (attached) that clearly show that open space lands cost municipalities considerably less in terms of services provided than do residential lands. This should be a great incentive to encourage landowners to maintain as much open space as possible in order to lessen the overall tax burden to the town.

We will be following the progress of this bill, and if you have any questions regarding the above comments, please let me know.

Sincerely,
Lawrence K. Smith
Lawrence K. Smith, Chair

Post-it® Fax Note 7671	Date 4/24/00	# of pages ▶ 2
To Rep. C. Royce	From Larry Smith	
Co./Dept. Res, Rec + Dev. Comm	Co. E. Kingston Con. Comm	
Phone # 271-3570	Phone # 642-8406	
Fax # 271-6689	Fax # 642-8406	

Results of Cost of Community Services Studies in New Hampshire

Community	Population	% open space	residential cost per dollar of income	comm/ind cost per dollar of income	openspace cost per $ of income
GROTON	339	71%	$1.06	$0.12	$0.81
Sutton	1479	72%	$1.01	$0.40	$0.21
Lyme	1537	78%	$1.05	$0.28	$0.23
Fremont	~2700	64%	$1.04	$0.94	$0.36
Deerfield	3200	52%	$1.15	$0.22	$0.35
Stratham	~5200	35%	$1.15	$0.19	$0.40
Peterborough	5600	55%	$1.08	$0.31	$0.54
Exeter	13,000	25%?	$1.07	$0.40	$0.82
Dover	25,500	35%	$1.15	$0.63	$0.94
			$\bar{x} = 1.08$	$\bar{x} = .39$	$\bar{x} = .52$

The general pattern in these New Hampshire studies, as well as similar studies conducted in many other parts of the country, is that the income from residential property is insufficient to pay for the services that residents demand. Commercial/industrial land and undeveloped open space provide more direct income to their city or town than they require in services, thus underwriting the costs of residents. Other studies indicate that some long term negative economic impacts of commercial/industrial land are missed in the simplification of this type of study.

FILE

ADDITIONAL AMENDMENT TO SB 401

II. The authority shall be governed by ...

...

(c) ~~Six~~ Eight public members,

(1) 2 of whom shall represent natural resources and outdoor recreation interests,

(2) 2 of whom shall represent cultural and historic resource interests,

(3) one of whom shall represent business or real estate interests, and

(4) ~~one~~ three of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

...

IV. (a) The terms of the state members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 2 successive terms. The initial terms of the governor and council appointees under paragraph II(c) shall be staggered as follows:

(1) One-year term – one from II(c)(1) and one from II(c)(4),

(2) Two-year term – one from II(c)(2) and one from II(c)(4),

(3) Three-year term - one from II(c)(3) and one from II(c)(4), and

(4) Four-year term – one from II(c)(1) and one from II(c)(2).

(b) Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filed for the unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

Add to definition section:

"Stewardship" means planning for and taking the necessary actions over the long-term to successfully preserve and protect the natural, cultural or historical value of a resource asset. Such actions include, as applicable, managing the asset in accordance with all legal obligations entered into under this chapter, performing regular maintenance and upkeep, monitoring for adherence to and enforcing any easement interests or other legal obligations entered into under this chapter, educating or informing those that might negatively impact upon the resource asset about the need

and/or legal obligation to protect and preserve it, paying tax or in-lieu-of tax obligations, obtaining liability insurance, and securing sufficient levels of financial resources to carry out all such necessary actions.

"Monitoring" means the regular and systematic gathering of information about a resource asset to identify changes to the property overtime to ensure that it is being used in accordance with any easement interest restrictions or other legal obligations entered into under this chapter.

Insert in line 30, page 2:

All easement interests or other legal obligations that are attached in perpetuity to any property shall be recorded in the deed.

Replace lines 26-28, page 8 with the following:

I. Any owner of a resource asset acquired in fee simple under this chapter or for which program funds have been expended for restoration or rehabilitation work, shall manage such asset in accordance with [the purposes of this chapter and]? any stewardship plan approved for the asset and any legal obligations entered into under this chapter pertaining to the resource asset.

STATE OF NEW HAMPSHIRE

OFFICE OF THE GOVERNOR

JEANNE SHAHEEN
GOVERNOR

Testimony of Susan Arnold
Director of Policy
Office of the Governor

April 18, 2000

Re: SB 401

Mr. Chairman and Members of the Committee:

On behalf of Governor Shaheen I am here to express the Governor's support for the Land and Community Heritage Investment program proposed in SB 401. As the Governor said in her State of the State address earlier this year:

"Our rich history, abundant natural resources, our clean air and clean water, are the very things driving our economic growth. But as we grow, we must preserve what is special about New Hampshire, the traditional character of our communities, our forests and farms, and our historic buildings and downtowns...We must also work together with business, local communities, and private citizens to protect our historic places and open spaces. The public/private partnership proposed by the Land and Community Heritage Commission will help us accomplish this. Let us come together – Democrats and Republicans – and find a way to do this – this year."

The Governor is keenly aware of the need that exists to have a permanent program that will assist citizens and communities around the state to protect those places that make New Hampshire New Hampshire.

The Governor is committed to working with the bill sponsors, advocates, and legislature as a whole to identify a way to permanently fund this program at an appropriate level. In the meantime, to get the program up and running, Governor Shaheen does support the use of a capital appropriation to make initial program grants. Because it will take time for the LCHIP to ramp up and become fully operative, we have suggested phasing in $6 million of bonded funding (the amount originally proposed by the bill sponsors) over a three year period. While there is no question that the need for this kind of program is much larger than this initial funding level, we believe it will take time for communities to develop grant applications and identify the required 40% match in other, non-state, funds. As currently proposed, SB 401 would bond $3 million in FY 2001 and $6 million in FY 2002. As you well know, capital appropriations are a finite resource, and bonding these funds at these levels leaves us less flexibility in the future to fully fund other programs requiring capital funds, such as the state match for the Drinking Water State Revolving Loan Fund.

Finally, the Governor is opposed to using any state funds for administrative costs for the LCHIP in the short term. The long-term mechanism proposed in SB 401—to use funds from the new conservation license plate—for funding administrative costs of the program on an on-going basis is a good one. In the short-term, the Governor urges that the $50,000 in administrative costs currently included in the bill be raised from the private sector. She has even offered to help with such a fund-raising effort. Taking funds from state agencies is not a responsible step at this point in time.

Thank you for the opportunity to testify.

It's time for public-private partnership to protect NH's resources

The following commentary was signed by former New Hampshire Governors Hugh Gregg, Judd Gregg, Walter Peterson, Steve Merrill and John H. Sununu.

□□□

LOOK AROUND you and you will see that the New Hampshire of 20 years ago, or 10 or even five years ago, has been changed unalterably.

Much of what we love about New Hampshire is getting lost — open space, historic properties, farm and forest land — resources that make this such a wonderful place to live, that define our state, that make it different from the homogeneous sprawl of "Anywhere, U.S.A."

But despite these changes, there is still something left to protect and we must act now to protect it.

Another View

In 1987 we acted and created the very successful Land Conservation Investment Program which, in partnership with the private Trust for New Hampshire Lands, protected over 100,000 acres of strategic land in the six-year period ending in 1993. We were a leader then in land conservation and we must show that we can do it again.

From research we know that today:

- New Hampshire is losing 20,000 acres of farm and forest land to development each year.
- Countless historic buildings in our towns and cities are being demolished, falling victim to arson or are suffering the slow decay of neglect.
- Hunters are telling us that wildlife habitat is being destroyed or fragmented as land is changing use.
- Citizens seeking solitude or recreation on lakes and ponds are finding that access is often no longer possible due to changes in ownership or use.
- Our population is growing at the rate of approximately 1 percent per year — the highest rate of growth in New England.

And there are many other similar stories of change too numerous to mention.

These kinds of losses and changes will continue unless the people of New Hampshire demand new tools to protect resources that contribute so richly to our quality of life and to our economic vitality. An important commission created in 1998 by the Legislature and governor has come up with the right new tool — a public-private partnership, much like the Land Conservation Investment Program — that merges some public funding with the know-how of the private sector to provide opportunities for communities and the state to identify those key natural, historic and cultural resources and protect them for our and future generations.

The Land and Community Heritage Commission's ideas have now been turned into legislation (Senate Bill 401) that we believe the General Court and governor ought to pass in the 2000 session. The proposed "Land and Community Heritage Investment Program" seeks $12 million per year for this critical need but, recognizing the difficult time frame for starting a new program like this when the education funding issue is still rearing its head, the sponsors of the legislation are looking to start the effort gradually, with a first year request of $6.2 million. All state funding would be matched with at least 40 percent private funding and resources. Over time, supporters hope to identify an ongoing dedicated source of revenue to fund the program.

New Hampshire has enjoyed tremendous economic prosperity in recent years from which all of us have benefited and there is every expectation that this growth will continue into the foreseeable future. And we need to balance that growth with an investment in keeping New Hampshire New Hampshire.

And this is not just a story of post card landscapes and pretty town centers — more than 25 percent of the New Hampshire economy is based on industries and businesses that depend on the existence of the state's open space and cultural heritage. Tourism, timber, agriculture and second home industries are critical to the economic health of New Hampshire.

Other states around the country have been doing much recently to protect the very essence of their states. Maine did so with the overwhelming passage of a $50 million bond issue in November. In a public opinion poll conducted in our state last year, 90 percent of those surveyed said that open space and historic and cultural resources are important to the quality of life in New Hampshire. Nearly an equal percentage said a new program should be created to protect those resources.

We agree — the time is now.

New Hampshire has enjoyed tremendous economic prosperity in recent years from which all of us have benefited and there is every expectation that this growth will continue into the foreseeable future. And we need to balance that growth with an investment in keeping New Hampshire New Hampshire.

Along with over 100 organizations in a citizens' coalition supporting the proposed Land and Community Heritage Investment Program, we urge you to do something about it — contact your legislator and the governor to urge their support. This is the kind of legacy our children will be proud of when they grow to be our next leaders.

FILE
4/25/00

Table 4
Visitor Surveys 1997-1998
Visitor Activities in New Hampshire

	Summer	Fall	Winter	Spring
State Parks/ National Forests	48.50%	54.60%	15.90%	32.50%
Shopping	46.90%	53.30%	61.50%	55.00%
Visiting Friends/Relatives	43.60%	37.60%	38.10%	33.80%
Sightseeing	43.10%	61.80%	25.40%	59.20%
Lake/Beach	37.80%	13.90%	7.10%	11.30%
Hiking	28.90%	24.20%	10.30%	20.40%
Attractions	26.80%	23.60%	14.10%	18.30%
Historic Sites	26.60%	38.20%	12.70%	19.60%
Fairs/Festivals	23.80%	21.80%	8.10%	5.40%
Antiquing	21.00%	15.20%	13.90%	8.80%
Ocean Beach	19.80%	12.10%	15.20%	9.60%
Golf	19.40%	5.50%	2.00%	6.70%
Children's Attractions	18.00%	1.20%	2.40%	6.30%
Theme Parks/ Amusement	16.80%	5.50%	2.60%	4.60%
Theatre/Concerts	14.50%	3.00%	9.90%	6.30%
Museums	13.30%	13.90%	16.90%	16.30%
Camping	12.80%	9.10%	3.80%	6.70%
Biking	11.90%	3.00%	2.20%	6.70%
Cultural Activities	10.30%	7.30%	14.90%	12.50%
Business Meetings	8.20%	0.60%	11.90%	9.60%
Hunting/Fishing	7.50%	2.40%	1.20%	2.50%
Conference/ Convention	5.80%	1.20%	2.80%	2.50%
Downhill Skiing	0.00%	0.00%	28.80%	9.20%
X-Country Skiing	0.00%	0.00%	11.50%	6.30%
Snowmobiling	0.00%	0.00%	4.80%	2.10%

Chairman Royce,

As a follow up to our conversation yesterday, Historic Sites are an important component of our tourism industry.

JHR

FILE

SOME FACTS ON THE COMMUNITY HERITAGE COMPONENT OF SB 401

The types of community heritage projects that will receive support from the Land and Community Heritage Investment Program will be *catalysts* for additional conservation and economic activity.

- We anticipate that most requests to the program will be "bricks and mortar" rehabilitation or restoration grants, pre-development studies and the purchase of easements. Acquisition is not a frequent need.

- Pre-development grants can help put abandoned or under-utilized buildings back to work and back on the tax rolls. Rehabilitation or restoration projects can adapt buildings for new uses or help attract tourism or other business interests. Preservation easements can serve as an affordable alternative to fee simple acquisition and buildings may stay in private ownership and on the tax rolls.

- LCHIP will be an extremely competitive program. Only the strongest community-based projects with well-crafted plans and a demonstrated ability to raise additional funds and sustain its efforts will be considered.

- The program's design requires strong stewardship plans of all applicants to ensure that the LCHIP's funding is well invested.

- Stewardship and maintenance could also be excluded from the list of eligible types of funding to ensure that the goals of the program are met.

- The New Hampshire Preservation Alliance, a state-wide non-profit organization, and the New Hampshire Division of Historical Resources, a state agency, both have the expertise to work with owners of properties that receive funding under LCHIP to provide on-going easement monitoring for historic and cultural properties.

(over)

NEW HAMPSHIRE PRESERVATION ALLIANCE
P.O. BOX 268 • 264 NORTH MAIN STREET • CONCORD, N.H. 03302-0268
TELEPHONE 603 224 2281 • FAX 603 226 9368

Historic preservation and land conservation activity are inextricably linked in New Hampshire.

- The New Hampshire scenes we want future generations to enjoy include both historic buildings, or villages, farms, main streets *and* open spaces.

- The vast majority of communities seek to either revitalize their downtowns or protect their rural heritage, or both. Historic preservation and land conservation are the essential tools to help communities achieve and maintain those goals.

- New Hampshire's business and real estate communities understand that the combination of historic preservation and conservation activity yields real economic benefits for the state.
  - ✓ Investment in historic resources is essential to our tourism economy. Two of the top 5 reasons people visit the state relate to heritage properties and activities, and studies across the country show that visitors to historic sites stay longer and spend more than other kinds of visitors.
  - ✓ Historic preservation is more labor intensive than new construction and generates more jobs. The kind of projects funded by the LCHIP will also keep more of the labor and supplies expenditures in local communities than new construction.
  - ✓ Historic preservation also has an enormous catalyst effect. The New Hampshire Main Street Center assists communities in keeping downtowns vital. Nationally, for every one dollar a town spends on a Main Street program, they see a return on investment of $35.43.
  - ✓ "We want New Hampshire to continue to be a state where the physical elements of quality of life – environmental quality, historic architecture and the visual esthetics of the countryside, are important to us, and are preserved." Business and Industry Association.

- Historic preservation is a fiscally conservative land conservation tool. Common sense, and economic studies, show that investing in existing infrastructure – community landmarks, older neighborhoods, main streets and downtowns -- saves money on roads, utilities and schools and helps to protect important open spaces, forest and farm lands. Historic preservation not only requires fewer tax increases for municipal services, but also increases both the number and valuation of property on tax rolls.

NH PRESERVATION PROJECTS WHICH COULD BENEFIT FROM LCHIP ASSISTANCE

Belknap County
- Allen-Rogers complex, Laconia
- Belknap Mill, Laconia
- Lakeport Freight House, Lakeport (Laconia)
- NH Veterans Association campground, The Weirs (Laconia)
- Opera House, Lakeport (Laconia)

Carroll County
- Benjamin Champney Home & Studio, North Conway (Conway)
- Whittaker Barns, Conway

Cheshire County
- Cheshire Railroad stone arch bridges (multi-town)
- Gilsum Town Hall, Gilsum
- Troy Depot, Troy

Coos County
- Coos County Courthouse, Berlin
- Nansen Ski Jump, Berlin
- Jefferson Historical Society (former Methodist Church), Jefferson
- Lancaster Town Hall & Col. Town Theater, Lancaster
- Stark Union Church, Stark
- Former school building, Northumberland

Grafton County
- Bridgewater Town Hall, Bridgewater
- Groton Town Hall, Groton
- Littleton Town Hall & Opera House, Littleton
- Orford Academy, Orford

Hillsborough County
- Grasmere Grange Hall, Goffstown
- Daloz Mill, Hancock
- Stone Arched Bridges, Hillsborough
- Hollis Town Hall, Hollis
- Houston Barn (town-owned), Hopkinton
- Amoskeag Mills, Manchester
- Association Canado-Americaine Building, Manchester
- Manchester Historic Association, Manchester
- NH Institute of Art, Manchester
- YWCA Building, Manchester
- Hunt Memorial Building, Nashua
- Mine Falls Park and Gatehouse, Nashua
- Daland Library, New Boston
- Hampshire Country Day School complex, New Ipswich
- Clinton Grove Academy building, Weare
- Abbott Mills, Wilton

Merrimack County
- Andover-Cilleyville Covered Bridge, Andover
- Daniel Webster Family Home & Farm, Franklin
- Franklin City Hall & Opera House, Franklin
- Hopkinton RR Covered Bridge & Depot, Contoocook (Hopkinton)
- Robie's County Store, Hooksett
- Mill village, West Peterborough (Peterborough)
- Tilton / Northfield Arch, Northfield/Tilton

Rockingham County
- Adams Memorial Building, Derry
- Lafayette Road School, Portsmouth

Strafford County
- Essex Mills, Newmarket
- Rochester Opera House, Rochester
- Great Falls mill complex, Somersworth
- Market Street historic downtown, Somersworth

Sullivan County
- Monadnock Mills, Claremont
- Claremont City Hall / Opera House, Claremont
- Lebanon City Hall & Opera House, Lebanon
- Northern Railroad Yards, West Lebanon (Lebanon)
- Lempster Meeting House, Lempster
- Pier & Wright's Covered Bridges, Newport/Claremont

In addition to those listed above, generically...
- Municipally owned historic bridges (masonry, metal truss, and timber)
- Grange halls
- Historic commons, bandstands, parks and recreation facilities
- Historic farms and agricultural buildings
- Historic library buildings
- Historic mill complexes and individual rural mills
- Historic religious buildings (houses of worship, dwellings, hospitals, schools)
- Historic town halls and firehouses
- Historic school buildings
- Historical society buildings
- Opera houses and theaters
- Outdoor museums (*Canterbury & Enfield Shaker Villages, Chinook Kennels, Conway Historical Society, Musterfield Farm, NH Farm Museum, Northern Forest Heritage Park, Peterborough Historical Society mill houses, Poore Family Farm Museum, Remick Museum, et al.)*

and
- Downtown revitalization rehab projects in Main Street communities

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Regional Environmental Planning Program

The Regional Environmental Planning Program (REPP) was created when the legislature appropriated $225,000 for each year of the current biennium, July 1, 1997 - June 30, 1999. Additional funding is anticipated for a third year. Funds were passed through the Department of Environmental Services to each of the nine regional planning agencies ($25,000/yr to each RPA) for implementing environmental planning work.

The top priority during the first biennium was land and habitat protection, as described below. Years 2 and 3 funding allows for continued land and habitat protection as well as discretionary environmental planning projects.

I. Land and Habitat Protection

In anticipation of creation of the Land and Community Heritage Commission, the nine RPAs were asked to provide communities an opportunity to identify their natural and cultural resource conservation priorities. Without exception, the effort has been characterized as engaging, energizing, and worthwhile by the RPC staff, community volunteers, and resource professionals who participated in it. It is also perceived as a first step in a continuing process to identify and protect key community and regional resources.

The following table summarizes the number of important resources identified by resource type and by town:

SUMMARY OF REPP DATA				
RESOURCE TYPE	TOTAL STATE	BY TOWN		
		MEAN	MIN	MAX
ALL	4440	17	0	25
WATER	1273	5	0	51
LAND	2373	9	0	169
PUBLIC	860	3	0	47
ECOLOGICAL	1013	4	0	32
GEOLOGICAL	393	2	0	32
HISTORIC	1613	6	0	72
OTHER	415	2	0	6344

NOTE: The sum of the seven resource types under the Total State column will not equal the All/Total State value because many features have been nominated under more than one resource type.

Local conservation priorities are as varied as the state's natural and cultural resources themselves: large undeveloped areas with high habitat value like the Big Woods in Northwood or the Bartlett Brook/Ferrin Pond natural area in Weare, public trails like the Wapack Trail in southwestern New Hampshire, the summit of Pratt Mountain, New Ipswich, deer yards in

Cambridge, Berlin, and Bath, Pucker Pond Swamp in Plainfield, a greenbelt along the Bellamy River, the 326-acre Moose Hill Orchard in Londonderry, black gum swamps in Nottingham, Cocheco Riverwalk, the Newport Town Hall/Opera House, the magnitite mine in Gilford, Groveton covered bridge, Flint Brook aquifer in Hollis, and the New Boston Depot.

The RPAs are now circulating the natural and cultural resource inventory lists to their constituent communities for further refinement and prioritization.

II. Discretionary Projects

Many of the RPAs have used REPP funds to advance local and regional natural resources planning through their discretionary projects:

> Natural Resources Inventories were completed in the Central and Strafford regions;
> Local open space planning projects were completed in Keene, Hanover, and Pelham;
> Planning projects for permanent household hazardous waste collection centers were completed in the Lakes and Nashua regions;
> Watershed and downtown river planning assistance was provided by North Country Council.

During the current fiscal year, the RPAs continue to assist municipalities with watershed planning, local natural resource inventories, model conservation development ordinances, stormwater management, geographic information systems, regional water supply, and regional solid waste capacity.

Next year (July 1, 1999 - June 30, 2000), DES and the RPAs will continue to address high priority environmental planning issues, including land protection and urban sprawl.

Regional Environmental Planning Program
Summary of Natural and Cultural Resource Conservation Priorities
Prepared for the Land and Community Heritage Commission
by the NH Department of Environmental Services

In anticipation of the creation of the Land and Community Heritage Commission, New Hampshire's nine regional planning commissions (RPCs) were asked to provide communities an opportunity to identify their natural and cultural resource conservation priorities. The RPCs were also asked to catalogue existing natural/cultural resource protection efforts and regional resource protection needs.

This effort took place between January and June 1998. **Without exception, the effort has been characterized as engaging, energizing, and worthwhile by the RPC staff, community volunteers, and resource professionals who participated in it. It is also perceived as a first step in a continuing process to identify and protect key community and regional resources.**

The Process

Each of the RPCs approached the information gathering process a little differently. Most of the RPCs initiated the process by holding one or two regional meetings at which the overall Regional Environmental Planning Program (REPP) and inventory process were explained. People with similar interests from different communities were able to meet each other and discuss both local and regional conservation initiatives.

The primary audience for these initial and all subsequent meetings was local officials, but representatives of other interests, such as historical societies, regional and statewide environmental organizations, state/federal agencies, and outdoor recreation clubs, were encouraged to participate. Some RPCs mailed invitations to all members of the various local boards. Others mailed just to the chairs. Three RPCs (Lakes Region, and Strafford and Rockingham jointly) organized regional meetings around locally knowledgeable resource professionals, who both identified general categories of conservation priorities and discussed past and current conservation efforts. North Country Council invited regional leaders to advise on the process.

Following the regional meetings most RPCs arranged for more targeted sessions, either visiting each town or convening multitown meetings, to get specific input from the communities on their conservation priorities and current activities. Two RPCs (Nashua and Southwest) sent information to planning board and conservation commission chairs and requested a written response, at the same time offering to attend meetings locally if such meetings would be helpful. Some of the RPCs compiled information on conservation priorities from master plans, planning and zoning regulations, and town reports as a baseline on which to build. All came equipped

with base maps and in some cases resource maps (e.g., stratified drift aquifers, prime/state farmland soils, generalized land use, conservation land, Natural Heritage Inventory data).

Participation of all boards was encouraged, and in many communities members of planning boards, conservation commissions, historical societies, and selectmen contributed. In some communities nominations of areas were by consensus. In others the conservation commission, historical society, planning board, or private nonprofit groups or individuals made their own individual recommendations of key cultural and natural resources. Central New Hampshire RPC sent out a questionnaire to supplement information generated at the local meetings.

Turn out at the meetings varied, from two individuals to 29. Upper Valley Lake Sunapee turnouts at 27 meetings averaged 9, with 249 local meeting attendees in all. In reflecting on disappointing turnout (average attendance at 7 meetings was 9), Rockingham concluded that they had underestimated the difficulty of engendering enthusiasm for attending meetings in nearby communities. A similar effort initiated the previous fall also may have contributed to low turnout in this part of the state where resource conservation has been approached under many guises. In the North Country, an RPC board member attributed low attendance (6 to 13 people at each of five meetings) to a perceived lack of pressure on local resources at this time, but he believes that there are natural resources at risk and there is regional support for their conservation.

Although communities in the Nashua region identified high, medium, and low priorities, most communities did not attempt to rank identified sites.

Several RPCs characterized their list of sites as a snapshot in time. Taken at a different time, with different participants, the targets would have been different. As summarized by two of the RPCs,

> The data collected in this summary is a snapshot of conservation priorities assembled in a six month time period. In only a few cases, the data is a product of a thoughtful process which used as a starting point a complete natural and historic resource inventory. The data submitted represents for some towns a list of priorities and for others a comprehensive list of conservation projects. Without question the list submitted in this summary would be different from a list submitted two years prior or two years after, since the group of people generating the information would change as would the potential for conservation of any particular resource. (Upper Valley Lake Sunapee RPC)

> This list is a sample of what's here and on people's minds, and used with that in mind it is very helpful. (Strafford RPC)

Similarly, several RPCs were concerned that nominations didn't necessarily reflect

community consensus. Some people commented that the process was too public to identify particular properties without first contacting the landowners.

On the other hand, many communities identified areas that are long-standing conservation priorities, as documented in master plans, open space plans, LCIP-prompted inventories, and other inventories or as indicated by local officials.

One RPC observed that, perhaps because there hasn't been the focus on cultural resources in many communities that there has been on natural resources, cultural resources may have been more difficult to identify. Some towns submitted lists of historic homes and buildings. There were relatively few archaeological sites, probably because their occurrence is less well known.

Where local boards worked together to identify resources, communities were enthusiastic about the inventory process and its success in pulling boards together. In some communities it was the first time members of one board had met members of other boards, and the exchange was stimulating. Many communities were equally enthusiastic about the prospect of working more closely with neighboring towns to protect transmunicipal resources. From what was reported, it appears that intermunicipal efforts may be more common in some parts of the state than others (Southwest NH RPC where conservation commissions periodically hold regional meetings, Nashua, coastal areas). Whatever the existing situation, the regional perspective seems to have been well received. In some cases, the regional perspective reportedly helped clarify the importance of particular resources.

Not everyone was satisfied with the inventory process. One disenchanted North Country resident complained of "inventory overkill." Coastal New Hampshire and the Connecticut Valley in particular have been the targets of considerable natural resource inventory work. A few towns in the Lakes Region felt the inventory duplicated previous efforts.

All of the RPCs, implicitly or explicitly, indicated that people who contributed to this effort want to know what is happening with the information and where this effort is going, presumably so that they can remain involved.

Existing Protection Efforts

Most of the RPCs provided information on "existing natural/cultural resource protection efforts - multi-town protected lands, ongoing projects," as requested in the DES Outline for Final Reports, although some focused only on multi-town efforts as contrasted with both local and regional efforts. In addition, the RPCs may have identified organizations active at the local or regional level and/or completed plans, but there typically was no indication of the number of projects actually underway or of projects that resulted from the planning activities. The information was not collected systematically nor consistently among regions. However, the summary of existing efforts does suggest the scope of local activities and identifies many

elements of the existing infrastructure for conservation initiatives.

Central NH RPC - Many communities are involved in trail layout, maintenance, and interpretive projects. Several reported involvement in clean up projects. Various public land management projects (tree farm recertification, boundary painting, planning, inventories), land acquisitions/donations, and watershed studies also were reported. Undertakings by historical interests include: building restorations and renovations, museum operations, writing of town histories, development and promotion of historic walks/rides through town, and inventories of historic resources.

Regional efforts include river management plan development and implementation for the Merrimack and Contoocook rivers, Soucook and Kezar Lake watershed studies, the Sunapee/Ragged/Kearsarge Greenway, and the Bear-Paw Regional Greenway.

Lakes RPC - No information provided on existing protection efforts.

Nashua RPC - Several communities are involved in efforts to protect land along the Merrimack, Nashua, and Souhegan rivers and at Purgatory Brook and Falls. The Nashua RPC recently applied to the NH Charitable Foundation for funding to assist four towns in planning a Souhegan River Trail. A major public/private campaign to protect Monson Village and Sheldrick Forest resulted in the recent protection of those sites and several abutting properties. Litchfield and Hollis continue work to protect remaining agricultural lands, via LCIP easements, local appropriations, and development of an agricultural lands strategy. Communities in this rapidly developing part of the state take "every opportunity to acquire open space, protect wetlands and provide connections between existing conservation lands. Furthermore, most of the communities are actively involved in inter-municipal efforts to protect shared resources such as surface waters, wetlands, wildlife habitats and forests."

North Country Council - The variety of efforts reported include several rehabilitation/restoration projects by historical societies (e.g., depot restoration in Wentworth, preservation and interpretation of Groveton Meeting House, mapping and inventories of cemeteries and other historic resources), the Lisbon Chamber of Commerce (River Front park), and local interest groups (preservation of original ski trails at Cannon Mtn) as well as town-sponsored land management activities and inventories (vernal pools, wetlands, deer yards, natural resources, forestland evaluation site assessments), heritage trail improvements, and downtown interpretive/revitalization efforts.

Regional projects include management plans for the Connecticut River corridor prepared by the Connecticut River local advisory committees under auspices of the State Rivers Management and Protection Act, the Conte Refuge, a 1995 conservation lands inventory project of the Society for the Protection of New Hampshire Forests, and the Northern Forest Lands Study.

Rockingham PC - Several regional resource protection projects recently completed or currently underway include: a Society for the Protection of NH Forests project, funded by the NH Coastal Program, to identify essential areas for protection in 17 coastal communities and educate local conservationists on how to implement a land protection strategy within their communities; the Great Bay Resource Protection Partnership; Exeter River Watershed Project, supplementing work of the Exeter River Local Advisory Committee with a watershed-wide wetlands inventory and conservation recommendations by a public/private consortium (EPA funded through OSP and DES); a Lamprey River greenway conservation project coordinated by the Lamprey River Advisory Committee to secure conservation easements on waterfront properties and Lamprey River management plan implementation; NH Estuaries Project inventory of critical lands threatened by development; ongoing NH Coastal Program projects; and land trust activities.

Southern NH PC - SNHPC identified two organizations involved in multitown land management and open space protection efforts: the Piscataquog River Local Advisory Committee, responsible for development and implementation of a local river management and protection plan under auspices of the State Rivers Management and Protection Program, and the Piscataquog Watershed Association, a regional land trust that both owns conservation land and holds conservation easements. "In addition, each Community Conservation Commission is locally active with various aspects of open space protection," particularly Derry (adoption of a Recreation and Open Space Plan in 1996) and Londonderry (adoption of a Recreation and Open Space Plan in 1997).

Southwest RPC - Organizations active in regional conservation include the Monadnock Conservancy, a land trust; the Marlborough-Roxbury Land Trust; the Society for the Protection of New Hampshire Forests; the Southwest Region Rail Trail Advisory Committee, a subsidiary of the Friends of Pisgah State Park authorized by the Department of Resources and Economic Development to lead development and maintenance activities for three rail trails; the Harris Center for Conservation Education, sparkplug for the regional supersanctuary; the Wantastiquet-Monadnock Greenway Committee; the Monadnock-Sunapee Greenway; Friends of the Wapack, promoting stewardship of the Wapack Trail, including land conservation to buffer the trail; and the Monadnock Institute of Culture, Place and Nature, a new organization based at Franklin Pierce College able to facilitate community planning.

At the municipal level, conservation commissions often conduct regional meetings to discuss regional issues, resource conservation strategies, etc. Local river advisory committees charged with developing and implementing corridor management plans exist for the Ashuelot, Connecticut, Contoocook, Piscataquog and North Branch Rivers. A Cold River group submitted a nomination this June for state designation in the State Rivers Program.

Strafford RPC - There are several existing resource protection efforts within the SRPC region: Bear-Paw Regional Greenways, a grassroots, multitown effort to connect protected parcels among and between major state holdings; Great Bay Resource Protection Partnership, a collaborative effort of statewide public and private agencies to protect waterfowl habitat;

Ossipee River watershed protection effort, a collaborative local community/private conservation effort to engage in sound natural resource planning and land protection; Cocheco River Watershed Coalition, a new grassroots group evaluating resource issues in the watershed; NRCS effort to restore pine barrens ecosystems in Strafford County; and ongoing efforts by local land trusts.

Upper Valley Lake Sunapee RPC - In only three towns is there "nothing happening." At the municipal level trail projects (mapping, developing, maintaining, or managing) are the most common local conservation project. Projects focused on cultural resources, such as the Newport Opera House (new floor, paint), cemeteries (rehabilitate and inventory headstones), Dorchester Community Church (belfry replacement, rotten floor, roof, joists), historic resource inventories, and historic documents preservation were the second most often cited type of on-going project. Fee or easement acquisition of land for conservation is the third most common project, and water resource protection projects are the fourth most common.

Intermunicipal projects include: the Appalachian Trail, Sugar River and Connecticut River shoreline protection, the Kearsarge/Ragged/Sunapee Greenway, Monadnock/Sunapee Greenway, the shores and watershed of Lake Sunapee, the trail betweeen Crystal Lake and Grafton Pond, and many state forests and parks.

Local and Regional Resource Protection Priorities

Lists of important natural and cultural resources on a town by town basis were a major outcome of the RPCs work. Sites/areas submitted ranged from 0 to 100 in number and from less than 1 acre to more than 25,000 acres in size. Following are examples of the kinds of resources identified and valued. They also suggest the scope of conservation needs and potential for creativity in developing protection strategies.

At the local level sites include (but are not limited to):

Individual buildings
- private homes
- town halls
- granges
- churches
- depots

Period architecture

Historic districts
- collections of buildings
- abutting land [...The properties have a certain degree of protection through the zoning ordinance .. but the danger to the integrity of the district lies directly outside its border. The open fields and wooded areas directly

adjacent .. are not in the historic district and any development in these fields would detract from the historic area.]

Farms
- often linked to their historic setting or defined in terms of their importance to the town's rural character, rural past
- working farms

Cemeteries

Archaeological
- native American summer campsite
- foundations, cellar holes
- Indian ruins

Prime agricultural soils

Wildlife habitat
- corridors connecting existing protected lands
- Natural Heritage sites
- unique habitat

Forests
- 2 ac lots to 25,000 acre

Outdoor recreation areas
- hiking and biking trails
- water access
- access to forestland
- parks
- urban greenbelt
- outdoor pool, believed to be the only remaining WPA pool anywhere

Wetlands

Rivers
- corridors
- systems/watersheds
- waterfalls

Other water features
- wildlife habitat
- drinking water supplies
- aquifers
- recreational sites
- scenic resources
- remote undeveloped ponds

Scenic resources
- viewsheds
- ridgelines
- hillsides
- rural ambiance, which may include cultural features

Relatively few geologic sites

In some cases communities contributed extensive write ups on their "priorities," including lot numbers, owner's names, etc. In others, areas were indentified generally on maps and characterized as to value in one or two words.

Several RPCs summarized local priorities within their regions, as follows:

North Country Council - By categories, scenic resources were considered the highest priority for a statewide conservation plan, followed by shorelines and historic structures.

Rockingham PC - Wildlife habitat, wetlands, and surface waters were resource priorities for a majority of communities.

Southwest RPC - "Without exception, the land use and conservation priorities of Southwest Region towns are predicated on the goal of preserving rural character." Water resources are a prevalent reason for conservation, as is outdoor recreation by way of trails, beaches, parks, and public access.

Strafford RPC - Interest in protecting surface waters is very high, "a given," advised RPC staff at community meetings. Wildlife and habitat protection were also prominent.

Upper Valley Lake Sunapee RPC - Water features and historic buildings were the most often selected resource category, followed closely by land and scenic resources.

RPC staff summarized regional priorities, as follows:

Central NH RPC used the results of a survey that was widely distributed to local officials and meeting attendees to characterize regional priorities. Top water resource protection priorities, first through third priority, are rivers and streams, aquifers, and lakes and ponds. Top land and forestry resources selected are open space, agricultural land, and conservation easements. Top historical and cultural sites are cemeteries, cultural interest sites, and covered bridges. Top ecological resources are scenic vistas, plant/tree communities, and greenway corridors. Top geologic resources are mountains and hills, soils identification, and sand and gravel deposits. Top priorities for public facilities are recreation trails, canoe/boat access, and outdoor sporting fields.

Nashua RPC staff identified 11 intermunicipal priorities based on locally identified priorities. Seven sites involve surface water, two would provide wildlife corridors between protected lands, one area of extensive undeveloped land would provide trails and wildlife habitat, and one would protect an historic resource and wildlife corridor.

Based on resource protection maps, *Rockingham PC* targeted aquifers, surface water, floodplains, wetlands, prime agricultural soils, and expansion of or linkages between existing

protected lands.

On the basis of input from local communities and from their regional meetings with resource professionals, *Strafford RPC* staff determined that the four regional priority resources are the Great Bay/Piscataqua River Estuary System, identified by EPA as one of the top priorities in the state; the Lamprey River, a nationally designated Wild & Scenic River; agricultural lands, in part because Strafford Region is part of a multistate area identified by American Farmlands Trust as the 10th most threatened important agricultural area in the country; and large unfragmented blocks of undeveloped land, which today number approximately 21 containing 2,000 or more acres. Two of these blocks contain more than 15,000 acres.

RPC Recommendations on Where to Go From Here

A number of themes recurred in observations by planning staff on how best to support local conservation initiatives. One theme consistently raised was the need for good information and up-to-date inventories of natural and cultural resources. Ideally, information would be mapped, readily accessible, reliable in quality, descriptive of relatively rarity and threat, and comprehensive. More specifically, one participant urged that support to communities should be such to produce professional quality survey and inventory procedures that meet state and federal standards for cultural and environmental data bases. The ideal inventory would also integrate information from past inventory projects and resource assessments.

Several RPCs expressed concern, as indicated, that sites may not reflect community priorities, nor were sites necessarily prioritized. Only the Nashua region communities actually ranked their selections as high, medium, or low priorities. A suggested role for the RPCs was building community consensus around local priorities. It was also observed that communities need to make sure that conservation priorities and plans are consistent and dynamic, reassessed regularly. State and regional priorities should be updated "at regular intervals," "annually."

With respect to ranking criteria, Nashua RPC staff observed of the communities that ranked their conservation projects, that while prioritization didn't formally require an assessment of threat, "it was generally indicated that some resources were being listed specifically because they were at risk. Much of the concern voiced through the REPP process focused on the effect of development pressures and the negative impacts on the resources." Whether there are standardized criteria for determining local priorities, it was suggested the NH Comparative Risk Project be factored into the Commission's work.

Setting local priorities in a regional context sometimes helped clarify their importance. Other times the regional perspective brought new resources to light. An obvious role for the RPCs is to facilitate intermunicipal planning and conservation initiatives, whether regulatory or nonregulatory.

The needs for local assistance with project implementation were identified as both technical and financial. Towns vary in their familiarity with natural and cultural resource issues and the talent they have locally to rely on. As one RPC observed, the more familiar with land conservation issues community members were, the more easily they were able to approach the inventory task.

Workshops, information, and/or training on basic inventory techniques, land use control methods, nonregulatory conservation tools, strategic planning for identifying local resource protection priorities, conservation plan development for both land and buildings, historic conservation, and building repair assessment were recommended. Also important is access to professional help for virtually all aspects of natural and cultural resource protection. One RPC put this latter need in terms of assistance to conservation commissions [historic commissions] similar to what the RPCs now offer planning boards.

An analysis of the different resource categories and potential approaches to their conservation, which may vary by resource type, should be part of the tool box. How much of what type of resource can be protected by regulatory means? How does one inspire intermunicipal regulatory action, as for example, protecting shorelines? How does one create a climate for increased regulation? How does one tap other funding sources? Expertise? Mitigation opportunities?

Communities are also "very interested in any possible funding mechanisms" for important resources. One suggested mechanism was a state revolving grant and loan fund for stabilizing the most at risk structures, for feasibility studies for adaptive reuse, and for construction projects. One town is pursuing several conservation projects using existing ISTEA funds (to pave the heritage trail in Lincoln, bury powerlines, install brick pavers and historic lighting fixtures). Other existing sources may be applicable to downtown rehabilitation projects (e.g., town halls, railroad depot, mill building, leatherboard factory) or to other categories of projects, although communities did not indicate that any such possibilities were known to them.

Central NH also identified a need for more broad-based citizen education focusing on the importance of natural and cultural resource protection, the role of regulations in resource protection, the limitations of regulatory approaches, and the promotion of open space in general.

Additional Findings Potentially Relevant to a State Land and Heritage Conservation Program

Participants at the RPC-sponsored meetings suggested several potential opportunities for state agencies to contribute to a statewide conservation program, as follows:

According to Division staff who attended several of the regional meetings, the NH Division of Historical Resources has information on historic sites of regional and statewide significance.

At least two communities requested NH Historic Markers to highlight a particular site, and two state agencies (NH DHR and DoT) are responsible for Historic Marker program implementation.

It was observed that DoT and community departments need to be more sensitive to maintaining the character of historic bridges and municipal buildings for which they are responsible.

Several municipalities identified trail projects that involved railroad beds no longer in service.

NH Fish & Game Department was identified as a source of valuable information on deer yards and other important habitat resources. At one regional meeting it was "generally agreed that natural resource agencies such as NH Fish & Game Department are best suited to provide insight at the local and state levels on land areas valued for habitat preservation."

On the private sector side, several RPCs mentioned the important contributions local, regional, and statewide land trusts have made to land conservation. At one meeting it was suggested there is a need for more land trust activity to help with projects. Complementary linkages between economic development and tourism on the one hand and historic preservation and natural resources conservation on the other also were made. Only in the North Country was concern voiced that "residents, especially local officials, perceive interest in conservation as a long-term threat to economic development of what they see as a limited supply of private land in the region outside existing federal and state land."

Rockingham PC summarized two observations from their REPP activity to date that may bear on the development of a statewide land and community heritage conservation program. One, shared by all the RPCs, is the high level of interest in and concern for protecting local and regional natural resources. The other is "the overwhelming demands on conservation commissions and planning boards to provide consistent and sustained levels of participation in these programs." RPCs also noted the importance of involving knowledgeable local people who do not necessarily serve presently on local boards and commissions in identifying and protecting valued resources in future inventory and prioritization efforts, thus broadening the focus of the Year 1 REPP, which was designed to target municipal organizations.

One final observation from REPP outreach activities of relevance to a statewide program. Stewardship on both private and public lands was raised as an issue in several regions. Sometimes it was expressed as a need to encourage stewardship on private lands, other times as a need for money and assistance to better manage town-owned forestland or assistance generally with maintaining and enhancing the use of town-owned property (e.g., management plans, parking areas, trails and trail guides, restrooms, and signs.)

With respect to state and federal lands, people voiced specific criticisms of management policies and practices, e.g., perceived threats to an old growth stand at Sunapee State Park, concern that resource sensitive UNH holdings are not subject to conservation easements and could be sold for development, and the need for historic interpretation at logging settlements in the White Mountain National Forest. A concern over the impact of recreation at state parks on local law enforcement was raised, with a particular emphasis on traffic. Several people at meetings voiced concern over the installation of communication towers on state lands.

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April 19, 2000

To: Members of the NH House Committee on Resources, Recreation and Development

The New Hampshire Wildlife Federation strongly supports Senate Bill 401, the New Hampshire Land and Community Heritage Investment Program.

New Hampshire Wildlife Federation is pleased and proud to have played a part in the discussions which ultimately led to the creation of the New Hampshire Land and Community Heritage Commission. We continue to congratulate the members of that Commission on their hard work and excellent results. Their report does a fine job of describing the threats to the New Hampshire landscape and outlines an effective response to those threats. We agree with the Report of the NHLCH Commission that "the pressures on our natural, cultural and historical resources caused by growth and sprawl are seriously affecting the quality of life of New Hampshire citizens." Many of our members sadly see this directly in the loss of old favorite hunting and fishing areas to new development.

Many current initiatives, under the rubrics of "sprawl" and "smart growth," seek to address different aspects of the same problem. Our 3+ year old Community Conservation Program focuses on the economic benefit to New Hampshire communities of keeping land in open space. We also have a long history of involvement at the local, state and federal level on projects to conserve and protect wildlife habitat, such as our own Hides for Habitat Program and the Fish and Game Department's Habitat Stamp Program.

We at the New Hampshire Wildlife Federation have been pleased to see support for the Land and Community Heritage program grow from a small handful of visionary leaders to the large and remarkably diverse group that presently supports this effort. Broadening the project to include historical and cultural resources marks an important new recognition of the interplay between various elements of our landscape.

Through our Community Conservation Project, we have presented the slide show, *The Dollars and Sense of Open Space*, close to 80 times all around the state. We have learned from talking with the 2000 people who have come to these shows that towns and community groups are eager to protect remaining open spaces and are willing to channel needed development to suitable locations, but often lack sufficient funds to undertake important projects protecting the natural areas and historic elements that define the beloved character of their communities.

A number of the presentations have been co-sponsored by Planning Boards, Conservation Commissions and Historical Associations, indicating that people in towns are increasingly aware of the connection between landscape/habitat and historical buildings/land use. As we often remind people during the slide show, any time an existing building can reused instead of a new one being built, another piece of wildlife habitat can be conserved.

This expressed need for additional funding for local projects leads us to support the establishment of the New Hampshire Land and Community Heritage Investment Program. As a group whose members participate in and value the opportunity for such traditional natural resource uses as hunting and fishing, we are particularly pleased that under the new program, public access for recreational purposes will be assured on land protected with public money.

The New Hampshire Wildlife Federation is a 7,500-member organization representing outdoor recreation and conservation enthusiasts, including hunters, anglers, trappers, photographers and boaters. The organization has been in existence since 1933. Our mission is to advocate for the protection and promotion of the traditional resource uses of hunting, fishing and trapping and for the conservation of fish and wildlife habitat. We have a long history of working to conserve habitat for wildlife-based outdoor recreation activities.

The New Hampshire Land and Community Heritage Investment Program is a needed and important tool in ongoing efforts to preserve wildlife habitat and other elements that define New Hampshire's very special quality of life. We believe that the New Hampshire legislature has an historic opportunity, through this bill, to celebrate "the new millennium" by providing a permanent mechanism to assist communities in protecting some of what defines the very special character of our beloved state.

<u>We strongly urge your support for Senate Bill 401.</u> If you have any questions about our support for this bill, please feel free to contact either one of us.

Sincerely,

Darrel F. Covell
Executive Director

Dorothy Tripp Taylor
Special Projects Coordinator

ANDERSON + ROYCE 4/24/00 FILE COPY

MARKUP OF SB 401 AS PASSED BY SENATE

2/3/00 3238s
4/6/00 4018s
4/6/00 4040s

00-2545
08/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

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

1 New Chapter; Land and Community Heritage Investment Program. Amend RSA by inserting after chapter 227-L the following new chapter:

CHAPTER 227-M

LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM

227-M:1 Purpose. The general court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural, cultural, and historical resources. Permanent protection of these resources, through acquisition of lands, buildings, and other physical assets, or interests in these assets, must be accomplished along with their planned long-term stewardship. The general court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural, cultural, and historical resources for this and future generations, the general court ~~hereby~~ establishes in this chapter the New Hampshire land and community heritage investment program. The intent of the program is to conserve and preserve this state's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life.

227-M:2 Definitions. In this chapter:

I. "Eligible resource" means a natural, cultural, or historical resource including archaeological sites; historic buildings and structures which house cultural events and programs; historic properties including buildings and structures; historic and cultural lands and features; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or

important wildlife; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands.

II. "Easement interests" means conservation, historic preservation, or scenic easements, development rights, or any other similar protective interest in real property held in perpetuity.

III. "Resource asset" means the lands, buildings, structures, and other physical assets or the easement interests in the lands, buildings, structures, and other physical assets that comprise the real property of an eligible resource.

227-M:2 Land and Community Heritage Investment Program Established. There is hereby established the New Hampshire land and community heritage investment program. ~~The intent of the program is to conserve and preserve this state's most important natural, cultural, and historical resources through the acquisition of lands, and cultural and historical resources, or interests therein, of local, regional, and statewide significance, in partnership with the state's municipalities and the private sector, for the primary purposes of protecting and ensuring the perpetual contribution of these resources to the state's economy, environment, and overall quality of life. These lands and cultural and historical resources may include archaeological sites; historic buildings and structures which house cultural events and programs; ecologically significant lands; existing and potential public water supply lands; farmland; forestland; habitat for rare species or important wildlife; historic properties including buildings and structures; historic and cultural lands and features; lands for recreation; riverine, lake, estuarine, and ocean shorelands; scenic areas and viewsheds; and wetlands and associated uplands.~~ The program shall acquire resource assets, through voluntary negotiations with property owners and utilization of all available federal, state, local, private, and other matching funds and incentives, ~~lands or other physical assets, conservation or historic preservation easements, development rights, and other permanent interests in lands and cultural and historical resources~~. The program shall also provide funding for restoration and rehabilitation of cultural and historical resources; for certain costs associated with the acquisition of ~~natural, cultural, and historical resources~~resource assets; and for the perpetual stewardship of these resources. All deeds or other documents evidencing purchase of any fee interest or other ~~permanent~~ easement interest in resources under this chapter shall be drawn and held in the name of the municipality, other political subdivision, or qualified publicly-supported nonprofit corporation purchasing the interest through the use of ~~matching state~~program funds, or in the name of the state of New Hampshire. The state of New Hampshire shall hold an executory interest in all easement interests acquired by the program and held by municipalities, other political subdivisions, or qualifying nonprofit corporations. There shall be no power by the state of New Hampshire to take any resource by eminent domain, nor shall any funds made available by this program be used to take by eminent domain except in

cases involving the voluntary quieting of title. All acquisition projects shall involve a willing seller and willing buyer, or a willing donator of resource assets.

227-M:3 New Hampshire Land and Community Heritage Authority Established; Board of Directors.

I. There is hereby established the New Hampshire land and community heritage investment authority (the authority), a body corporate and politic. The authority is constituted a public instrumentality of the state. The exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions. The authority shall be a nonprofit corporation organized under RSA 292.

[Note: Any amendment to the following paragraphs on membership could include staggered terms.]

II. The authority shall be governed by a board of directors (the board) composed of 16 members. Voting members shall not appoint designees to act in their places. The chairperson shall be elected from among the public members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Six public members, 2 of whom shall represent natural resources and outdoor recreation interests, 2 of whom shall represent cultural and historic resource interests, one of whom shall represent business or real estate interests, and one of whom shall represent municipal and local planning interests, to be appointed by the governor and council.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

III. Members appointed under subparagraphs II(d) through II(i) shall be advisory, non-voting members.

IV. The terms of the state members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 2 successive terms. Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filed for the

unexpired term of the office in the same manner as the original appointment. Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Five voting members shall constitute a quorum. Decisions shall be made by a majority of those present and voting. Each member appointed under subparagraphs II(a) through (c) shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chair~~man~~person.

VI. Board members shall not be subject to civil liability for acts performed in accordance with their duties under this chapter.

227-M:4 Powers and Duties of the Authority. The authority shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter and shall:

I. Adopt ~~procedures and criteria~~bylaws for the regulation of its affairs and the conduct of its business~~, including but not limited to~~

II. Adopt criteria and guidelines for:

(a) The acquisition of resource assets;~~acquiring lands, interests in lands, buildings and structures, other property or interests in property~~

(b) The restoration or rehabilitation of cultural and historical buildings or structures;

(c) ~~guidelines for t~~The stewardship and monitoring of ~~acquired resources~~resource assets on which program funds are expended~~; and~~

III. Adopt definitions deemed important or necessary to carry out the purposes of this chapter.

II. Oversee~~,~~ and direct~~, and~~ the expenditure of funds deposited in the trust fund of the New Hampshire land and community heritage investment program in accordance with the purposes of this chapter. This includes, but is not limited to, the authority to draw upon funds for acquisition of resource assets~~lands, buildings, structures, or other real property, interests therein~~, or related program purposes, and for the administrative costs of the program.

III. Make and execute contracts for services necessary to carry out the purposes of this chapter or necessary and convenient for the exercise of its powers and functions.

IV. Temporarily ~~A~~acquire real property or interests in real property, only when such acquisition is necessary or appropriate to protect or secure any investment in which the authority has an interest.

V. Designate, for management and stewardship purposes, each parcel of land, building, or other real property, and each interest in land, building, or other real property, to a municipality in cases where municipal matching funds are utilized to acquire the land, building or other real property; to a qualified publicly supported nonprofit corporation; or to a state agency. *[Note: Uncertain if this paragraph is needed.]*

VI. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council, and filed with the state library. The report shall detail the activities of the program during the past year includeing a listing of all ~~the land and other property, or interests in land or other property~~ resource assets acquired and restoration and rehabilitation projects undertaken, along with~~;~~ the associated expenditures. ~~for these acquisitions, including a~~All administrative costs shall be provided,~~associated therewith; and~~as well as a complete financial accounting ~~of the funds of~~ the trust fund established under RSA 227-M:6. The report shall also include a historical summary of the program's activities to date. A copy of the report shall be made available to any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

VII. In addition, the authority may:

(a) Adopt an official seal.

(b) Maintain an office and hire staff.

(c) Accept from any source gifts and donations of: money, including money from appropriate fundraising activities; labor, equipment, and supplies; land and other real property; interests in land and other real property; federal, local, private, and other matching funds and incentives; and other assets to be deposited in the fund for the purposes of this chapter and to aid the authority in the conduct of its affairs.

227-M:5 Executive Director. The board of directors shall nominate one or more persons for appointment by the governor and council to serve as executive director. The executive director shall serve a term of 5 years, with reappointment or a vacancy to be filled in the same manner as the original appointment. At the request of the board, the governor and council may remove the executive director for cause. The executive director shall:

I. Coordinate the activities of state agencies directly involved with the administration of the program in accordance with this chapter.

II. Evaluate the ~~natural, cultural, or historical~~ eligible resources proposed for protection or restoration under this program, and determine if these resources meet the criteria of the program, subsequent to instruction by the board.

III. At the direction of the board, administer the affairs of the program and be directly responsible for executing all policies of the board.

227-M:6 Trust Fund Established; Administration.

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be non-lapsing.

II. The state treasurer is instructed to invest the sums deposited in the fund in a prudent manner consistent with the purposes of this chapter. Interest earned on moneys in the fund shall accrue to the fund to the extent allowed under federal law.

III. No funds of any state agency shall be transferred to the trust fund without specific authorization from the general court~~, except for f~~Federal funds accepted by the governor and council for purposes similar to those of this chapter may be deposited in the trust fund without general court authorization.

227-M:7 Program Administration; Eligible Applicants; Matching Funds.

I. The authority shall distribute funds to further the purposes of this chapter only to eligible applicants. Eligible applicants shall include:

(a) State agencies;

(b) Municipalities or other political subdivisions of the state; and

(c) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal Revenue Code.

II. Other parties wishing to participate in the program may partner with one or more eligible applicants. The applicant must demonstrate the commitment of the owner of the assets to participate in the proposed action.

III. Financial assistance to eligible applicants shall be provided through grants, block grants (grants to another organization for re-granting), loans, and loan guarantees. ~~Relative to eligible resources, this f~~Financial assistance may only be ~~used for~~ expended on eligible resources for the following purposes:

(a) Acquisition of real property~~estate~~ in fee simple.

(b) Acquisition of easement interests in real property~~conservation, preservation, or scenic easements~~.

(c) Restoration or rehabilitation of buildings or structures which are publicly-owned, or which are owned by a qualified publicly-supported nonprofit corporation.

(d) ~~Acquisition costs associated with permanent protection (s~~Surveys, appraisals, title work, and other legal or ancillary work~~)~~ necessary to carry out acquisitions .

(e) Feasibility studies, resource inventories, and planning.

(f) Other professional services.

(g) Stewardship, to ensure that a permanently protected resource remains in its intended use.

IV. Except for state agency applications, the authority shall not fund more than 60 percent of the appraised market value of any resource asset acquisition or more than 60 percent of any other expense eligible for financial assistance under RSA 224-M:7, III(c)-(g).

V. All eligible applicants, other than state agencies, are required to provide a ~~minimum~~ level of matching resources that is no less than~~of~~ 40 percent of the appraised market value for any resource asset acquisition~~of the assets to be acquired or expenses incurred~~ and that is no less than 40 percent of any other expense for which financial assistance is sought under RSA 224-M:7, III(c)-(g). A minimum of one half of the applicant's minimum match requirement~~20 percent of the appraised market value of the assets to be acquired or expenses incurred~~ must be provided in cash to be used in the purchase of the resource asset. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program. The balance, if any, of the ~~cost sharing~~ match requirement may be met through any combination of:

(a) ~~use of i~~In-kind services;~~,~~

(b) ~~t~~The appraised market value of donated real property~~estate~~ or interest in real property,~~estate, or a combination of the 3. Where donated real estate value is utilized to partially satisfy the match requirement,~~ provided such real property is ~~estate must be~~ located in the municipality or municipalities in which the applicant property is located;~~. Nothing shall prevent the eligible applicant from using all cash to fulfill the match requirements of the program.~~

(c) ~~The match may include pre-acquisition or acquisition e~~Expenses specified under RSA 224-M:7, III(d)-(g), incurred or to be incurred; or

(d) ~~a~~A one-time investment in a stewardship endowment fund established by the applicant for the resource asset.

VI. Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations, private donations, federal funds, and monies from a conservation fund established under RSA 36-A:5.

VII. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a higher degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized, for a particular project, to either reduce~~override~~ the applicant's minimum match requirements under paragraph V ~~for a match~~or exceed the amount of financial assistance allowed under paragraph IV, but only by an affirmative vote of 2/3's of all~~its~~ voting members.

VIII. Of the funding provided ~~to~~by the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3's of all~~its~~ voting members.

227-M:8 Acquisition, Restoration, and Protection Criteria and Guidelines.

I. The criteria and guidelines adopted pursuant to RSA 227-M:4, I for acquiring resource assets~~lands, buildings, structures, or other property, or interests in lands, buildings, structures, or other property~~ shall include, but shall not be limited to, the following:

(a) Imminence of threat to the land or property, such that land conservation projects in rapidly developing areas of the state shall receive a higher ranking;

(b) Uniqueness or significance of the resource;

(c) Proximity to other protected resources;

(d) Extent to which project meets multiple objectives of the program (natural, historic, and cultural);

(e) Strength of local support, such that project applications accompanied by an affirmative vote of the governing body of the municipality or governing bodies of the municipalities in which the project is located shall receive a higher ranking;

(f) Strength of private support;

(g) Cooperation between or among communities;

(h) Extent of leverage (ability of state funds to attract other public and private funds in a cost-share arrangement); and

(i) Demonstrated ability and qualifying stewardship plan of eligible applicant to provide stewardship for the resource being protected.

(j) Extent to which benefits can be conserved only through public(?) fee acquisition of ~~land, buildings, structures, or other property~~the resource aset, weighed against acquisition ~~of less than fee interest in such land, buildings, structures, or other property~~through easement interest.

II. Nothing in this section shall be construed to require that each acquisition of a resource asset~~land, buildings, structures, or other property, or interest in land, buildings, structures, or other property~~ under this chapter must meet all the criteria listed in this section.

227-M:9 Management.

I. Any owner of a resource asset acquired (in fee simple)? under this chapter or for which program funds have been expended for restoration or rehabilitation work, shall manage such asset in accordance with the purposes of this chapter and any stewardship plan approved for the asset. The authority shall assign such management responsibilities to a state agency when the state is the owner. ~~All land, buildings, structures, or other property, or interests in land, buildings, structures, or other property acquired under this chapter shall be assigned to one of the state agencies or, where the land, buildings, structures, or other property, or permanent interests in land, buildings, structures, or other property, is acquired directly using matching funds from a municipality or other political subdivision, or qualifying nonprofit corporation, to the municipality or qualifying nonprofit corporation for management in the~~

~~public interest in accordance with the purposes of this chapter and shall not be managed by t~~The program shall not manage any resource asset, except to the extent permissible under RSA 227-M:4, IV. ~~Each assignment of land, buildings, structures, or other property to a state agency, municipality or other political subdivision, or qualifying nonprofit corporation shall be subject to review and reassignment if the authority deems it advisable. The state of New Hampshire shall hold an executory interest in all land interests acquired by the program and assigned to municipalities or qualifying nonprofit corporations.~~ *[Moved last sentence to RSA 227-M:2]*

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a majority vote of ~~the~~all voting members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens, or upon recommendation of the executive director of fish and game or the director of the division of forests and lands.

227-M:10 Stewardship.

I. All applications submitted for funding ~~resource protection under this chapter~~ resource asset acquisitions or restoration or rehabilitation projects must contain a stewardship plan. Applicants shall be allowed flexibility in devising such plans, but the authority shall make an affirmative finding that the stewardship plan is acceptable before awarding funds ~~for protection activities~~. Applications to the program for activities such as resource inventories, feasibility studies, and engineering studies are not required to include stewardship plans.

[Note: Paragraphs II and III may require amending.]

II. The authority is authorized to make funds available for resource stewardship, either in conjunction with protection activities or as a stand-alone request. Deferred maintenance on existing publicly-owned natural, cultural, and historical resources shall not be an eligible use of funds from the program. Historically significant buildings and structures which are publicly-owned, or which are owned by a qualified publicly-supported nonprofit corporation, shall be eligible for funding for restoration and rehabilitation work consistent with the historical nature of the structure.

III. Stewardship of assets acquired in fee simple under this chapter may be undertaken through state agencies, municipalities, other government agencies, or qualifying nonprofit corporations. Funding for stewardship may be provided to any of these eligible applicants under a 5-year stewardship plan developed by the applicant and approved by the authority.

227-M:11 Monitoring Endowment.

I. For every ~~natural, cultural and historical~~eligble resource protected under this chapter by an easement interest ~~with conservation, preservation or scenic easements~~, a percentage of funds from the

program or contributions from the applicant, as specified by the authority, shall be provided to the monitoring endowment established under RSA 162-C:8.

II. Funds added to the monitoring endowment pursuant to RSA 227-M:11, I shall be used to support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of ~~less-than-fee assets~~easement interests acquired under this chapter. Such monitoring shall be to ensure that the resource protected through the program will be managed according to the legal agreements concerning easement interests in the resource~~in conservation and preservation easements~~.

227-M:12 Road Expansion.

I. Notwithstanding any other provisions of this chapter, the New Hampshire land and community heritage authority shall recognize that the interest and public safety and welfare may, from time to time, require minor expansion, minor modification, or minor alteration of existing roads within the state highway system. After review and approval by the authority, and notwithstanding RSA 227-M:13, the department of transportation may obtain interests in lands acquired by the authority under this chapter adjacent to state highways. Permissible expansion, modifications, or alterations under this section shall include drainage easements, slope easements, lane widening, the addition of a passing, climbing, or turning lane, or similar adjustments, but shall not include construction of a new highway or portion thereof, construction of a bypass for an existing highway, or similar major alterations. Approval shall not be granted if reasonable and prudent alternatives exist nor if individual or cumulative approvals are likely to materially impair the conservation or preservation purposes for which the parcel was originally protected. Projects determined by the authority to be outside of the scope permitted by this chapter shall require approval from the general court.

II. The review and approval process required by paragraph I shall give full consideration to the management provisions of this chapter. The department of transportation shall submit a written request to the board with plans and supporting documentation to demonstrate compliance with the provisions of this chapter. A quorum of the board, consisting of at least 7 members, shall hold a public hearing within 90 days of receipt of a complete request to release land and community heritage investment program interests. The board shall provide at least 10 calendar days notice in advance of such hearing. Notification shall be made, at the expense of the department, to the landowner, local governing body and conservation commission, abutters, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, the Audubon Society of New Hampshire, the New Hampshire Wildlife Federation, and the county conservation district, or their successors. Notification of the public hearing shall be published, by the department, in a paper of general circulation in the municipality and shall be posted, by the department, in at least 2 public places. At the hearing or within 15 days after the hearing, a majority of the board's members attending the hearing shall vote to approve or deny the application, unless a time

extension is requested by the department. Aggrieved parties, which include all parties who must be notified under this paragraph, may appeal the board's decision to the superior court in the same manner as planning board decisions are appealed under RSA 677:15.

III. Compensation for any interest in land obtained by the department of transportation under this section shall be at the appraised full fair market value of those property interests at the time of the department's acquisition. Alternative forms of compensation such as replacement land with comparable conservation value, or a combination of monetary compensation and replacement land may be considered in appropriate circumstances, provided all parties owning an interest in the property agree to such terms.

IV. Compensation due to the state under this section shall be deposited in the trust fund of the New Hampshire land and community heritage investment program and used for the purposes of this chapter. Compensation due to municipalities and nonprofit organizations shall be dedicated to the acquisition, managing, or monitoring of protected lands consistent with the purposes of this chapter. Compensation due landowners shall be as specified in the deed or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

227-M:13 Public Trust. ~~The land, buildings, structures, or other property, or interests in land, buildings, structures, or other property~~Resource assets acquired under this chapter through the use of the trust fund for the program shall be held in public trust and used and applied for the purposes of this ~~subdivision~~chapter. Notwithstanding any other provision of law relating to the disposal of publicly-owned real estate, no deviation in the uses of any ~~land, buildings, structures, or other property, or interest in land, buildings, structures, or other property~~resource asset so acquired to uses or purposes not consistent with the purposes of this ~~subdivision~~ chapter shall be permitted. The sale, transfer, conveyance, or release of any ~~such land, buildings, structures, or other property or interest in land, buildings, structures, or other property~~resource asset from public trust is prohibited, except as provided in RSA 227-M:12.

227-M:14 Public Access; Liability.

I. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in ~~conservation, preservation, or scenic~~ easements interests secured through the program shall approximate the intent of the following:

(a) There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the

public interest. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

(b) The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

(c) No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

2 Land Conservation Investment Program; Management. Amend RSA 162-C:6, VII to read as follows:

VII. Compensation due to the state under this section shall be [~~maintained in a separate, non-lapsing land acquisition fund to be managed by the state treasurer. The council, as successors to the land conservation investment program board of directors, shall develop rules pursuant to RSA 541-A, whereby agencies and/or municipalities, shall have access to these funds from time to time as resources permit. Such funds must be used for the acquisition of land, or interests in land, consistent with the purposes of this chapter~~] ***deposited in the trust fund of the New Hampshire land and community heritage investment program established under RSA 227-M and used for the purposes of that program.*** Compensation due to municipalities shall be dedicated to the acquisition or monitoring of protected lands consistent with the purposes of this chapter. Compensation due to landowners of conservation easement lands shall be as specified in the conservation easement, deed, or as otherwise negotiated. Any party aggrieved by the amount of compensation may file a petition with the superior court in the same manner as damage appeals are filed from the board of tax and land appeals under RSA 498-A:27.

3 Land Conservation Investment Program; Office of State Planning; Powers and Duties. Amend RSA 162-C:7 to read as follows:

162-C:7 Powers and Duties. The council shall oversee, direct, and expend funds in the monitoring endowment of the former New Hampshire land conservation investment program in accordance with the purposes of this subdivision ***and RSA 227-M:11.*** This includes, but is not limited to, the authority to draw upon funds for the administrative costs of the endowment.

4 Land Conservation Investment Program; Monitoring Endowment. Amend RSA 162-C:8, I-III to read as follows:

I. The monitoring endowment established by the board of directors pursuant to former RSA 221-A:5, III shall be maintained in perpetuity and shall be utilized by the council only for the purposes of monitoring and enforcing the property rights of persons with ownership interests in property acquired through the former land conservation investment program ***and for the purposes of RSA 227-M:11.***

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing interest earnings for the purposes set forth in this subdivision ***and RSA 227-M:11***, and expenditures from the endowment for those purposes shall be limited to the interest earned thereon.

III. Any interest earned on the endowment principal which is not used for the purposes set forth in this subdivision ***and RSA 227-M:11*** within the fiscal year in which it is earned shall be added to the principal amount. The state treasurer is authorized to accept gifts, donations, and grants, including federal gifts, donations, and grants, for the purposes set forth in this chapter, and such gifts, donations and grants shall be added to the principal amount.

5 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, I to read as follows:

I. The director is hereby authorized to issue special conservation number plates, in lieu of other number plates. The design of these special plates shall be determined as provided in RSA 261:97-d. The plates shall retain the "live free or die" logo. Such plates shall be issued only upon application and upon payment of a [~~$25~~] ***$30*** fee that shall be in addition to the regular motor vehicle registration fee and any other number plate fees otherwise required.

6 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plates; Fee. Amend RSA 261:97-a, III to read as follows:

III. Plates shall be renewed on an annual basis for [~~$25~~] ***$30*** per set. Of this sum, the department shall retain an amount as is necessary to recover production and administrative costs as approved by the fiscal committee of the general court. The remaining funds shall be paid to the state treasurer and distributed as provided in RSA 261:97-b. The cost of replacement number plates shall be identical to the cost of initial number plates and the revenue from replacement number plates shall be distributed in the same manner as revenue derived from initial number plates.

7 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Distribution of Funds. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate trust fund under the administration of the state treasurer. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The state treasurer shall

distribute the funds annually on July 1, ***except as provided in paragraph II-a,*** as follows: $5,000 of every $100,000 received, up to a total of $50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting native wild flowers; the remainder shall be distributed equally among the department of cultural resources, the department of fish and game, the department of resources and economic development, [~~and~~] the state conservation committee***, and the New Hampshire land and community heritage investment authority.***

II-a. The state treasurer shall distribute the share of funds due the New Hampshire land and community heritage investment authority, pursuant to RSA 261:97-b, I, on the first day of each month.

8 Motor Vehicles; Certificates of Title and Registration; Conservation Number Plate Trust Fund; Use of Funds. Amend RSA 261:97-c, V-VI to read as follows:

V. The funds transferred to the New Hampshire land and community heritage investment authority shall be used for the administration of the New Hampshire land and community heritage investment program.

[~~V.~~] ***VI.*** The funds transferred to the department of transportation shall be used for the expanded wildflower establishment program to be used in maintenance districts.

[~~VI.~~] ***VII.*** Any funds transferred from the conservation number plate trust fund which remain unexpended at the end of the fiscal year shall be non-lapsing.

9 Appropriations; New Hampshire Land and Community Heritage Authority. The sums of $3,000,000 and $6,000,000 are hereby appropriated to the New Hampshire land and community heritage authority established in section 1 of this act for the purposes of this act for the fiscal years ending June 30, 2001 and June 30, 2002, respectively.

10 Bonds Authorized. To provide funds for the appropriations made in section 9 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $3,000,000 for fiscal year 2001 and $6,000,000 for fiscal year 2002 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state. Issuance of bonds for fiscal year 2001 shall be no earlier than April 1, 2001.

11 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for

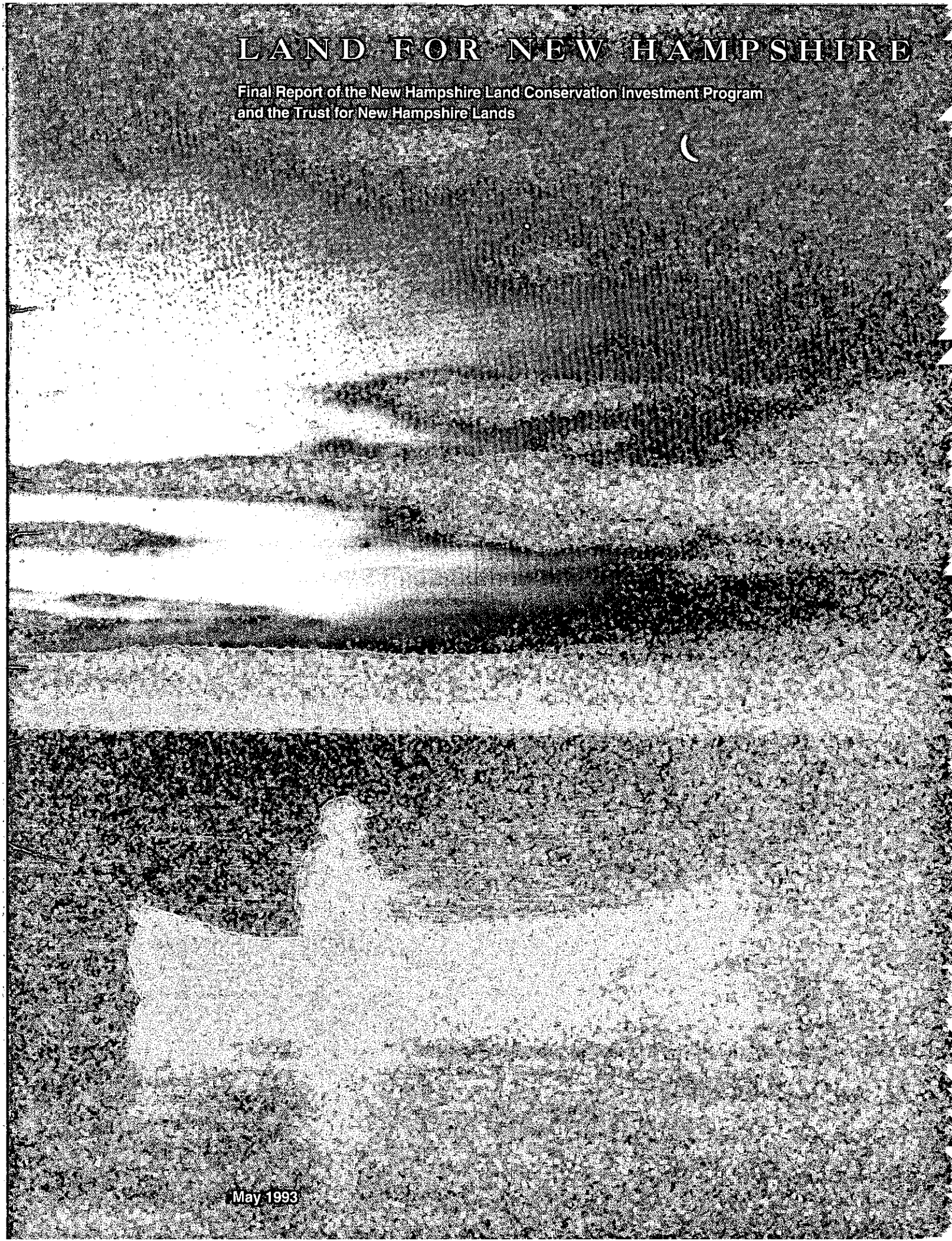
the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

LAND FOR NEW HAMPSHIRE

Final Report of the New Hampshire Land Conservation Investment Program
and the Trust for New Hampshire Lands



May 1993

LETTERS TO NEW HAMPSHIRE

Dear Friends,
On behalf of the Board of Directors of the New Hampshire Land Conservation Investment Program, I am pleased to report that we have completed our task as directed by the General Court under the 1987 statute, RSA 221-A. As this final report shows, we have made every effort to acquire unique lands and interests in lands toward the goal of setting aside strategic conservation and recreation areas for the people of New Hampshire. We have exceeded our target of 100,000 acres, located in all ten counties from the Canadian border to the sea. As directed by the people, the vast majority of these lands are open to public access.

There has never been a more fertile public/private partnership in New Hampshire. The accomplishments outlined in these pages were possible only through the close and enduring support of the Trust for New Hampshire Lands, the cooperation of municipalities, state agencies, and the General Court, and the involvement of thousands of organizations, businesses, and individuals far and wide. Leadership from Governors John Sununu and Judd Gregg was exemplary.

My personal thanks and appreciation to the hard working staff and Board of Directors, all of whom participated effectively in innumerable meetings, traveled afar to view properties, and were always there when needed.

Faithfully,

George T. Hamilton

George T. Hamilton
Chairman, Land Conservation Investment Program
A publicly funded program authorized by the NH Legislature in 1987.

Dear Friends,
On behalf of the Board of Trustees of the Trust for New Hampshire Lands, I convey our deepest thanks to the people of New Hampshire for your courage in supporting an untested idea, for your confidence that this partnership would succeed, and for buttressing your courage and confidence with timely political and financial support. Nearly 8,000 of you signed cards endorsing the Trust and more than 2,000 of you contributed $3,230,082 to make it a reality. To all of you, the trustees send a hearty thanks.

The results of our partnership can be seen all around us, in every area of the state. Everyone who has had a part—governors, legislators, trustees, landowners, donors, incorporators, volunteers, staff, and friends—should be proud of what you will find in this report. It chronicles an enduring conservation heritage that is unequalled anywhere in this nation.

With deepest gratitude,

John Gemmill

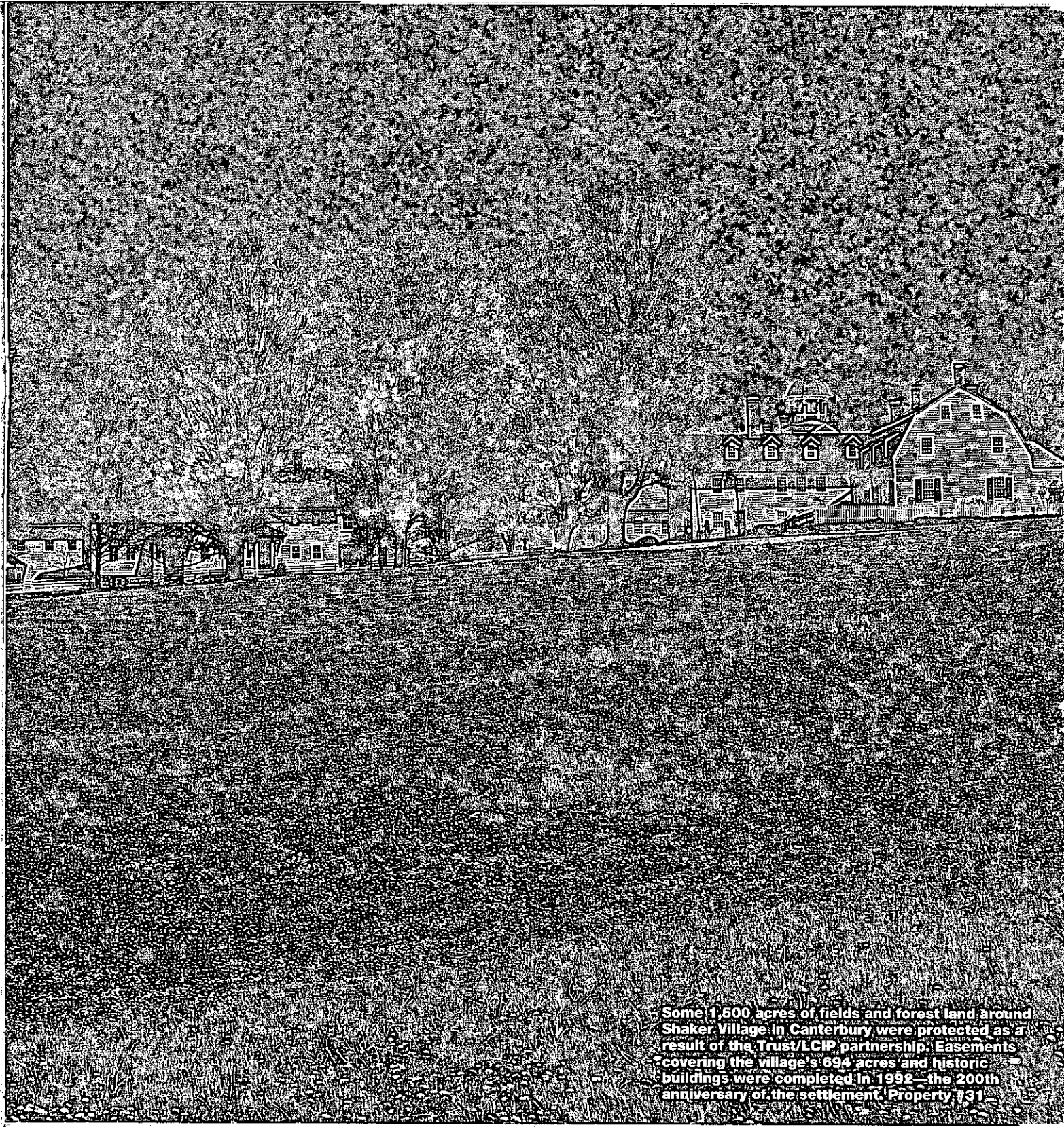
John Gemmill
Chairman, Trust for New Hampshire Lands
A private, nonprofit organization incorporated in 1986.



George T. Hamilton, left, and John Gemmill

Land Conservation Investment Program Board of Directors 1987-1993

George Hamilton, *Chairman*
John Barto
Sen. Charles Bass
Sen. Clesson Blaisdell
Rep. Harold Burns
Sen. David Currier
John Dabuliewicz, *Director, Office of State Planning*
James Forest
Sen. Mark Hounsell
Alden Howard, *Commissioner, Dept. of Environmental Services*
George Jones, *Commissioner, Dept. of Resources and Economic Development*
Sen. Wayne King
Charlton MacVeagh, Jr.
Sen. Susan McLane
John Monson, *Commissioner, Dept. of Fish and Game*
Rep. Fredrik Peyron
Rep. Leighton Pratt
Steve Rice, *Commissioner, Dept. of Resources and Economic Development*
John Stabile
Rep. Peter Stio
Jeff Taylor, *Director, Office of State Planning*
Steve Taylor, *Commissioner, Dept. of Agriculture*
Georgie Thomas, *State Treasurer*
Tom Tillotson
Sen. Jean White
Robert Varney, *Commissioner, Dept. of Environmental Services*



Some 1,500 acres of fields and forest land around Shaker Village in Canterbury were protected as a result of the Trust/LCIP partnership. Easements covering the village's 694 acres and historic buildings were completed in 1992—the 200th anniversary of the settlement. Property #31

Trust for New Hampshire Lands Board of Trustees 1986-1993

James Cleveland, *Chairman Emeritus*
John Gemmill, *Chairman*
John Barto
John Byrne
Eleanor Briggs
Charles DeGrandpre
Philip Dubois
Dudley Dudley
Lewis Feldstein
John Fort
Robert L. V. French
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Peter Hamblett
John Hardie
William B. Hart
Nancy Hayden
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Lucia Kittredge
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Charlton MacVeagh, Jr.
Hannah McCarthy
Duncan McGowan
Donella Meadows
Janet Nixon
Karl Norwood
William Ruger
Erick Sawtelle
Rob Trowbridge
Frederic K. Upton
Sumner Wiechaum



RIGHT TIME, RIGHT PLACE

A rare positioning of the stars? Perhaps. But only shared vision, common sense, and hard work could get this job done.

A generation can leave behind no better monument than unspoiled earth, ground from which plants will always rise and rain run clear. As more of us crowd the planet and land becomes more precious, that has become difficult to do. But sometimes, those temporarily entrusted with the care of the earth today agree to bank some for tomorrow. That is the story of the Trust for New Hampshire Lands and the Land Conservation Investment Program.

In the state's most far-reaching conservation effort since the creation of the White Mountain National Forest in 1911, 379 parcels covering 100,876 acres were protected from changes that could forever alter the character of the land and the lives of all that depend on it. Preserved for good were Canterbury's Shaker Village, the back-40,000 of Nash Stream forest, the wild New Hampshire shores of Lake Umbagog, a chain of working farms on the Connecticut River, stretches of Great Bay. State parks, forests, and wildlife areas were expanded and new reservations created. Protected as well were scores of lesser-known places—riverbanks and sugar bushes and farms, quaking bogs and mountain tops, ponds, intervales, and open vistas.

By the time the funds to protect land ran out in March 1993, the equivalent of one New Hampshire acre in every 57 had been set aside. While many states—including Maine, Vermont, New York, and Massachusetts—began similar public land conservation programs in the 1980's, only Michigan's comes close to New Hampshire's for efficiency and reach. Because of the close involvement of the private sector, the use of easements, landowner donations, and tough negotiating, the public's investment of $46.4 million in acquisition funds protected $83.3 million worth of land.

But more than land was won. As important to the partnership's legacy is the knowledge that despite personal interests that at times conflict, a shared concern for New Hampshire's future can unite the state's residents in an effort to make the future better.

A state with its seed corn at risk

For decades, growth had come with the steady rhythm of flycasting. People fishing for the good life slowly looped longer and longer arcs of line over the pool of New Hampshire and caught a piece of their dreams. But by the mid-1980s a run was on. Crowds lined the banks spearing and snagging whatever could be landed quickly. Whooping men and women stepped back from the pool holding aloft shopping malls, condominiums, and waterfront homes.

In fleets of orange and white Conestoga wagons rented for the trip, settlers and seasonal families hauled families north in record numbers—20,000 new residents a year. By 1987, New Hampshire was the second fastest growing state east of the Mississippi, its population increasing at twice the rate of neighboring New England states.

While the growth brought much prosperity, the impact on the landscape was inescapable. Forests and farms were disappearing at a rate of 20,000 acres a year. Fragmentation of the landscape was undermining forestry, agriculture, wildlife, and recreation. Teenagers were heard voicing that middle-aged lament of the Sunday drive: "That was nothing but woods and fields when I was young." New Hampshire, a state that depends on tourists and timber, was eating its seed corn—its scenery, its natural resources, its way of life.

"There was a lot of concern about what was happening to New Hampshire," said Stephen Taylor, the state's commissioner of agriculture. "A lot of people felt that the state was like a big truck rolling downhill with no brakes. You could steer the damn thing a little but you couldn't stop it."

Conservation and planning agencies were steering with all their might, trying to avoid hitting the goose that had laid such a brilliant golden egg. But applications to divide, dredge, fill, and build buried local planning boards. Towns in the southern tier saw building permit applications double from one year to the next and grappled with subdivisions of 100 lots, when they had previously seen none bigger than a dozen. Many landowners were eager to leave their land as productive open space, but they simply couldn't afford it.

Paul Bofinger, longtime president of the Society for the Protection of New Hampshire Forests (SPNHF), knew it was time for a new solution. In 1984 he took a sabbatical to find it.

"Whatever would work would have to be something that fit the times and the New Hampshire scheme of things."

Paul Bofinger

"I set out thinking that somebody else had the magic wand—the experience or technique that I could bring back to New Hampshire," Bofinger said. "But in the final analysis, I realized that wasn't going to work. Whatever would work would have to be something that fit the times and the New Hampshire scheme of things."

Bofinger figured that direct acquisition of land and rights to land, all on a willing seller basis, was the only suitable response. He returned from sabbatical in 1985 with the germ of an idea: to offer cash to landowners to leave their land as open space. The concept wasn't new, but the scope was. Bofinger figured it would take 100,000 acres to make a dent and a whopping $50 million from the legislature. The SPNHF Board of Trustees swallowed hard and endorsed the plan.

"The Society set aside its own immediate priorities to try something truly visionary," said George Hamilton, who would become chairman of the Land Conservation Investment Program board. "It was a financial, political, and organizational risk. But that's what it took to get the ball rolling."

The SPNHF trustees and staff approached leaders from all arenas—conservation, business, finance, tourism, government, philanthropy, and civic groups—with questions as well as answers. The Homebuilders Association and The Nature Conservancy alike were asked how it could be accomplished.

Several elements quickly became clear. First, the times called for an all-out effort. No token project would meet the conservation needs of a burgeoning state that had not made a major commitment to land acquisition since 1963. Second, no single entity was big enough to pull it off. Despite missions that sometimes seemed at odds, groups would have to work in unprecedented harmony. And third, public money could only do part of the job.

"Even collectively there aren't enough public dollars to do the job. You have to move the public engine with private dollars," said Lewis Feldstein, president of the New Hampshire Charitable Fund. A new non-profit organization would have to be created to work in partnership with the state. In 1986, Feldstein and many other leaders signed on to become the initial incorporators of the Trust for New Hampshire Lands.

With seed money from the Charitable Fund, the Forest Society set out to inventory the best of what was left of New Hampshire. A team of interns spent the summer of 1986 talking to state agencies, local officials, foresters, biologists, botanists, and sportsmen. They found universal enthusiasm and long wish lists, and ended up with an inventory of more than 300,000 acres of the most critical land that the people of New Hampshire wanted to save.

It was time to see the governor.

"I sent John Sununu a four or five page draft of the proposal and made an appointment to see him," Bofinger said. "To his everlasting credit, he agreed with the proposal, suggesting only one change."

A uniquely New Hampshire solution takes shape

Nature, it is said, abhors a vacuum. New Hampshire abhors bureaucracy. So the Trust didn't ask for one. Private donations would fund administrative costs; public money would fund acquisitions. Nor would private donors, volunteers, or taxpayers be asked to sign on for life; the effort would have a six-year lifespan. Finally, to minimize impact on local tax rolls and state agencies, as much land as possible would be protected with conservation easements. (See definitions, page 9.)

Led by Rob Trowbridge, publisher of *Yankee* magazine, the Trust's team of fund raisers found people willing to open their wallets for a grand but untried idea. Some had profited from the boom. Others who had felt powerless to stop the change that threatened New Hampshire's way of life finally saw a way to help. Private donations started rolling in.

By the time the Trust for New Hampshire Lands was officially incorporated by representatives of



Rob Trowbridge, John Hardie, and Lew Feldstein, early leaders of the Trust, view the inventory map in 1986.

Chronology of Events

Spring 1986
SPNHF holds first meetings with conservation, business, government leaders

N.H. Charitable Fund makes grant to SPNHF to launch Trust for New Hampshire Lands

Summer 1986
Inventory of protection priorities identifies 300,000+ acres

Fall 1986
TNHL incorporated; private fund raising campaign begins

Winter 1986 – Spring 1987
Senate Bill 1 introduced in legislature; 500 volunteers contribute to grassroots outreach

May 1987
SB 1 signed into law (RSA 221-A) creates Land Conservation Investment Program and appropriates initial $20M

September 1987
TNHL campaign reaches $2.9M in private funds

"They gave us the promise that if the state would appropriate the money, we could use that money just to buy land because the private sector would pay the expenses."

Rep. Harold Burns

more than 150 separate organizations in October 1986, nearly $700,000 in private contributions had been pledged. A short year later, the total would leap to $2.8 million; eventually, it would top $3.2 million. In all, nine foundations, nearly 100 businesses, and 2,000 individuals pitched in.

Meanwhile, a sweeping grassroots public education campaign was underway to explain the concept and how donations of time, money, and sweat could make it a reality. Volunteers presented a slide show wherever people were willing to gather: garden and gun clubs, church, school, and community groups, Rotary, Kiwanis, and Lions clubs. Those who liked the idea were asked to sign a simple card saying so. Editorial support by the state's newspapers was unflagging.

When the legislation seeking public funds was drafted and filed in 1987, the idea had such broad support that Senate President Bill Bartlett assigned it the prestigious number Senate Bill 1.

At the bill's first hearing, the first speaker in support was Congressman Judd Gregg, the man who would succeed Sununu as governor. He was followed by bankers, loggers, hunters, agency heads, and farmers. Trust board member John Gemmill lugged a tub filled with cards signed by nearly 8,000 residents into the State House.

"New Hampshire was having its worst growing pains and everyone in the state was worried about slowing down development," recalled House Speaker Harold Burns.

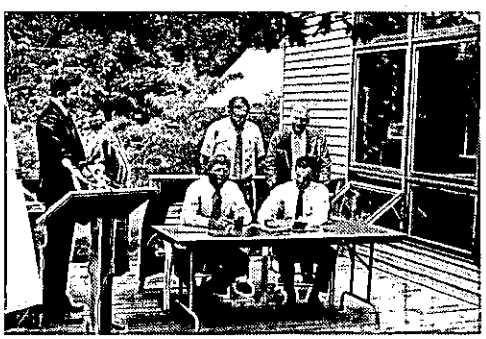
"They gave us the promise that if the state would appropriate the money, we could use that money just to buy land because the private sector would pay the expenses," Burns said. "That was such a good deal we had to take it. People were saying that if the state had to set up an agency to buy land, 20 or 30 percent of the money would have to be used for administration. With the private sector as partner, less than two percent of taxpayer money was used for administration."

Senate Bill 1 overwhelmingly passed the legislature, and was signed by Governor Sununu on May 25, 1987. The bill created the New Hampshire Land Conservation Investment Program (LCIP) and appropriated $20 million of the budget surplus; the legislature promised to consider continued funding if the program measured up. It did. Allocations of $18 million and $7 million were made in 1989 and 1991, respectively. Including interest, the state's contribution totalled $48.76 million.

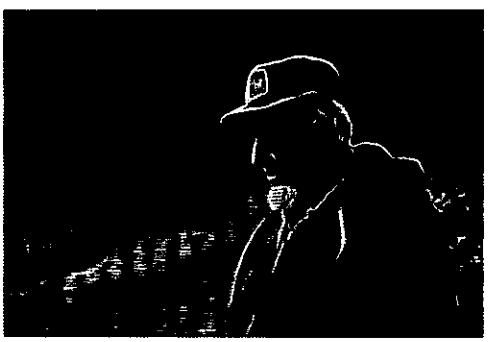
Getting it done

The legislation called for a state-appointed, 15-member LCIP Board of Directors to decide how to spend the public money. The board had nine voting members: two from the House of Representatives, two from the State Senate, and five private citizens representing diverse interests. Additionally, there were six non-voting members representing state agencies. The Trust for New Hampshire Lands would work with towns and landowners to bring projects to this board, which would review applications, vote on which projects to fund, and turn the land or easements over to the proper state agency or municipality.

The legislature charged the LCIP board to focus on acquiring threatened land offering "aquifer recharge areas, forested watersheds, recreation lands, areas of special scenic beauty, plant and wildlife habitats, critical farmlands, undeveloped



At the Lake Umbagog closing: Phil Bryce, James River Corp.; Sarah Thorne, TNHL; Brent Halsey, James River Corp.; Paul Bofinger, TNHL; George Hamilton, LCIP; Gov. Judd Gregg.



John Bakie of Kingston sold a conservation easement protecting the farm that has been in his family for 150 years. The property was one of six along the PowWow River conserving river frontage, wetlands, cedar swamps, and other resources. Property #99

Summer 1988
77 landowners apply to first LCIP state application round. LCIP funds first 12 municipal applications

October 1988
LCIP completes first transaction, 42,215 acres, including Nash Stream

December 1988
TNHL fundraising campaign reaches $3.3M

May 1989
Legislature funds LCIP with $18M more

December 1990
LCIP receives 46 applications in final municipal grant round

June 1991
Legislature funds LCIP with final $7M

December 1992
LCIP Monitoring Endowment created by legislature and funded with $1.2M by LCIP board

January 1993
LCIP funds last of 133 state acquisitions

May 1993
TNHL/LCIP exceed goal of 100,000 acres protected

June 1993
LCIP and TNHL close doors

"People had to talk about what happens when someone passes on. Where do we want our land and family to be in 100 years? That is not your average dinner-table conversation."

Kate Hartnett

shorelines, wetlands, flood storage areas...and parcels contiguous to or enhancing land already protected from development."

Organizers knew from the inventory that competition for funding would be fierce, and the LCIP would only have enough money to protect roughly one-third of the acreage identified. To earn public confidence, the selection process would have to establish a firm reputation for fairness.

Back before the legislation was finalized, in April 1987, Lew Feldstein had chaired a Trust committee charged with recommending criteria for acquisition. Snowmobilers, bankers, environmentalists, foresters, farmers, politicians, contractors, fishermen, state agencies, and real estate brokers had been called to a meeting at the old Highway Hotel to juggle their diverse interests.

Based on this group's work, the LCIP adopted a point system for evaluating parcels: the more of these qualities a parcel embraced, and the more competitive the price, the higher its score. The application process was open to all landowners and towns in the state, whether or not a specific property had been included in the 1986 inventory.

A key early debate centered on access. Many believed that those owners who made a gift of all or part of their property as part of a project should be permitted to ban hunting on the land. John Monson, chairman of the Fish & Game Commission and LCIP board member, disagreed.

"I think everyone quickly saw that the program had benefits for them that overshadowed any particular problem they might have with one issue or another," Monson said. "But early on, the policy from Fish & Game was that if state money was going into this effort, we would have to get more for the public than just the right to look at the protected land." After lengthy discussion, the board agreed that virtually all land protected by the program would be open to hunting, fishing, hiking, and certain other outdoor activities.

Things started to move quickly.

Concord banker George Hamilton, a former State Parks director and a graceful mediator, was chairman of the LCIP board. Will Abbott, Congressman Gregg's respected chief of staff, was hired as the LCIP's executive director. Forester Charles Levesque, the talented executive director of the New Hampshire Timberland Owners Association, was named program director of the Trust for New Hampshire Lands. Among the three, they brought to the process an intimate knowledge of the issues and deep understanding of the often prickly workings of the political process.

Sarah Thorne, SPNHF's top land conservationist and a skilled negotiator, organized and led the Trust's team of six land agents. The agents fanned out across the state, meeting with owners of priority lands, responding to inquiries, and helping landowners and municipalities prepare applications for funding.

Bringing it all back home

Land conservation is usually thought of in terms of the spectacular—the efforts to save great national parks like Yosemite or grand state landmarks like Franconia Notch. But for most, dramatic unspoiled vistas are the stuff of calendars, vacations, and memories. By definition, most people do not live where big chunks of land have been preserved.

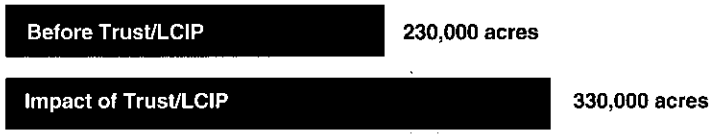
The Trust and the LCIP knew that if the ethic of stewardship is to last, at least a bit of nature must be set aside where people can make it a part of their daily lives. A child that grows up in the presence of butterflies values beauty and flight. Besides, it just makes good political sense; something the program's rules recognized by requiring that at least one-third of the state's first two installments be awarded to towns on a matching basis to protect *lands of local significance*. The rest of the funds were used to protect *lands of statewide significance* to be managed or monitored by state agencies.

To receive state funding, municipalities had to contribute at least half the value of the properties proposed for protection. But the local match did not



Just outside of busy Nashua lies some of the state's most productive orchard land, much of it owned or managed by Brookdale Fruit Farm. As a result of this LCIP easement, visitors from throughout the area who come to Brookdale for produce and pick-your-own fruit will always find this scenic farm undeveloped. Property #88

State and Local Conservation Lands



(estimates)

"We have won a restored confidence in the ability of the public and private sectors to work together and actually accomplish something truly significant."

Will Abbott

necessarily have to be in cash. It could be donations of land or conservation easements; a bargain sale in which the landowner sold at less than market value; private contributions or town appropriations; or any combination of the four options. This arrangement assured that not only wealthy towns would be able to afford to participate.

The Audubon Society of New Hampshire helped the Trust train community volunteers interested in the local program. Once a local task force or a few volunteers were in place, Trust land agents provided assistance, guidance, and negotiation skills until the town's application was complete.

"We worked with land agent Roberta Jordan for more than four years," said Kate Hartnett, one of the volunteers who put together a complex, six-parcel project to protect Deerfield's Great Brook and its watershed. "Some people had fairly extended families and went through a great deal of tribulation and emotional angst thinking about the future and how they wanted their easements to be structured. People had to talk about what happens when someone passes on. Where do we want our land and family to be in 100 years? That is not your average dinner-table conversation."

Ultimately, 78 municipalities acquired 246 properties and easements. While only a one-to-one match was needed, landowners donated an astonishing $9.46 million worth of land and easements—67 percent more than required.

Sometimes a community identified a tract that was so important that it was considered to be of statewide significance, which required no match. The last undeveloped stretch of shoreline on Webster Lake in Franklin was on the block and ready to be carved into houselots when the Trust and LCIP came into being.

"That part of Webster Lake means everything," said T.J. Slokum of Franklin's conservation commission. "The whole city was afraid that another developer with more power would come along and that would be the end of that. But the city had no funds to buy it." The LCIP ruled that it was in the whole state's interest to save the land, which will remain wildlife habitat and provide needed public access under Fish & Game management.

The story of Webster Lake was repeated on a far vaster scale in the North Country where the last pristine lakes were being threatened with vacation homes. James River Corporation sold 7.3 miles of the shoreline of remote Lake Umbagog to the state for a bargain price and agreed to easements on 2,259 additional acres. Boise-Cascade Corporation and three other landowners also got involved.

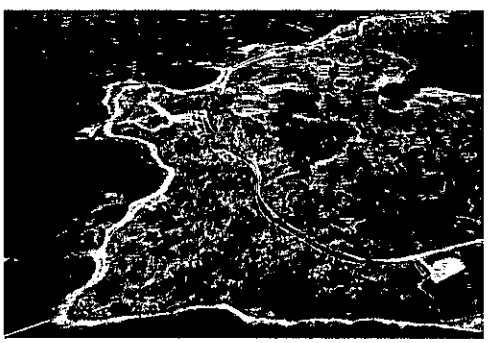
"This was really the first conservation easement of its sort that James River has ever done," said company woodlands manager Brad Wyman. The easement permits James River to continue to harvest timber on the property while preventing future development for other uses. "Ideally, I'd like to sell the development rights to every acre we have and just keep the timber. That's my personal opinion but one I think the company would agree with. Then we could go about our business of doing the best job we can of timber management."

A rare positioning of the stars

The story of the Trust/LCIP partnership is, in the words of dairy farmer and agriculture commissioner Steve Taylor, one of a "rare positioning of the stars." The will and talent to make the dream come true



Dunbarton residents gathered in September 1992 to celebrate the expansion of their town forest by 665 acres. Property #s 52, 53



Ralph Brown helped the NH Division of Parks meet its first acquisition priority by selling 64 acres of land across Route 1-A from Odiorne State Park. Property #159

Leverage of Public Funds

Public funds spent on land **$46.4 million**

Value of land protected **$83.3 million**

For every $1.00 spent on land, $1.80 worth of land was protected

"There are a lot of great ideas out there that go nowhere—ideas every bit as smart as this one was."

Lew Feldstein

was in place. The state's phenomenal growth made people eager to preserve what made New Hampshire New Hampshire.

Money earned during the boom made that spending possible. Finally, once the money was in place, the swift decline in real estate values allowed the state to protect far more land than it otherwise could have.

The legacy of the Trust and the LCIP is everywhere, as the following pages show. Yet much remains to be done. Many of the state's most beautiful lakes and ponds are still closed to the public. Critical lands still need to be shielded from the next surge in growth.

In the end, the major legacy of the Trust and the LCIP is both invisible and the future's best hope. New Hampshire has discovered a renewed commitment to conservation, an expanded sense of what is possible, and the knowledge and experience to make the possible a reality.

"We have won," said LCIP executive director Will Abbott, "a restored confidence in the ability of the public and private sectors to work together and actually accomplish something truly significant."

The Trust and the LCIP kept their vow to expire. But hundreds of New Hampshire residents—who witnessed the impacts of over-speculation and runaway growth that left banks bankrupt and thousands of un-needed homes half-built—have been trained in the ways of stewardship.

"Behind every piece of land in the matching program might have been 50 or 100 local people who had a feeling of sharing and accomplishment," said Charlie MacVeagh of Marlborough, who sat on the boards of both the Trust and the LCIP. Most of those people are unlikely to wait decades before acting in concert again.

"There are a lot of great ideas out there that go nowhere—ideas every bit as smart as this one was," Lew Feldstein said. "This idea could have been nibbled to death if each person took a chunk out of it. But people worked together and in the end, we were all reminded that our collective actions can accomplish great things."

A generation always hopes to make life better for the one that will succeed it. Only rarely do the members of a generation agree that the best way to do that is to guarantee that some things should be preserved, as is, to be passed along. Not as museum artifacts, but as living, working pieces of whatever New Hampshire is yet to become.

Ralph Jimenez of Concord, staff writer for the Boston Globe.



A LOOK AT THE LAND

Following are just a few highlights of the 379 tracts that have been permanently conserved through the Trust/LCIP partnership. A complete listing begins on page 28. The breakdown into resource sections is only for reference. Readers should keep in mind that all LCIP properties have a range of natural, recreational, and cultural values.



This boardwalk and an improved boat launch are part of the Great Bay Estuarine Reserve Visitors' Center, made possible by the LCIP purchase of 42 acres in Stratham. Property #173

Definitions

Full ownership (FO): Ordinary ownership of a property, in which the state or municipality acquires all rights to use and manage the property. Full ownerships acquired with LCIP funds are restricted to conservation use in perpetuity.

Conservation easement (CE): A legal agreement between a landowner and the state or municipality. Land under easement is still privately owned and managed, but must remain in conservation use in perpetuity. Generally, LCIP conservation easements allow agriculture and forestry, but prohibit residential and commercial development, mining, and other non-conservation uses. Conservation easements remain in place when land passes to new owners, and the land remains on local tax rolls. In all but a handful of LCIP easements, the landowner granted public access for walking, fishing, and hunting.

Note: Property numbers refer to map on pages 16-17 and property lists beginning on page 28.

FARMLAND

94 tracts with 5,682 acres of productive farmland

14 working farms on the Connecticut River

6 Bicentennial Family Farms

7 orchards/pick-your-own fruit farms

The New Hampshire landscape is like a three-legged stool: one leg is the vast forest resource, the second is the diverse built environment, and the third is the patchwork of farms carved from the forest by our ancestors and kept open by successive generations.

Of the three legs, farm land is the most fragile and imperiled. Less than five percent of the state is still in active crop production, as farmers have succumbed to tight margins, volatile markets, and a harsh growing climate. Very often, farm land is the first to be targeted for development because it has better soil conditions and fewer impediments to construction. Consequently, the number of farm units in New Hampshire plummeted from 3,800 in 1968 to 2,600 in 1992.

Knowing that the sale of a conservation easement can often enable a farm family to stay in business, the Trust and the LCIP identified agricultural land as one of the highest priorities. It was clearly recognized that protecting outstanding farm properties accomplishes a number of public policy goals, including:

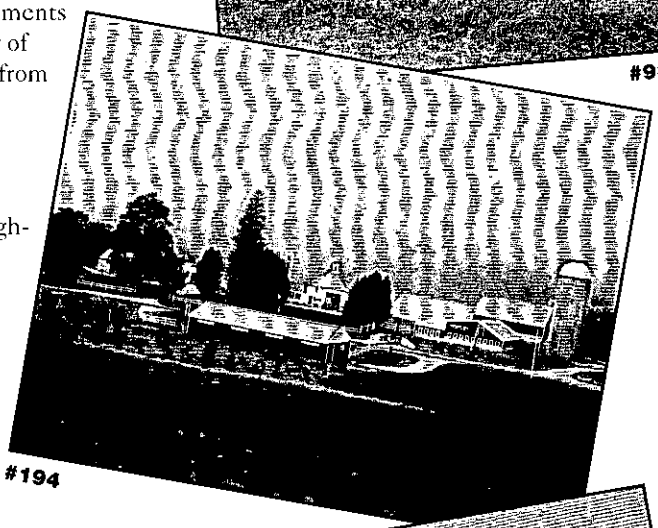
- Preservation of superior soils, helping to assure continued supplies of locally grown foods
- Continuation of strong representative farm units, which contribute significantly to local economic activity and jobs
- Protection of the historic arrangement of fields, forests, and buildings that is so integral to our distinctive rural heritage and scenery

Agricultural lands also support many values—including recreation, wildlife, rare habitat, and water quality—that are described in other sections of this report.

Permanent protection of some 5,682 acres of New Hampshire agricultural land by the Trust/LCIP partnership has gone a long way to strengthen our three-legged landscape stool.

Steve Taylor, Plainfield
Commissioner, NH Department of Agriculture/LCIP board member


#93


#194


#129

Property #93, Beech Hill Farm, Hopkinton, 239 acres, CE: NH Dept. of Agriculture Soon to enter its ninth generation of Kimball family ownership, this nationally recognized Bicentennial Farm is notable for its traditional homestead and barn tucked among rolling fields and forest. The Kimballs have proudly shown their prize-winning dairy herd at the Hopkinton Fair every year since it began in 1915.

Property #194, Windyhurst Farm, Westmoreland, 217 acres, CE: NH Dept. of Agriculture Perhaps best known for its picture-perfect setting, Windyhurst Farm is a firm anchor in the Connecticut River valley dairy industry. Outstanding bottomland soils and decades of careful stewardship by the Adams family supply the dairy needs of 5,000 people a day. Public access to the river is ensured for boating, walking, hunting, fishing, and other pedestrian activities.



#s 2, 4

Property #129, Spring Ledge Farm, New London, 53 acres, CE: Town of New London From this farm stand, John and Sue Clough market fresh vegetables and flowers grown on their prosperous farm. The farm's proximity to New London village and a pedestrian footpath linking to other protected lands helped make it a top priority for protection in the community.

Property #s 2, 4, Bascom Sugar House & Dairy Farm, Acworth/Charlestown/Langdon, 750 acres, CE: NH Dept. of Agriculture With 250 acres of sugarbush, the Bascoms are recognized leaders in the state's maple products industry and account for about ten percent of the state's annual syrup production. The Bascoms have plowed their LCIP funds right back into the land, making farm improvements and buying additional land.

FORESTS

State's largest sugarbush

88,000 acres of forestland

43 certified Tree Farms

In this second most forested state in America, a land conservation program is bound to end up protecting lots of trees. But what about forests?

The NH Division of Forests & Lands projects that by the time New Hampshire's population reaches two million—probably around the year 2030—fully one-quarter of the state's working timberlands will have disappeared. Acres available for long-term forest management will drop from three in five to one in three. In an even shorter period, by the year 2000, the state is likely to have 90,000 forestland owners—most owning less than 40 acres.

It's easy to see why such fragmentation should concern the 13,000 Granite Staters who work in the forest products industry, not to mention the many more thousands who indirectly benefit from the approximately one billion dollars the industry generates every year. But the importance of large forested tracts goes far beyond economics: When land is removed from the working timber base and forestry becomes unviable, many non-timber values—clean water, wildlife, recreation, and scenery—are lost as well. And that's everyone's concern.

On those forestlands that were protected by the LCIP, the land's value is now solely in the forest, not in its potential for development. Consequently, owners have the incentive to pursue long-term stewardship. These projects included 43 certified Tree Farms, 14 tracts over 1,000 acres in size, and innovative conservation easements with commercial forestland owners, stretching public dollars and leaving land in the tax and timber base.

It is to be hoped that these lands will serve as permanent reminders that working forests are inseparable from New Hampshire's distinctive landscape and way of life.

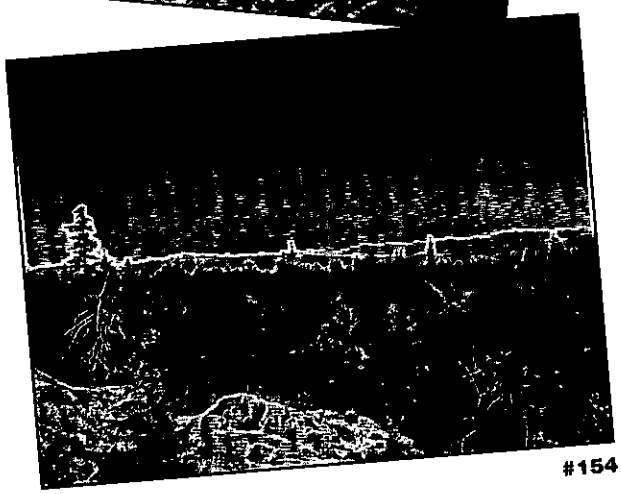
Richard Ober, Webster
Communications Director, Society for the Protection of New Hampshire Forests



#s 156, 184



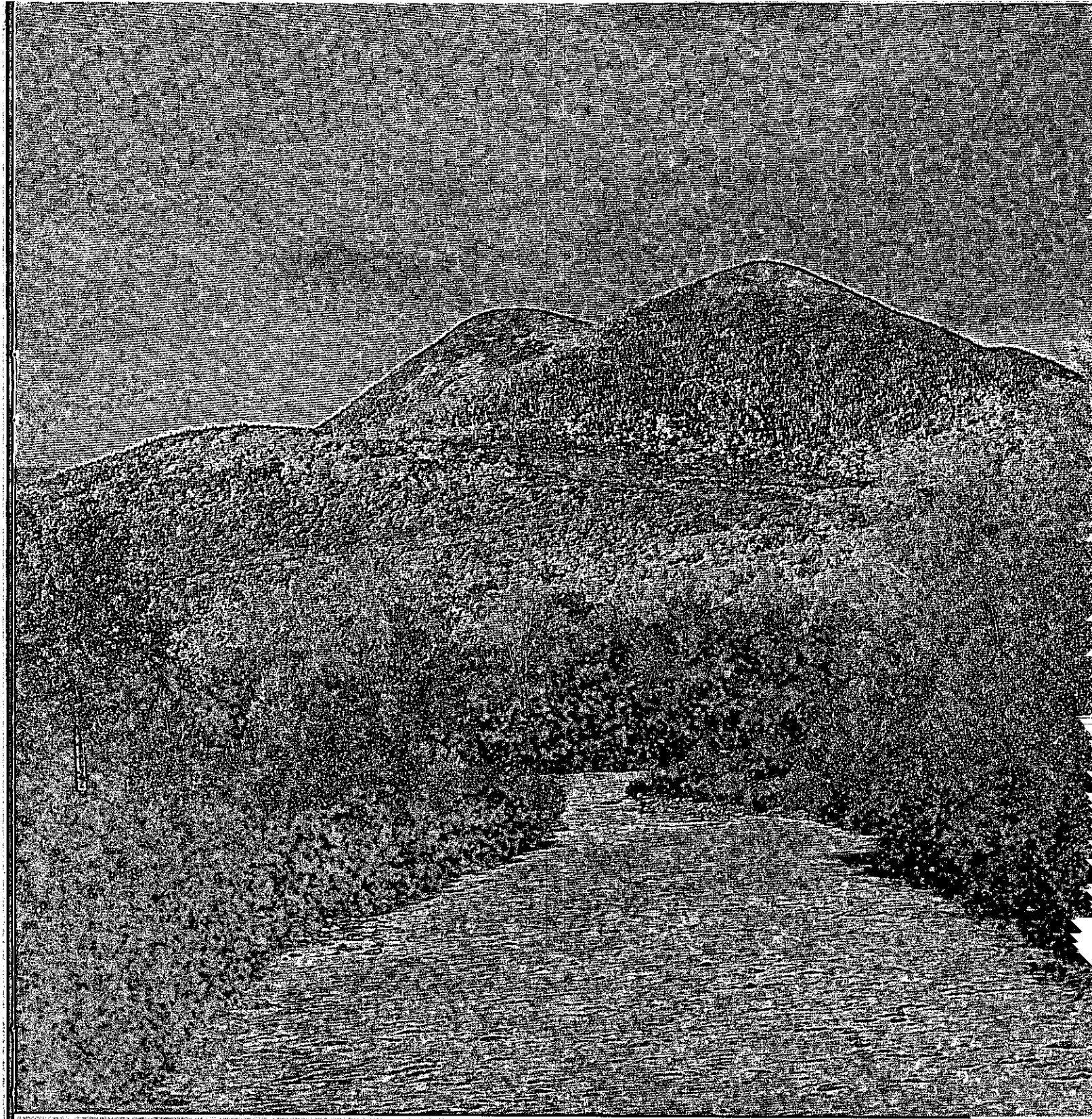
#42



#154

Property #s 156, 184, Little Monadnock Forest, Troy/Fitzwilliam/Richmond, 1,818 acres, CE: NH Forests & Lands On the westerly slopes of Little Monadnock Mountain, several decades of selective forest management by Tree Growers, Inc. have produced a healthy hardwood forest with exceptional oak stands. The easement encourages continued forest management, and ensures public access. Together with Rhododendron State Park and neighboring lands, over 2,700 acres are now protected around Little Monadnock.

Property #42, Yatsevitch Tree Farm, Cornish/ Plainfield, 800 acres, CE: NH Forests & Lands Michael Yatsevitch has operated this exemplary Tree Farm since 1961, nurturing a sustained yield forest rich with wildlife and open to hikers, hunters, and snowmobilers. Michael's brother Gratian donated an easement on his neighboring 173 acres to enhance the project's conservation value.



#168

Property #154, Plymouth Mountain, Plymouth, 1,100 acres, CE: Town of Plymouth A local favorite for hiking and views, Plymouth Mountain is valued also for its productive forest and wildlife habitat. To purchase an easement on the 1,100-acre property, town volunteers assembled a project that included three neighboring forested ownerships. The land is managed by a commercial timberland owner.

Property #168, Nash Stream Forest, Stark/Odell/ Stratford/Columbia, 39,601 acres, FO: NH Forests & Lands The LCIP's first and largest purchase was part of Diamond International's land liquidation in 1988. To be managed as a state forest subject to a federal easement, this vast watershed will remain in the North Country's timber base. Percy Peaks, snowmobile and hiking trails, Nash Stream, Trio Ponds, and the forest's bear, moose, and trout will remain forever in the public trust.

LOCAL LANDS

78 towns and cities participated

246 tracts of land protected

95 landowners donated matching land gifts worth $9.46 million

The last farms in Portsmouth and Derry were saved

Local does not always praise. We tend to think the places that are important, places to be protected, are the places somewhere else. Places we have to go to. Places out of town. *Local* suggests what is ordinary and familiar.

But what makes *local* familiar may be what makes it matter. In each of our communities, there are places that have special meaning for us. We are oddly agreed on what they are. And in ways we may not speak of, we depend on them to tell us where we are, and who we are.

We need places to breathe in. Places to pause for, to look at, to walk in. Places near where we live. Not places we have to wait to go to or to vacation in. Places that prompt us to say daily, "that's why I live here."

The Trust and the LCIP invited us to look at these places more carefully: to see what is vested in what is *local*. Neighbors talked to neighbors. And where communities were agreed in recognizing which places were most important, a purse was opened to ensure that some of these survive for us, and after us.

These are real places. Places we feel part of, that feel a part of us. They may show the rubs and marks that come from being lived in; they don't have to be a park. They are places of essential scenery, that give setting to our lives. There is something in them we are aware of. Maybe we can't name it, or choose not to. But we would feel its loss if it were not there.

Mary Lyn Ray, South Danbury
Volunteer coordinator for local LCIP task force



Property #161, Sandwich, 846 acres, Red Hill Pond, CE: Town of Sandwich Sandwich's prime wetlands system and two entire ponds were protected in this innovative local project, made possible when five owners donated substantial gifts of land value. With $250,000 from the LCIP and a few thousand in private contributions, the town protected $884,500 worth of land without any municipal appropriation.

Property #155, Hett Farm, Portsmouth, 55 acres, CE: City of Portsmouth Established in 1647 as the Walford Plantation, the Hett property by the 1980s was Portsmouth's last farm and listed by local residents as a top priority during the pre-LCIP inventory. The LCIP, the City of Portsmouth, and the Hett family each contributed one-third of the easement acquisition cost.



#s 109, 111

Property #8, Souhegan River access, Amherst, 42 acres, FO: Town of Amherst Amherst volunteers, including Jody Kaufmann, put together an LCIP project to purchase this access site, cleared poison ivy, smoothed out a parking area, built a handy set of stairs, and hung a shingle beside the road to announce the Souhegan Canoeport. As a result, all who enjoy paddling the lazy, winding section of river will always have convenient access.

Property #s 109, 111, Loudon farmland, Loudon/ Pittsfield, 1,243 acres, CE: Town of Loudon The people of Loudon identified these family farms in the historic Sanborn Hill area as the foremost protection priority in town. In all, five families sold easements, each donating half the appraised value to provide the local match. Abutting LCIP easements held by NH Fish and Game bring the mosaic of protected land here to over 2,000 acres.

LAND FOR NEW HAMPSHIRE

Location of lands protected by the Land Conservation Investment Program, 1987-1993. 100,876 acres in 379 parcels

Legend

LCIP State Acquisitions
Full Ownerships: 50,752 acres (60 parcels)
Conservation Easements: 25,911 (71 parcels)

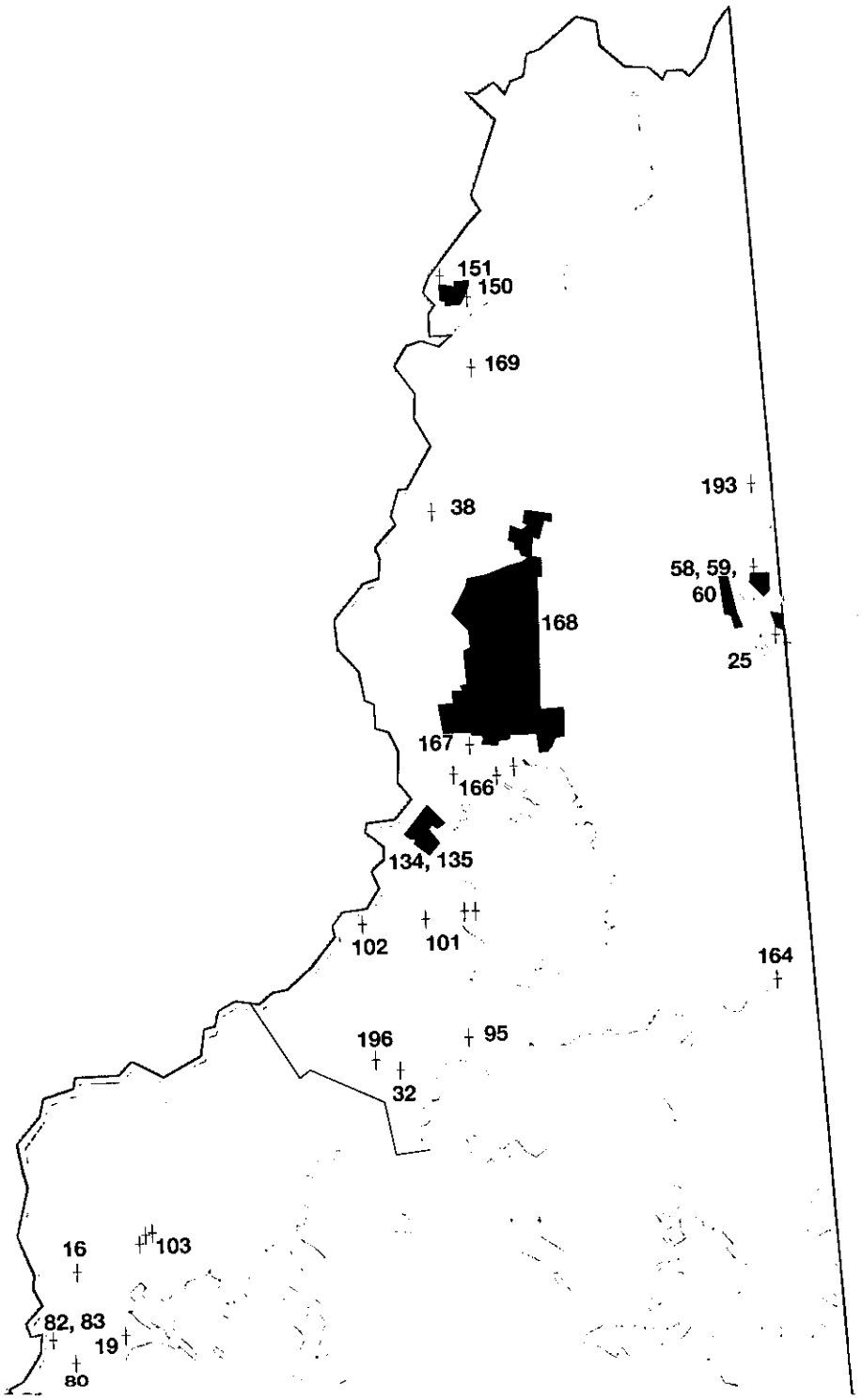
LCIP Local Acquisitions
Full Ownerships: 5,955 (90 parcels)
Conservation Easements: 18,258 (158 parcels)

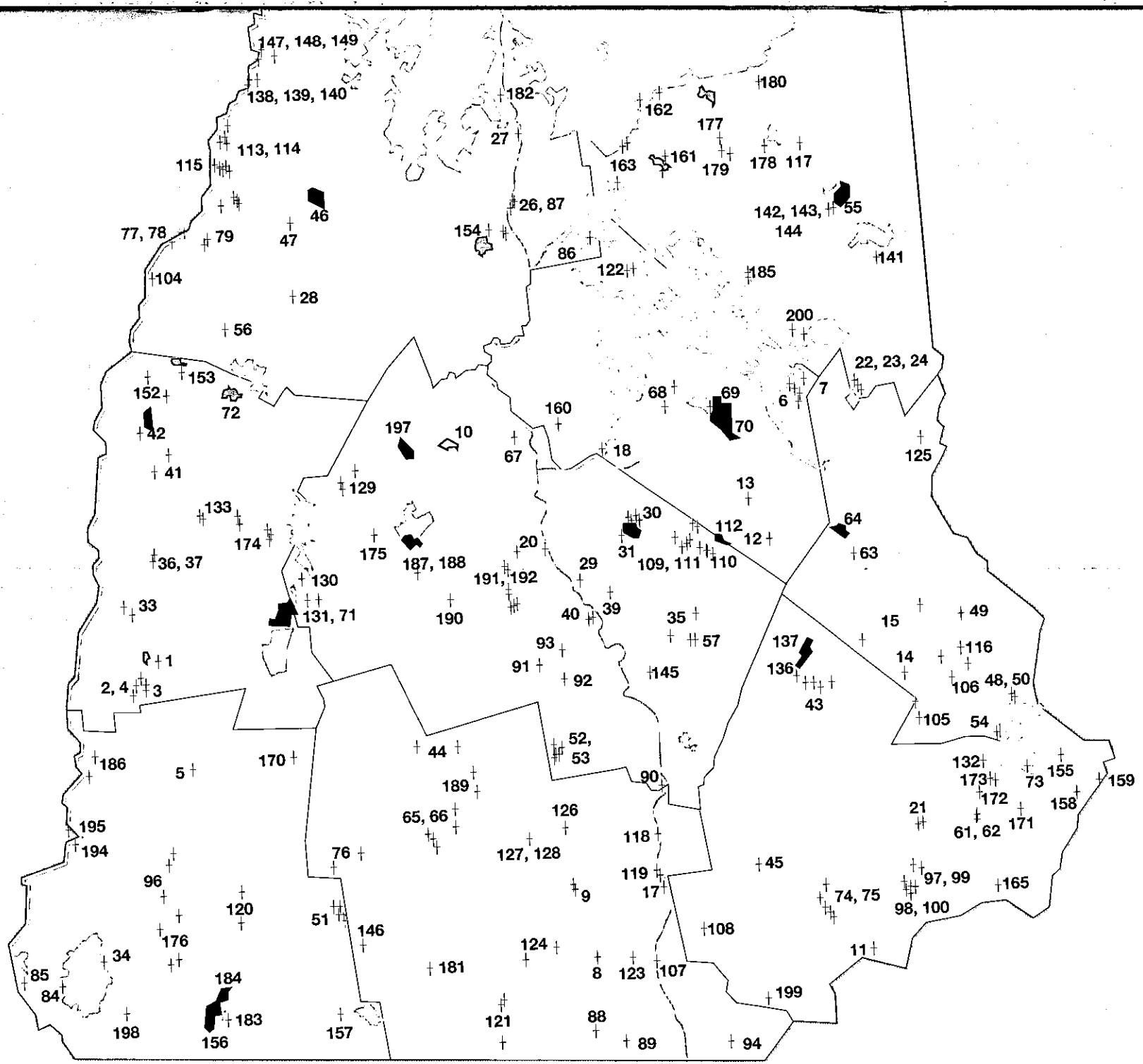
Selected State & Federal Lands Pre-LCIP

Water Bodies

Properties under 500 acres appear as crosshatch † or † Numbers refer to data lists beginning on page 28. Some numbers encompass multiple properties.

Source: NH GRANIT (Geographically Referenced Analysis and Information Transfer System). Produced by Complex Systems Research Center, UNH




147, 148, 149
138, 139, 140
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SPECIAL HABITAT

Habitats for 48 rare, threatened or endangered species

11 eagle wintering areas

World's best population of *Isotria medeoloides*

5 properties with rare cedar swamp communities

Even in our memory, we have witnessed a loss of the abundance and diversity of New Hampshire's wildflowers. The primary reason for these declines is the loss of natural habitat. Some plants and their habitats have diminished to the extent that they are now considered rare.

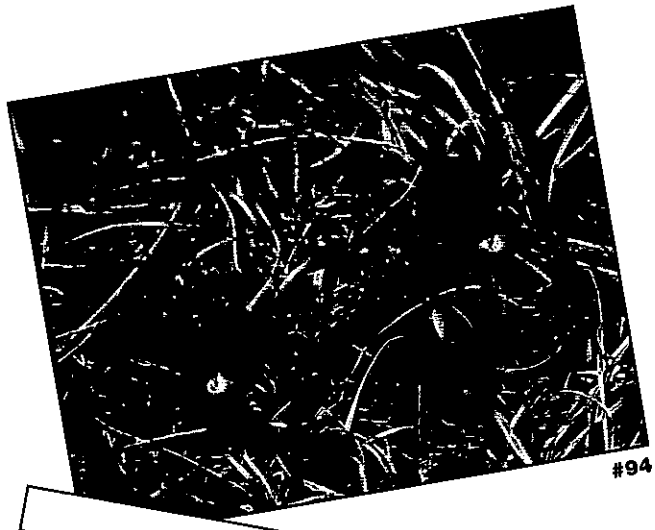
At the present time, some 300 species of plants (approximately 6 percent of the wild plants in the state) are considered rare in New Hampshire. The small whorled pogonia is one of three New Hampshire plants that are so rare globally that they are also on the Federal Endangered Species list — meaning they are in danger of extinction.

When a species becomes rare or extinct, it diminishes the beauty and diversity of our world and upsets the balance of nature. We may even be losing important sources of medicine or food. The most direct and cost effective way to preserve rare plants is to preserve their habitats before they are endangered. In doing so, we also save islands of natural landscapes.

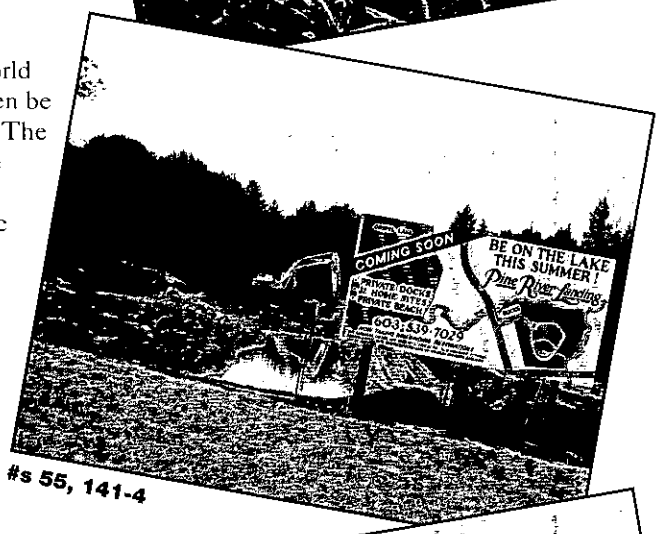
The Trust/LCIP partnership has provided an impetus to conservation efforts in New Hampshire by protecting 75 sites of special habitats that are home to 48 different rare species. Pine barrens, tidal marshes, cedar swamps, rare plant communities, special animal habitats, and other unique examples of natural communities have been forever set aside.

The citizens of New Hampshire are proud of the beauty and ecological significance of our state. We are indeed fortunate that, thanks to the work of the Trust/LCIP partnership, these components of our natural heritage will be preserved.

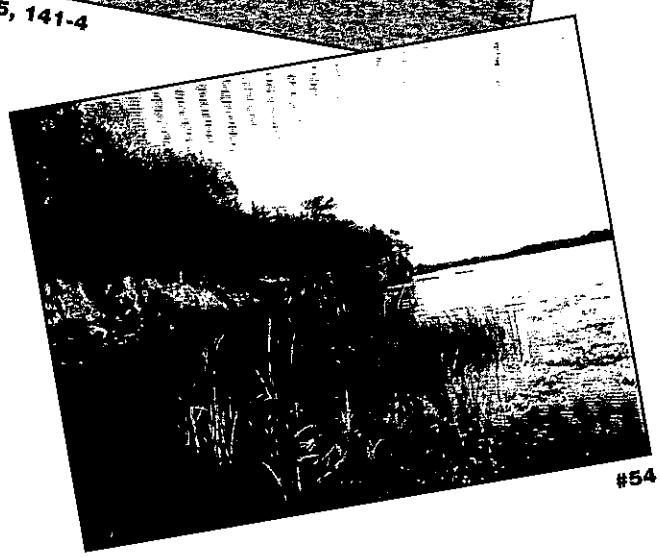
Frankie Brackley Tolman, Nelson
Botanist, Keene State College



#94



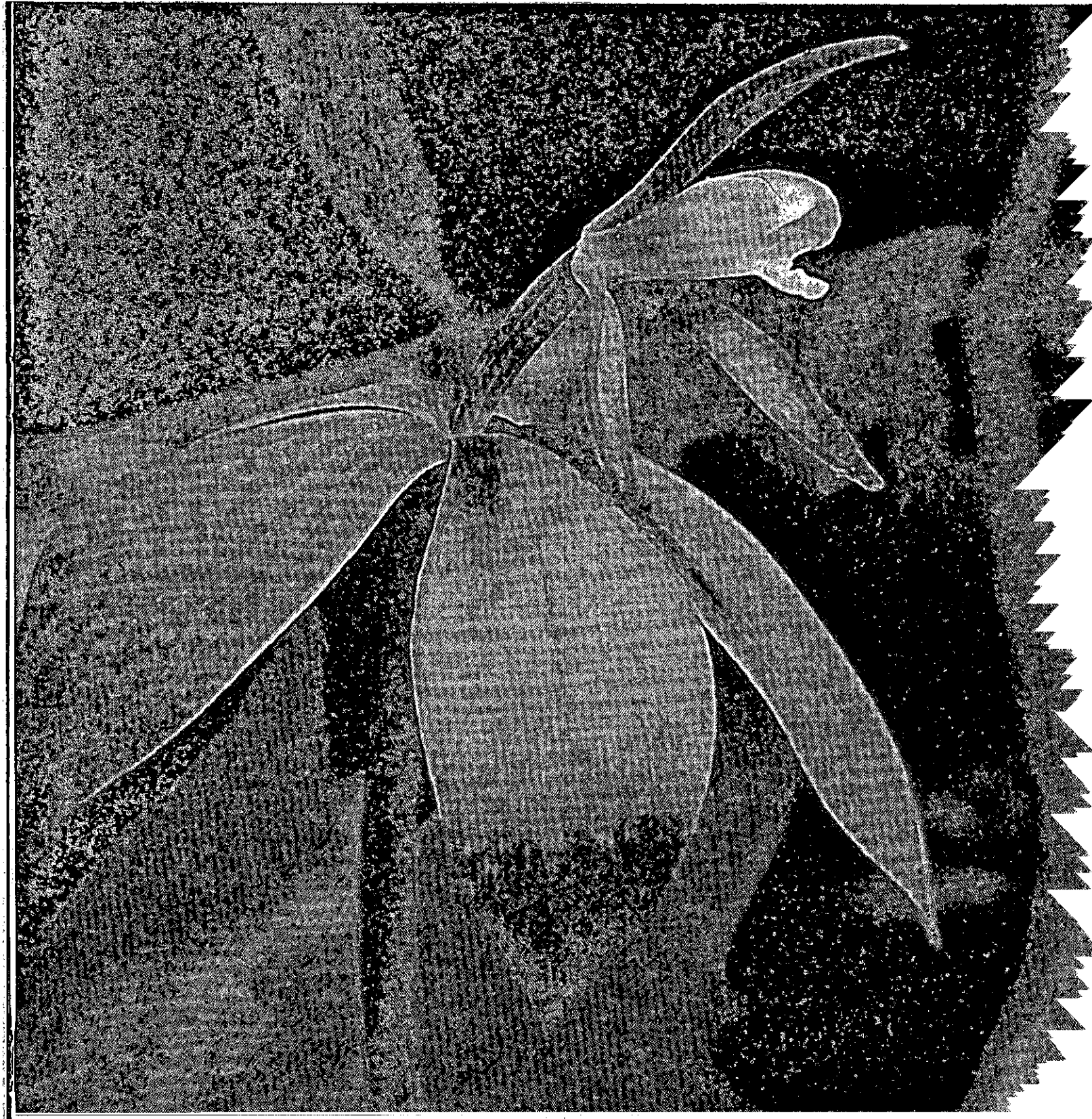
#s 55, 141-4



#54

Property #94, Musquash Brook Corridor, Hudson, 393 acres, FO: Town of Hudson The bird's foot violet (*Viola pedata var. linearriloba*) flourishes in extreme southern New Hampshire in dry, rich woodlands, a rare community type that has been nibbled away by development. Its habitat here in Hudson is nearly surrounded by houselots, but generous reduced-price sales by the Nash and Hamblett families have permanently preserved this ecologically significant area.

Property #s 55, 141-4, Pine River, Ossipee/Effingham, 1,217 acres, FO: NH Parks & Recreation/ Forests & Lands Just beyond this sign—now irrelevant—the Pine River quietly meanders through an unusual, glacially formed landscape that includes dramatic gravel eskers, kettlehole bogs, and habitat for several rare species. The LCIP acquisitions protected 3.5 miles of shorefront on the river, abutting Ossipee Lake State Park and Pine River State Forest.



Property #54, Wilcox Point, Great Bay, Durham, 37 acres, FO & CE: NH Fish & Game In wintertime, bald eagles depend on the Great Bay estuary for its rich fishing and open water, and Wilcox Point provides the most significant roosting site. Without the extraordinary cooperative funding effort of the LCIP, Audubon Society of NH, National Fish & Wildlife Foundation, Great Bay National Estuarine Research Reserve, and The Nature Conservancy, this beautiful point would have become high-priced houselots.

Small-whorled pogonia *Isotria medeoloides*, the small-whorled pogonia, is classified as a federally endangered species. Most of the few occurrences of this extremely rare orchid are located in New Hampshire. Three sites for this plant have been protected by the LCIP, including the best population known in the world.

TRAILS

153 miles of hiking, skiing, and/or snowmobile trails

6.2 miles of the Heritage Trail

15 designated snowmobile routes

For how many of us has an experience on a trail opened our eyes? How many of us would know the world around us, or perhaps even ourselves, without the introduction provided by a trail?

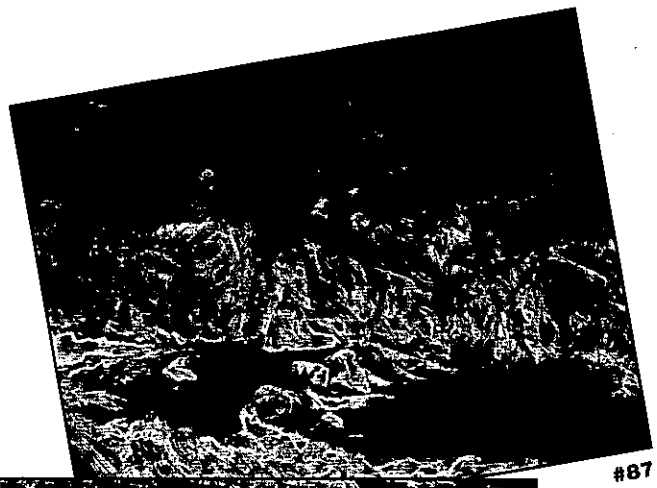
Trails provide access—both physical and personal—to the world around us. With access comes awareness. With awareness comes appreciation. With appreciation comes action to conserve the experience and the opportunity for others. And at the beginning is the trail.

Yet trails provide more than just a beginning. They also connect us with other people and new places. Trails are a tangible reminder that communities and ecosystems are inextricably linked.

But for all their power, trails are fragile and easily broken. Like a chain when one link is gone, the whole can be rendered useless by the loss of one section. Here is where the work of the Trust and the LCIP is so critical. Some 153 miles of trail corridor have been protected forever: Access to mountains and lakes...connections between parks and forests...paths for people and animals along 15 of our rivers, which are themselves trails of water.

Perhaps most important is that, like a trail, the Trust/LCIP partnership itself is a beginning and a connection. A beginning of awareness and action to conserve the land of New Hampshire; a connection between that land and the people who love it.

Stephen D. Blackmer, Canterbury
Director of Conservation Programs,
Appalachian Mountain Club



#87



#119



#46

Property #87, Livermore Falls, Campton/Holderness, 42 acres, FO: NH Forests & Lands The power of the Pemigewasset River, the remains of a turn-of-the century pulp mill, and deep salmon pools are all part of this unique property's appeal. Considered as recently as 1991 for a hydropower site, the spectacular gorge at Livermore Falls was purchased to remain a natural feature along the Heritage Trail.

Property #119, Heritage Trail, Manchester, 17 acres, FO: NH Forests & Lands Hikers and fishermen have long enjoyed this forested stretch along the Merrimack, one of Manchester's last undeveloped riverside parcels. But in 1988, 3,100 feet of riverfront was approved for a 51-house development. With the LCIP purchase, Manchester created one of the first links in the state-length NH Heritage Trail, instead of another batch of housing units.



#43

Property #46, Cummins Pond, Dorchester, 665 acres, CE: NH Fish & Game Snowmobiling families can rest easy knowing this important trail link in Dorchester is protected by an LCIP conservation easement. The easement preserves the entire shoreline of beautiful, remote Cummins Pond, which provides home to a pair of loons, as well as bear, moose, bobcat, and other wildlife that depend on secluded habitat.

Property #43, Great Brook Corridor, Deerfield, 751 acres, CE: Town of Deerfield In this ambitious local project, volunteers in Deerfield connected six different ownerships with a two-mile footpath. Located along Great Brook, the new trail skirts beaver flowages and offers overlooks to the hills beyond. Deerfield residents, including Al Jaeger and Kate Hartnett, now enthusiastically team up to build, maintain, and hike it.

WATERFRONT

51 new boat access points on ponds, lakes, and rivers

90 miles frontage on 62 rivers and streams

56 miles frontage on 65 lakes and ponds

7 properties on Great Bay

Ask anyone what's special about New Hampshire, and you'll hear something about water. Ask why waterfront needs to be conserved, and the most common answers will be public access and water quality.

In New Hampshire, the more than 750 lakes and ponds over ten acres and virtually all navigable streams are public waters. But remarkably, our people have no access to the vast majority of these waterways, a problem that was accelerated dramatically with intense shorefront development in the mid-1980's.

The LCIP made access to water a clear priority, establishing 51 new boat access points to 16 rivers and 23 ponds and lakes. Some sites will see fairly intensive use as developed boat launching ramps; others will offer carry-in boat access, secluded shoreline fishing, and trails.

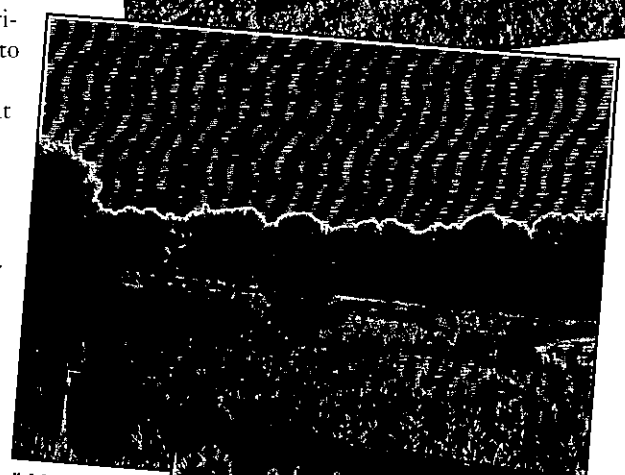
For clean water, the key is prevention. Protecting land that drains into public waterways and creating natural protective zones buffer waters from fertilizers, eroded topsoil, auto fluids, septic effluents, and other pollutants. Protecting wetlands and floodplains preserves natural processes for filtering water and controlling floods. Setting aside aquifer recharge areas protects drinking water supplies.

All of these functions and more were accomplished by the Trust and the LCIP. In all, the program protected 90 miles of shoreline on 62 rivers and major streams, and another 56 miles along ponds and lakes. Other projects covered watersheds for public water supplies. It is now our joint responsibility to ensure that these lands are cared for in perpetuity at the same time that they are enjoyed by the public. In that way, they will serve as models of stewardship for the rest of the state's aquatic jewels.

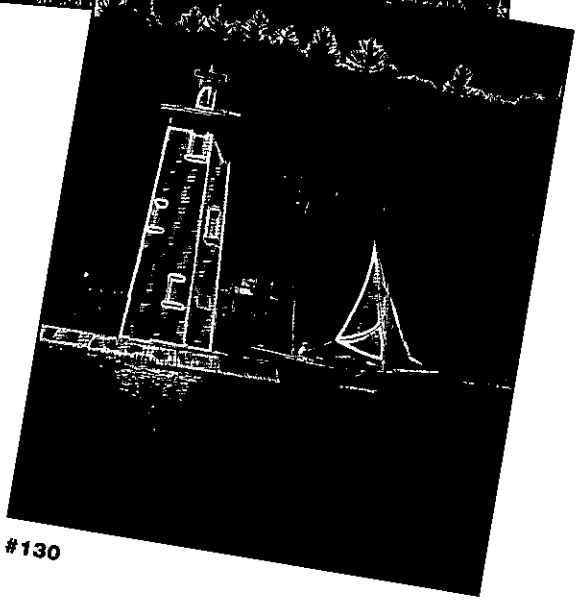
Tom Howe, Gilmanton
Executive Director, Lakes Region Conservation Trust
TNHL Incorporator



#7



#107



#130

Property #7, Knight's Pond, Alton, 251 acres, CE: NH Fish & Game This pond will remain completely undeveloped, thanks to the foresight of shorefront owners, the Lakes Region Conservation Trust, and the LCIP. The secluded and quiet spot is valued for warm-water fishing. Boaters can now put in at a new hand-carried access site, while hikers enjoy a pond loop trail.

Property #107, Merrimack River access, Litchfield, 7 acres, FO: NH Fish & Game Prior to the LCIP, there was no public access on the east shore of the Merrimack from downtown Manchester to Hudson. Just beyond this field, the LCIP purchased land for cartop boat access and streambank fishing off Route 3A in Litchfield.



#67

Property #130, Lake Sunapee access, Newbury, 133 acres, FO: NH Parks & Recreation Although one of New Hampshire's most beautiful lakes, Sunapee has long suffered from a shortage of public access—until now. In an extraordinary example of stretching public dollars, the LCIP purchased a piece of land—once valued at $3.2 million—for $595,000. The result is a new boat ramp and conservation land abutting Sunapee State Park.

Property #67, Webster Lake access, Franklin, 151 acres, FO: NH Fish & Game Ice fishing and other activities are popular on Webster Lake. So when the last undeveloped shorefront was approved for a seven-lot subdivision, local people worked overtime to to save it. The resulting LCIP purchase provides the only state boat access on the lake.

WILDLIFE

Two-thirds of LCIP properties protect significant wildlife habitat

57 have deer wintering areas

119 conserve waterfowl habitat

12,800 acres in coastal and major river corridor migratory routes

New Hampshire's native wildlife species are challenged by ceaseless quests for food, water, shelter, and viable places to raise their young. While several factors can impact their success—including weather, disease, and predation—no single component is as important as quality habitat.

New Hampshire has always had a rich diversity of habitats, from salt marshes and open waters to alpine tundra and vast forests. But during the 1980's, an unprecedented wave of development altered or destroyed habitat for many species. Both game and non-game species were affected, as nesting and breeding areas, wintering grounds, and stopovers for migrants disappeared.

In every region of the state, the Trust and the LCIP helped stem this tide of habitat loss. For species such as moose and bear that require large ranges, the program created or expanded 14 unbroken forested tracts of over 1,000 acres, and three of over 10,000 acres. Protection of some 12,800 acres in towns along the Merrimack/Pemigewasset river valleys and in the coastal region ensure perches for osprey and eagles and resting and feeding habitat for migrating birds. More than 50 tracts protect deer wintering areas and more than 100 include significant waterfowl habitat. Others support wild turkeys, furbearers, small game, heron rookeries, vernal pools, and breeding areas for raptors and songbirds.

Wildlife is an integral part of New Hampshire, and the task of protecting habitat will never end. But the Trust and the LCIP have made a giant leap forward, and all the state's inhabitants will benefit for generations to come.

D. Dickinson Henry, Jr., Concord
President, Audubon Society of New Hampshire

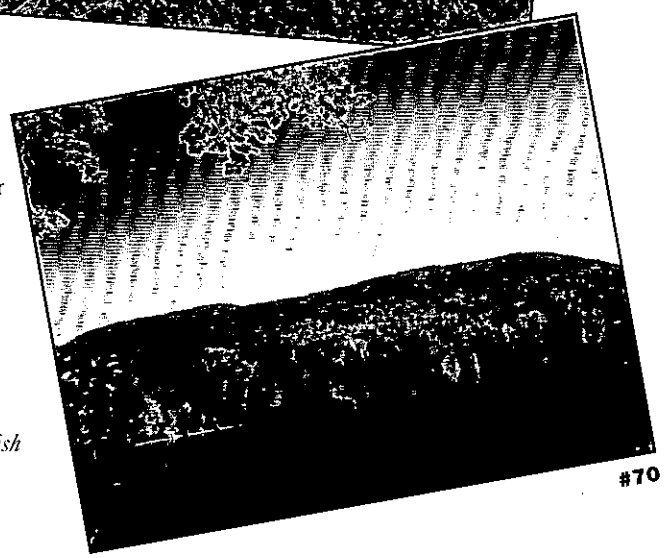
Dr. Donald Normandeau, Goffstown
Executive Director, New Hampshire Department of Fish & Game



#s 48, 50



#79



#70

Property #s 48, 50, River Run, Dover, 400 acres, FO: NH Fish & Game "River Run" was to be a luxury home development; instead, the developers sold the land for a managed wildlife habitat area. The fields, forest, and tidal marsh on the Bellamy River support waterfowl and upland game, and preserve a magnificent landscape just outside downtown Dover.

Property #79, Huntington Hill Farm, Hanover, 439 acres, CE: NH Fish & Game Using innovative forest and field management techniques, Sam and Joanna Doyle have taken a hilltop farm and created extremely productive habitat for wildlife ranging from songbirds to bear. Both sportsmen and hikers enjoy access to the property along a three-mile trail that interprets the family's exemplary management efforts.



#s 25, 58, 59, 60

Property #70, Hidden Valley Boy Scout Camp, Gilford/Gilmanton/Alton, 3,269 acres, CE: NH Fish & Game Five miles of frontage on four great ponds, two extensive wetland systems, a heron rookery, deer wintering areas, and major travel corridors are all secured by this easement. Daniel Webster Boy Scout Council not only brings 1,700 campers here every year, but also opens the property to the public. Abutting protected lands create a 6,000-acre block of contiguous conservation land.

Property #s 25, 58, 59, 60, Lake Umbagog, Errol, 3,348 acres, FO & CE: NH Forests & Lands Umbagog has the richest habitat in New Hampshire. Osprey, loon, ducks, bear, and moose are abundant. Several paper companies and large landowners sold land and easements that permanently prohibit development and ensure access, while allowing timber harvesting on easement land. Fourteen miles of shoreline were conserved by the LCIP; additional land is protected by the US Fish & Wildlife Service.

INTO THE FUTURE

Stewardship of conservation lands presents both opportunity and challenge

Since 1987, the Land Conservation Investment Program has increased the aggregate total of state-protected lands by two thirds. Fish and Game land and easements have doubled. Department of Agriculture easements have increased five fold. State forests, parklands, and easements have grown by 55 percent. Based on the best available figures, we estimate that the LCIP helped municipalities increase the total amount of locally protected land by 80 percent.

New Hampshire Monitoring Endowment

Anticipating these unprecedented stewardship responsibilities, the Trust for New Hampshire Lands and the LCIP began planning in 1989 to help meet them. This culminated in December of 1992 with the creation of the New Hampshire Monitoring Endowment.

The endowment was authorized by the legislature and funded by the LCIP with interest earned on its original appropriation. Income from the endowment will be used for two purposes. First, to track lands protected under the LCIP's local grant program to assure that these lands are not converted from conservation use. Second, to coordinate and help fund monitoring of LCIP easements held by state agencies.



Easement monitoring requires annual flights, careful review of aerial photographs, surveys, and Geographic Information System maps to ensure easement terms are followed. Independent cartographer Greg Smith and Trust for NH Lands assistant director Brenda Lind work with some of the tools of the trade.

The Council on Resources and Economic Development, made up of state agency heads and chaired by the director of the Office of State Planning, is responsible for ensuring that LCIP-protected lands remain in conservation use in perpetuity. The monitoring endowment legislation, an amendment to the statute creating the LCIP, RSA 221-A, is a critical means of carrying out this responsibility.

The endowment will help fund aerial monitoring, site inspections, and landowner consultations for the state-held easements. New LCIP full ownerships are being integrated into the agencies' land management systems. State full ownerships will not benefit from monitoring endowment income. Therefore, it is critical that the agencies' management budgets are adequately funded.

To help safeguard municipal LCIP lands—both full ownerships and easements—the endowment will provide funds to employ a resource person to:

- respond to questions from municipalities;
- deliver monitoring workshops for municipal volunteers and officials;
- check annually on the results of the municipalities' monitoring programs;
- initiate corrective and ultimately legal action if LCIP lands are used for other than conservation purposes.

To better care for all LCIP easements, Brenda Lind, assistant director of the Trust for New Hampshire Lands, wrote *The Conservation Easement Stewardship Guide*, which has been distributed nationally. To train municipalities in the intricacies of conservation easement monitoring, the Trust for New Hampshire Lands held many workshops throughout the state. Now that the Trust is no longer operating, it is vital that state agencies and private land conservation organizations continue offering these valuable stewardship training programs.

What about property taxes?

Not counting Nash Stream, nearly three-quarters of the land was protected through conservation easements, leaving the property on local tax rolls. Land purchased outright by the NH Division of Forests & Lands and the Division of Parks & Recreation is subject to a program knows as "payment-in-lieu-of-taxes." (Payments for state parks are for a transition period only.) This program is intended to help compensate municipalities for lost tax revenues. It must be funded annually by the legislature. It should be kept in mind that studies have shown that, in most cases, conserved lands are less costly to the town than developments, because added services usually exceed property tax revenues.

How do you get there?

When a nice sunny day calls out for a walk in the woods, how do you find your nearest LCIP protected property? Where are the new hunting grounds? Where can you take your fishing rod? The map in the centerfold and the protected lands summary at the back of this report show what lands have been set aside in your town and region. For more specific directions, a special bound volume of this report with maps and descriptions of each individual parcel is available at your town library.

On many properties, state agencies and municipalities are posting signs that have been provided by the LCIP. Look for the green and white signs as pictured on page 21.

Surveyors blazed hundreds of miles of boundary lines to identify each property. These surveys, in turn, were carefully entered into the state's computerized geographic information system, GRANIT, which is accessible to many state agencies, regional planning commissions, and municipalities. (Complete LCIP records are available at the NH Division of Records and Archives.)



Deerfield resident Frank Mitchell clears trail along Great Brook, protected through the town's local LCIP grant project. LCIP-protected lands offer tremendous recreational opportunities close to home, but they require involvement of the community.

What can you do?

Just as community volunteers and non-profit groups were the driving forces behind many LCIP acquisitions, so can they ensure sound stewardship of these lands. Friends of parks organizations, sportsmen's groups, conservation commissions, trail clubs, and others have contributed enormously to the care of protected lands. They provide essential muscle, leadership and funding to blaze trails, build parking areas, erect signs, develop educational programs, maintain boundaries, and monitor easements.

Fortunately, New Hampshire is home to 33 private land conserving organizations, as well as many trail clubs and dynamic conservation commissions. During recurring droughts in public funds, volunteer action and land donations are more important than ever.

Here are some valuable things that you can do:

- form an easement monitoring committee for your town;
- create a town forest committee to manage town-owned land for habitat, recreation and forest products;
- join a trail club to help maintain public trails;
- support private land conservation organizations and call on them for help;
- encourage continued land and easement donations;
- update your town's natural resource inventory with new aquifer, prime soils, prime wetlands, trail, and habitat maps
- improve local land use ordinances to protect shoreline, wetlands, steep slopes, aquifers and other sensitive natural resources;
- form a support group for a local state park or forest;
- launch and participate in outdoor education programs and field trips.

Most important of all, go out and enjoy!

Sarah Thorne, Gilmanton
Director, Trust for New Hampshire Lands

Stewardship Responsibilities

Agency	Acres before LCIP	Acres from LCIP	Total Acres
DRED	104,428	57,883	162,311
Dept. of Agri.	1,093	6,016	7,109
Fish & Game	12,082	12,764	24,846
Local*	30,000	24,213	54,213

*Figure includes reported town forests

LAND PROTECTED BY THE LCIP

Property Number is keyed to the state map in the center of this report and to property descriptions, pp. 10-25. The location of properties that were part of the same project are shown with a single property number.

Location is the municipality in which property is located.

Grantor is the property owner who conveyed the land or conservation easement to the state or municipality. For properties with more than one grantor, only the first name as shown on the deed appears.

Acres is the acreage of the protected property.

Grantee is the New Hampshire state agency or municipality accepting the land or conservation easement.

State Agencies include:

AGR: Department of Agriculture

DRED: Department of Resources and Economic Development (Division of Parks and Recreation, Division of Forests and Lands)

F&G: Fish and Game Department

Protection Method is the type of acquisition — Conservation Easement (CE) or Full Ownership (FO). See page 9 for definitions.

LCIP Cost is the amount paid by LCIP for protection of the property. Any additional funds contributed toward the acquisition by other entities are not included in this number. "Donation" means that the value of the property was donated in its entirety.

Resource is the primary resource protected by the property.

Note: Transfer of a few of the properties in this listing had not occurred as of March 1993, the date of publication. Final tally is subject to closing.

No.	Location	Grantor	Acres	Grantee	Protection Method	LCIP Cost	Resource
1	Acworth	Maude Moody	102.68	Acworth	CE	Donation	Acworth Farms
	Acworth	Raymond & Evelyn Roy	977.50	Acworth	CE	$250,000.00	Acworth Farms
2	Acworth	Bascom Sugar House, Inc.	113.40	AGR	CE	$155,000.00	Acworth Farms
	Acworth/Charlestown	Kenneth & Bruce Bascom	238.00	AGR	CE	$120,000.00	Acworth Farms
3	Acworth/Langdon	Alvin L. & Nancy G. Clark	179.06	Acworth	CE	$40,000.00	Acworth Farms
	Acworth/Langdon	Alvin L. & Nancy G. Clark	35.00	Acworth	CE	$10,000.00	Acworth Farms
4	Acworth/Langdon	Harvey Bascom	398.90	AGR	CE	$250,000.00	Acworth Farms
5	Alstead	Alexander Gardner	273.70	Alstead	FO	$60,000.00	Wellman Pond
6	Alton	Sally Barbarossa	85.92	Alton	CE	Donation	Coffin Brook
	Alton	Diana Eley	159.20	Alton	FO	$72,700.00	Gilman Pond
	Alton	Diana Eley	18.03	Alton	CE	Donation	Gilman Pond
	Alton	Thomas & Anne Hoopes	14.10	Alton	CE	Donation	Gilman Pond
	Alton	Robert W. & Dorothy M. Seavey	208.00	Alton	FO	$244,000.00	Gilman Pond
	Alton	Robert & Dorothy Seavey	22.44	Alton	CE	Donation	Gilman Pond
	Alton	Robert & Dorothy Seavey	8.50	Alton	CE	Donation	Gilman Pond
7	Alton	Thomas E. & Judith E. Fry	251.00	F&G	CE	$150,000.00	Knights Pond
8	Amherst	Stephen & Charlotte Scott	41.69	Amherst	FO	$150,000.00	Souhegan River
9	Amherst	Richard Arnold	88.90	Amherst	FO	$56,000.00	Joe English Reserv.
	Amherst	Edwin Arnold	30.10	Amherst	FO	$18,000.00	Joe English Reserv.
10	Andover	Leon Newman	696.62	Andover	CE	$50,000.00	Ragged Mountain
11	Atkinson	SPNHF	59.19	Atkinson	FO	$65,000.00	Trinity House Camp
12	Barnstead	William Stevens	6.32	Barnstead	FO	$40,000.00	Suncook River
13	Barnstead	Fred Goodrich	116.00	Barnstead	CE	Donation	Crooked Run
	Barnstead	Lynn Goodrich Guenther	5.00	Barnstead	CE	Donation	Crooked Run
	Barnstead	Norman & Patricia Harrison	179.00	Barnstead	FO	$78,123.00	Upper Suncook Lake
14	Barrington	Richard Warren	243.00	Barrington	CE	$250,000.00	Warren Farm
15	Barrington	Mrs. Pauline Boodey	149.50	Barrington	CE	$195,000.00	Boodey Farm
	Barrington	James & Ann Schulz	47.57	Barrington	CE	Donation	Isinglass River
16	Bath	Raymond S. Burton	43.44	Bath	CE	$24,500.00	Amonoosuc River
17	Bedford	Paul MacEwen	7.00	Bedford	FO	$60,000.00	Merrimack River
18	Belmont	Yankee Pacific Corp. (TNHL)	13.42	DRED	FO	$155,000.00	Winnipesaukee River
19	Benton/Haverhill	Edward & Janet Cadreact	315.22	AGR	CE	$117,500.00	Benton Flats
20	Boscawen	Marjorie G. Emery	32.80	Boscawen	CE	$30,000.00	Emery Farm
	Boscawen	Harry Sahlin	140.70	Boscawen	CE	$70,000.00	Beaverdam Brook
21	Brentwood	Merrill Heirs	95.00	Brentwood	CE	$70,000.00	Exeter River
	Brentwood	Dr. Scott Sudduth	13.20	Brentwood	CE	Donation	Exeter River
22	Brookfield	William Gaver	241.00	F&G	FO	$101,000.00	Jones Brook WMA
23	Brookfield	Mountain Lake Corp.	57.00	F&G	FO	$140,000.00	Jones Brook WMA
24	Brookfield	John Sarabia	176.00	F&G	FO	$87,000.00	Jones Brook WMA
25	Cambridge	Pingree Associates, Inc.	16.00	DRED	FO	$75,000.00	Umbagog Lake
26	Campton	Mary Durgin	2.54	DRED	FO	$10,000.00	Livermore Falls
27	Campton/Thornton	Cersosimo Lumber Co., Inc	81.80	F&G	FO	$177,500.00	Pemigewasset River
28	Canaan	Brownlee McKee	231.90	Canaan	CE	$50,000.00	Mascoma River
29	Canterbury	Donald Booth	68.70	Canterbury	FO	$72,500.00	Merrimack River
	Canterbury	Donald Booth	24.30	Canterbury	CE	$.00	Merrimack River
30	Canterbury	Jill McCullough	451.80	AGR	CE	$.00	Shaker Village
	Canterbury	Jill McCullough	114.40	Canterbury	CE	$.00	Shaker Village
	Canterbury	Tim Meeh	95.60	AGR	CE	$350,000.00	Shaker Village
	Canterbury	Mildred Meeh	7.40	Canterbury	CE	$.00	Shaker Village
	Canterbury	Mildred Meeh	64.00	Canterbury	CE	$.00	Shaker Village
	Canterbury	Tim Meeh	66.80	Canterbury	CE	$.00	Shaker Village
31	Canterbury	Canterbury Shaker Village, Inc.	694.00	DRED	CE	$680,000.00	Shaker Village
32	Carroll	Mrs. Harriet Livingstone	66.20	Carroll	CE	$85,250.00	Coos Cty Hill Farm
33	Charlestown	Sharon F. Francis	296.40	Charlestown	CE	$85,000.00	Perry Mountain
	Charlestown	David & Claire Sussman	41.60	Charlestown	CE	Donation	Perry Mountain
34	Chesterfield	Friends Of Pisgah, Inc.	163.20	DRED	FO	$74,000.00	Pisgah S. P. Access
35	Chichester	Rev. George & Marion Blackman	72.70	Chichester	CE	$42,000.00	Blackman Farm
	Chichester	Rev. George & Marion Blackman	17.80	Chichester	CE	$.00	Blackman Farm
	Chichester	Rev. George Blackman	25.70	Chichester	CE	$.00	Blackman Farm
	Chichester	Joan L. & William R. Cray	7.90	Chichester	FO	Donation	Great Meadow Pond
	Chichester	B. Joseph M. & Anne P. Drinon	144.90	Chichester	CE	$150,000.00	Plausawa Hill
	Chichester	Madeline Sanborn	8.16	Chichester	FO	Donation	Great Meadow Pond
	Chichester	Madeline Sanborn	21.90	Chichester	FO	Donation	Great Meadow Pond
36	Claremont	Lee Fletcher	2.68	DRED	FO	$5,400.00	Sugar River Trail
37	Claremont	Shugah Vale, Inc.	214.60	AGR	CE	$118,000.00	Upper Sugar River
	Claremont	Shugah Vale, Inc.	18.00	AGR	CE	$.00	Upper Sugar River
38	Columbia	Lloyd Hawkenson Estate	353.50	F&G	CE	$70,000.00	Lime Pond
39	Concord	Concord Woods Dev. Assoc.	47.10	Concord	FO	Donation	Merrimack River
	Concord	Anthony Merullo, Jr.	25.20	Concord	FO	$64,000.00	Snow Pond
40	Concord	Frederick W. Rust, III	28.80	F&G	FO	$320,000.00	Merrimack Riv er
	Concord	Frederick W. Rust, III	8.40	F&G	CE	$.00	Merrimack River
41	Cornish	Isabelle E. & E. Leonard Barker	56.00	Cornish	CE	Donation	Croydon Mt.
	Cornish	Virginia Colby	92.00	Cornish	CE	Donation	Bryant Brook
	Cornish	Margaret E. Meyette	188.40	Cornish	CE	$139,500.00	Meyette Farm
42	Cornish/Plainfield	Michael Yatsevitch	800.14	DRED	CE	$180,000.00	Yatsevitch Hill
	Cornish/Plainfield	Gratian Yatsevitch	173.05	DRED	CE	Donation	Yatsevitch Hill
43	Deerfield	Helen Burbank	92.00	Deerfield	CE	Donation	Great Brook
	Deerfield	John & Helen Burbank	15.00	Deerfield	CE	Donation	Great Brook

No.	Location	Grantor	Acres	Grantee	Protection Method	LCIP Cost	Resource
43	Deerfield	Al Jaeger	111.00	Deerfield	CE	$29,500.00	Great Brook
	Deerfield	Lewis Builders, Inc.	6.16	Deerfield	CE	Donation	Great Brook
	Deerfield	Lena & Leon Malouin	.34	Deerfield	CE	Donation	Great Brook
	Deerfield	Mary Pendelton	56.00	Deerfield	CE	Donation	Great Brook
	Deerfield	Mary Pendelton	128.00	Deerfield	CE	Donation	Great Brook
	Deerfield/Nottingham	Frances Curry	342.00	Deerfield	CE	$100,000.00	Great Brook
44	Deering	Richard S. Leghorn	39.96	Deering	CE	Donation	Dudley Brook
	Deering	Joseph & Beverly Lindquist	12.65	Deering	CE	$68,000.00	Rte. 149 View
45	Derry	Ruth Pingree Martin	126.90	Derry	CE	$250,000.00	Martin Farm
46	Dorchester	Laffer Woodlands, Inc.	664.80	F&G	CE	$800,000.00	Cummins Pond
47	Dorchester/Lyme	The Lyme Timber Co.	2,203.00	F&G	CE	$260,000.00	Mascoma Headwaters
48	Dover	W. Dube	127.70	F&G	FO	$475,000.00	Bellamy River
49	Dover	Daniel & Margaret Gabriel	105.41	Dover	CE	$179,000.00	Cocheco River
50	Dover	W. Dube	272.49	F&G	FO	$1,000,000.00	Bellamy River
	Dover	City Of Dover	4.14	F&G	CE	Donation	Bellamy River
51	Dublin	Robert Begley	3.50	Dublin	FO	Donation	Mud Pond
	Dublin	Robert Begley	25.00	Dublin	FO	Donation	Mud Pond
	Dublin	Annabelle Dupree	15.75	Dublin	FO	Donation	Mud Pond
	Dublin	Gordon Hayes	12.20	Dublin	FO	Donation	Mud Pond
	Dublin	Jane T. & Tauno Kauppi	3.00	Dublin	CE	Donation	Mud Pond
	Dublin	Albert & Mary Rajaniemi	12.00	Dublin	FO	Donation	Mud Pond
	Dublin	Robert Weis	45.60	Dublin	FO	Donation	Mud Pond
	Dublin	C. Mitchell Wenigmann	95.75	Dublin	FO	$67,563.00	Mud Pond
	Dublin	C. Mitchell Wenigmann	1.24	Dublin	FO	Donation	Mud Pond
52	Dunbarton	J. Willcox Brown	49.80	Dunbarton	FO	Donation	Gorham Pond
	Dunbarton	Forrest Fogg	13.60	Dunbarton	FO	Donation	Gorham Pond
	Dunbarton	John & Marguerite Gravis	269.00	Dunbarton	FO	Donation	Gorham Pond
	Dunbarton	Frederic Greenhalge	22.30	Dunbarton	FO	Donation	Gorham Pond
	Dunbarton	Allen J. & Margaret R. Whitney	172.70	Dunbarton	FO	$207,000.00	Gorham Pond
	Dunbarton	Allen J. & Margaret R. Whitney	17.00	Dunbarton	FO	Donation	Gorham Pond
53	Dunbarton	Forrest F. & Vera L. Fogg	58.20	Dunbarton	FO	Donation	Gorham Pond
	Dunbarton	Freeport Development, Inc	62.30	Dunbarton	FO	$35,000.00	Gorham Pond
54	Durham	Walter Cheney	3.42	F&G	CE	$.00	Great Bay
	Durham	Cheney East Corp.	6.33	F&G	FO	$300,000.00	Great Bay
	Durham	Cheney-England Ltd. Prtsp	5.87	F&G	CE	$.00	Great Bay
	Durham	Cheney-England Ltd. Prtsp	21.17	F&G	FO	$200,000.00	Great Bay
55	Effingham	Harry Merrow	176.32	DRED	FO	$480,000.00	Pine River
	Effingham	Harry Merrow	131.61	DRED	FO	$.00	Pine River
	Effingham	Harry Merrow	354.10	DRED	FO	$.00	Pine River
	Effingham	Harry Merrow, et al.	266.49	DRED	FO	$.00	Pine River
56	Enfield	Hilco Property Serv. Inc.	1,082.60	F&G	FO	$445,600.00	Shaker Village
57	Epsom	Ethel Fokas	318.00	Epsom	FO	$140,000.00	Fort Mt.
	Epsom	Dr. Edward & Carole Ann Jackson	74.80	Epsom	CE	Donation	Fort Mt.
	Epsom	Alice Kimball Smith	107.10	Epsom	CE	Donation	Brush Hill
58	Errol	Union Water Power Co.	23.90	DRED	FO	$167,300.00	Umbagog Lake
59	Errol	James River Timber Corp.	446.25	DRED	FO	$2,000,000.00	Umbagog Lake
	Errol	James River Timber Corp.	2,258.85	DRED	CE	$.00	Umbagog Lake
60	Errol	Oxford Paper (Boise Casc)	602.50	DRED	FO	$1,000,000.00	Umbagog Lake
61	Exeter	Exeter Country Club, Inc.	55.35	Exeter	CE	Donation	Squamscott River
	Exeter	Irvine Heirs	16.65	Exeter	FO	$240,000.00	Squamscott River
62	Exeter	Thomas B. Chamberlin	61.50	Exeter	CE	$22,500.00	Town Forest
	Exeter	Thomas B. Chamberlin	4.00	Exeter	FO	$2,000.00	Town Forest
	Exeter	Lewis Deene	141.50	Exeter	FO	$77,000.00	Town Forest
	Exeter	Matthew J. Jensen	8.70	Exeter	FO	$2,320.00	Town Forest
	Exeter	Matthew Jensen	28.80	Exeter	FO	$7,680.00	Town Forest
	Exeter	Robert B. Stockbridge	5.00	Exeter	FO	$2,500.00	Town Forest
63	Farmington	Blue Job Mountain, Inc.	116.59	DRED	FO	$60,000.00	Blue Job Mt.
64	Farmington	Frank J. Scruton	589.81	F&G	CE	$250,000.00	Blue Job Mtn
65	Francestown	SPNHF	388.00	Francestown	FO	$211,000.00	Crotched Mountain
	Francestown	Constance Varnum	45.60	Francestown	CE	Donation	Piscataquog River
66	Francestown	Ellen Hill	134.90	Francestown	CE	Donation	Pleasant Pond
	Francestown	Richard Merrill	155.20	Francestown	FO	$140,000.00	Crotched Mountain
	Francestown	Cynthia Schultz	25.00	Francestown	FO	$45,000.00	Crotched Mountain
67	Franklin	Resolution Trust Corp.	151.41	F&G	FO	$191,500.00	Webster Lake
68	Gilford	Belknap Co. Sportmens Asn.	5.33	Gilford	FO	$55,000.00	Saltmarsh Pond
	Gilford	Elizabeth Carson	16.46	Gilford	CE	Donation	Cotton Hill Rd.
69	Gilford	Mark Mooney	308.33	DRED	CE	$175,000.00	Belknap Mtn
70	Gilmanton/Alton/Gilford	D. Webster Coun. Boy Scouts Of America	3,268.69	F&G	CE	$700,000.00	Belknap Mountains
71	Goshen	O'Connell Mgt. Co., Inc.	25.10	DRED	CE	$.00	Monadnock-Sun-Grwy
	Goshen/Newbury	O'Connell Mgt. Co., Inc.	2,549.50	DRED	CE	$400,000.00	Monadnock-Sun-Grwy
72	Grantham	Kenneth & Ramona Flewelling	825.90	Grantham	CE	$174,991.74	Miller Pond
	Grantham	Kenneth & Ramona Flewelling	19.00	Grantham	CE	$.00	Miller Pond
73	Greenland	Leonard Weeks	30.55	Greenland	CE	$78,694.50	Winnicut River
74	Hampstead	RUMA, Inc.	48.80	Hampstead	FO	Donation	Hampstead Trail Syst
	Hampstead	SPNHF	31.31	Hampstead	FO	$93,000.00	Hampstead Trail Syst
75	Hampstead	Maurice T. & Juanita Randall	73.54	Hampstead	FO	$172,975.00	Hampstead Trail Syst
	Hampstead	Walworth B. & Mary Louise Williams	8.89	Hampstead	CE	Donation	Hampstead Trail Syst
	Hampstead	Walworth B. & Mary Louise Williams	3.35	Hampstead	CE	Donation	Hampstead Trail Syst
76	Hancock	Kenneth & Julie Brown	81.83	Hancock	CE	$170,100.00	Ferguson Brook
	Hancock	Charles Merrill	260.00	Hancock	CE	Donation	Mndnk.Supersanctuary
77	Hanover	Hanover Improvement Soc.	19.40	Hanover	CE	Donation	Connecticut River
	Hanover	Wilson Fullington Trust	7.00	Hanover	CE	$115,000.00	Connecticut River
78	Hanover	Trustees Of Dartmouth College	16.74	Hanover	CE	$50,000.00	Connecticut River
79	Hanover	Samuel C. & Joanna M. Doyle	396.30	F&G	CE	$300,000.00	Huntington Hill
	Hanover	Samuel C. & Joanna M. Doyle	42.80	F&G	CE	$.00	Huntington Hill
80	Haverhill	Robert Rowley	2.10	F&G	FO	$21,000.00	Wood Pond
81	Haverhill	Dean L. & Dorothy Thorburn	81.00	F&G	CE	$19,467.00	Connecticut River
82	Haverhill	Heirs Of Martha C. Chamberlin	68.47	AGR	CE	$35,000.00	Connecticut River
	Haverhill	Heirs Of Martha C. Chamberlin	183.00	AGR	CE	$15,000.00	Connecticut River
83	Haverhill	Richard McDanolds	181.45	AGR	CE	$292,000.00	Connecticut River
84	Hinsdale	Dort 1967 Trust	181.40	DRED	FO	$125,000.00	Pisgah S. P. Access
85	Hinsdale	Eleanor S. Smith	90.65	DRED	FO	$12,500.00	Wantastiquet Mt.
86	Holderness	Rev. James W. Crawford	37.22	Holderness	CE	Donation	Squam Lake
	Holderness	Kenneth Morrell	2.77	Holderness	FO	$6,200.00	Pemigewasset River
	Holderness	Frank & Lois M. Pilote	105.10	Holderness	FO	$60,000.00	Prospect Mt.
87	Holderness/Campton	Livermore Falls Corp.	41.80	DRED	FO	$393,500.00	Pemigewasset River
88	Hollis	Brookdale Fruit Farm, Inc	194.44	AGR	CE	$1,100,000.00	Brookdale Orchard
89	Hollis	Pearl Rideout	51.60	Hollis	FO	$100,000.00	Nashua River
90	Hooksett	PSNH (TNHL)	6.70	F&G	FO	$180,000.00	Merrimack River
91	Hopkinton	Rachael Johnson	92.54	Hopkinton	FO	$150,000.00	Hopkinton TownForest
92	Hopkinton	NE Community Dev. Group	95.52	Hopkinton	FO	$35,000.00	Boutwell Mill Brook

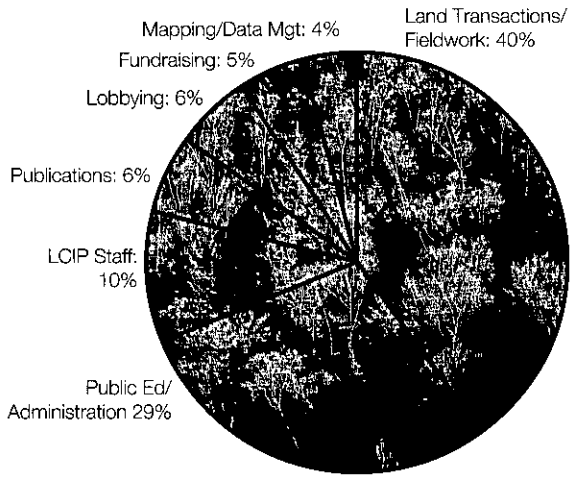
No.	Location	Grantor	Acres	Grantee	Protection Method	LCIP Cost	Resource
93	Hopkinton	Robert M. Kimball	61.80	AGR	CE	$80,000.00	Beech Hill Farm
	Hopkinton/Concord	Frank M. & Dorothy H. Kimball	177.50	AGR	CE	$120,000.00	Beech Hill Farm
94	Hudson	David, Peter & Stephen Hamblett	189.00	Hudson	FO	$137,500.00	Musquash Brook
	Hudson	Lucille P. & Gerald Q. Nash	203.50	Hudson	FO	$137,500.00	Musquash Brook
95	Jefferson	Herbert V. Hartley	39.97	Jefferson	CE	$4,000.00	Jefferson Meadows
96	Keene	Christina Bauer	9.80	Keene	FO	$50,000.00	Goose Pond
	Keene	E. James & Dorothy M. Roberts	25.10	Keene	FO	Donation	Ash Swamp Brook
	Keene	Herbert B. Shaw, III	17.00	Keene	CE	$12,000.00	Ashuelot River
97	Kingston	Annie F. Tucker Estate	.40	F&G	FO	$4,600.00	Pow Wow River
98	Kingston	Ralph R. Bake	5.47	Kingston	FO	Donation	Pow Wow River
	Kingston	John J. Bakie	12.86	Kingston	CE	Donation	Pow Wow River
	Kingston	Dr. Barry M. Manuel	67.99	Kingston	FO	$100,000.00	Pow Wow River
	Kingston	Richard L. Russman	10.79	Kingston	FO	Donation	Pow Wow River
99	Kingston	John Bakie	184.00	F&G	CE	$350,000.00	Pow Wow River
100	Kingston/Newton	David E. & Edna D. Mayhew	82.80	Kingston	CE	$154,000.00	Pow Wow River
101	Lancaster	Robert Christie	37.40	Lancaster	CE	$6,000.00	North Road Farms
	Lancaster	George Smith	237.00	Lancaster	CE	$131,553.00	Kilkenny-WMNF
	Lancaster	Thomas R. & Nancy Southworth	13.86	Lancaster	CE	$5,000.00	Kilkenny-WMNF
	Lancaster	Thomas R. & Nancy Southworth	2.33	Lancaster	CE	$1,000.00	Kilkenny-WMNF
102	Lancaster	John E. & Marceline M. Nadeau	339.84	AGR	CE	$85,000.00	Connecticut River
103	Landaff	David Clement	4.21	Landaff	CE	Donation	Jockey Hill Farm
	Landaff	Jockey Hill Farms, Inc.	364.40	Landaff	CE	$167,298.00	Jockey Hill Farm
	Landaff	Robert Knapp	19.80	Landaff	CE	$6,000.00	Mill Brook
104	Lebanon	Alana J. Cole Revocable Trust	16.00	Lebanon	FO	$180,000.00	Connecticut River
105	Lee	Harriett Claridge	75.78	Lee	CE	$71,000.00	Lee Historic Farms
	Lee	Robert & Euna Keniston	48.74	Lee	CE	$81,000.00	Lamprey Riv Watershd
	Lee	Robert & Euna Keniston	24.37	Lee	CE	$.00	Lamprey Riv Watershd
106	Lee/Durham	Foster Properties, LTD.	60.14	Lee	CE	$95,000.00	Oyster River
107	Litchfield	Shirley Leach (TNHL)	6.90	F&G	FO	$100,000.00	Merrimack River
108	Londonderry	Nathan Plummer	87.60	Londonderry	CE	$225,000.00	Musquash
109	Loudon	Mr. Albert Bachelder	35.00	Loudon	CE	$55,000.00	Loudon Farms
	Loudon	Albert Bachelder	152.00	Loudon	FO	$6,500.00	Loudon Farms
	Loudon	Albert Bachelder	34.00	Loudon	CE	$54,000.00	Loudon Farms
	Loudon	Esther M. Green	98.00	Loudon	CE	$40,000.00	Loudon Farms
	Loudon	Richard Merrill	272.60	Loudon	CE	$127,600.00	Loudon Farms
	Loudon	Sanborn Family Trust	332.40	Loudon	CE	$179,200.00	Loudon Farms
	Loudon	Bruce Yeaton	129.30	Loudon	CE	$68,800.00	Loudon Farms
110	Loudon	Harvey J. Bergeron	81.00	F&G	CE	$80,000.00	Loudon Farms
111	Loudon/Pittsfield	Joseph L. Merrill	189.40	Loudon	CE	$50,300.00	Loudon Farms
112	Loudon/Pittsfld/Brnstd	David Osborne	738.00	F&G	CE	$510,000.00	Loudon Farms
113	Lyme	Ms. Katherine Beal	62.00	Lyme	CE	Donation	Brick Hill Rd.
	Lyme	Ms. Katherine Beal	11.91	Lyme	CE	Donation	Brick Hill Rd.
	Lyme	Ms. Jennifer Cooke	32.20	Lyme	CE	Donation	Record Farm
	Lyme	Katharine Hewitt	17.70	Lyme	CE	Donation	Connecticut River
	Lyme	O. Ross McIntyre	30.40	Lyme	CE	Donation	Record Farm
	Lyme	Mr. & Mrs. Ross McIntyre	8.10	Lyme	CE	Donation	Record Farm
	Lyme	William Nichols	140.00	Lyme	CE	Donation	East Hill
	Lyme	Walter Record	70.60	Lyme	CE	$241,200.00	Record Farm
	Lyme	Ms. Annette Schmitt	25.10	Lyme	CE	Donation	Brick Hill Rd.
	Lyme	Mr. & Mrs. Stuart Smith	65.00	Lyme	CE	Donation	Record Farm
	Lyme	Mr. & Mrs. Stuart Smith	47.00	Lyme	CE	Donation	Record Farm
114	Lyme	Alexander Crary	73.00	Lyme	CE	Donation	East Hill
	Lyme	Katherine Hewitt	33.77	Lyme	CE	Donation	East Hill
	Lyme	Elizabeth Ladd	104.74	Lyme	CE	Donation	East Hill
	Lyme	John Menge	154.40	Lyme	CE	$175,000.00	East Hill
	Lyme	Geneva Menge	4.30	Lyme	CE	Donation	East Hill
	Lyme	John Nemiah	104.74	Lyme	CE	Donation	East Hill
	Lyme	Sylvia Stockmayer	26.50	Lyme	CE	Donation	East Hill
115	Lyme	Frances Tullar	18.30	AGR	CE	$.00	Connecticut River
	Lyme	Bernard Tullar, Sr.	45.70	AGR	CE	$124,455.00	Connecticut River
	Lyme	Bernard Tullar, Sr.	46.10	AGR	CE	$125,545.00	Connecticut River
116	Madbury	Mr. Patrick Cragin	18.00	Madbury	FO	Donation	Bellamy Reservoir
	Madbury	Mr. & Mrs. Carleton Wentworth	7.97	Madbury	FO	Donation	Hicks Hill
	Madbury/Barrington	John Fernald	123.80	Madbury	CE	$152,100.00	Bellamy Reservoir
117	Madison	The Nature Conservancy	341.01	DRED	CE	$250,000.00	Madison Pine Barrens
118	Manchester	Marcelle Connare	1.08	Manchester	FO	$80,000.00	Piscataquog River
119	Manchester	City Of Manchester	.17	DRED	CE	Donation	Merrimack River
	Manchester	City Of Manchester	.21	DRED	CE	Donation	Merrimack River
	Manchester	Moore's Falls Corporation	17.10	DRED	FO	$451,500.00	Merrimack River
120	Marlborough	Dean Harding	6.00	Marlborough	FO	$20,000.00	Meetinghouse Pond
	Marlborough	SPNHF	5.50	Marlborough	CE	Donation	Marlboro Farm
121	Mason	Kenneth Doonan	12.50	Mason	CE	Donation	Spaulding Brook
	Mason	HE Fletcher Co, Liq. Trust	163.30	Mason	FO	$146,000.00	Spaulding Brook
	Mason	Theodore Stewart, Jr.	71.80	Mason	CE	Donation	Mason Rail Trail
122	Meredith	Stuart Bushnell	22.00	Meredith	CE	$36,000.00	Meredith Farmland
	Meredith	John Moulton	88.40	Meredith	CE	$150,000.00	Moulton Farm
123	Merrimack	Naticook Camps Of NH, Inc	87.72	Merrimack	FO	$480,000.00	Naticook Lake
124	Milford	Harlan Burns, Jr.	45.12	Milford	FO	$225,000.00	Tucker Brook
	Milford	William Rotch	9.65	Milford	FO	Donation	Mayflower Hill
125	Milton	NH Farm Museum, Inc.	18.00	AGR	CE	$36,000.00	NH Farm Museum
126	New Boston	Continuity Family Trust	218.00	DRED	FO	$400,000.00	Piscataquog River
127	New Boston	Kingsbury Timber Corp.	13.36	New Boston	FO	$27,000.00	Piscataquog River
128	New Boston	Charles H. & Frances Townes	21.08	New Boston	FO	$45,000.00	Piscataquog River
	New Boston	Charles Townes	20.90	New Boston	FO	$45,000.00	Piscataquog River
129	New London	James C. Cleveland	16.20	New London	CE	Donation	Clough Farm
	New London	John F. & Ruth I. Clough	53.06	New London	CE	$165,000.00	Clough Farm
	New London	Murray & Rachel Sargent	20.60	New London	CE	Donation	Pleasant Lake
130	Newbury	Bank Five For Savings	133.34	DRED	FO	$603,614.26	Sunapee Lake
131	Newbury	O'Connell Mgt. Co., Inc.	25.20	DRED	CE	$.00	Monadnock-Sun-Grwy
132	Newmarket	Frank Smas	29.41	F&G	CE	$110,000.00	Great Bay
133	Newport	James & Mary Barton	76.00	Newport	FO	$95,500.00	Grantham-Newport Trl
	Newport	Doddridge & Jolyon Johnson	94.00	Newport	CE	$13,500.00	Grantham-Newport Trl
	Newport	Ben H. & Katherine G. Wells	47.65	Newport	CE	Donation	Newport Forest
	Newport	Mrs. Barbara Yeomans	25.50	Newport	CE	Donation	Newport Forest
134	Northumberland	Diamond International Corp	1,940.00	DRED	FO	$.00	Cape Horn
135	Northumberland	Gregory P. Sullivan	122.30	DRED	FO	$30,000.00	Cape Horn
136	Northwood	Pearl Peters	456.00	F&G	FO	$170,000.00	Lamprey River
137	Northwood	M. Edward & Ann P. Burtt	662.07	DRED	FO	$906,600.77	Lamprey River
138	Orford	Forrest Bunten	183.50	AGR	CE	$130,000.00	Connecticut River
139	Orford	George A. & Mildred Wilson	86.05	AGR	CE	$175,000.00	Connecticut River
140	Orford	Alfred E. & Alma H. Wilson	17.25	AGR	CE	$24,000.00	Connecticut River

No.	Location	Grantor	Acres	Grantee	Protection Method	LCIP Cost	Resource
141	Ossipee	Ossipee Aggregates Corp.	105.50	DRED	FO	$300,000.00	Pine River
142	Ossipee	Fleet Bank - NH	106.00	DRED	FO	$245,030.00	Pine River
143	Ossipee	Marston Industries, Inc.	60.00	DRED	FO	$65,000.00	Pine River
144	Ossipee	Lester A. Currier, Jr.	17.00	DRED	FO	$5,100.00	Pine River
145	Pembroke	Edward Anderson	26.62	Pembroke	FO	$12,000.00	Bragfield Pond
146	Peterborough	Currier Construction Co.	151.00	Peterborough	FO	$179,000.00	Fremont Farm
	Peterborough	Helen Land	198.19	Peterborough	CE	Donation	Upland Farms
	Peterborough	Mary E. Monahon	40.50	Peterborough	CE	Donation	Four Winds Farm
	Peterborough	Mary E. Monahon	70.50	Peterborough	CE	Donation	Four Winds Farm
147	Piermont	Putnam Farm Of Piermont	127.14	AGR	CE	$180,000.00	Connecticut River
	Piermont	Putnam Farm Of Piermont	15.90	AGR	CE	$.00	Connecticut River
148	Piermont	Lawrence & Nancy Underhill	209.47	AGR	CE	$201,000.00	Connecticut River
149	Piermont	Verne Batchelder	100.90	AGR	CE	$211,114.00	Connecticut River
150	Pittsburg	John Amey	1,246.70	AGR	CE	$194,000.00	Indian Stream
151	Pittsburg	Dorothy Amey	347.76	AGR	CE	$26,000.00	Indian Stream
152	Plainfield	Edmond & Dorothy Goodwin	304.00	Plainfield	CE	Donation	Mud Pond
	Plainfield	James & Helen Walker	216.00	Plainfield	CE	$160,000.00	Walker Farm
153	Plainfield	David Benson	113.64	Plainfield	FO	Donation	Cole Brook
	Plainfield	Stanley Goslovich	515.00	Plainfield	CE	$65,000.00	Morgan Hill
154	Plymouth	Alfred Fauver	104.60	Plymouth	CE	Donation	Plymouth Mt.
	Plymouth	Green Acres Woodlands Inc	1,099.80	Plymouth	CE	$200,000.00	Plymouth Mt.
	Plymouth	Suzanne Newton	76.00	Plymouth	FO	Donation	Glove Hollow Brook
	Plymouth	Ruth & Henry Walter	87.00	Plymouth	FO	Donation	Glove Hollow Brook
155	Portsmouth	John & Maud Hett	55.40	Portsmouth	CE	$218,000.00	Hett Farm
156	Richmond/Fitzwilliam	Tree Growers, Inc.	1,253.40	DRED	CE	$.00	Little Monadnock Mt.
157	Rindge	Cambridge Council, Boy Scouts Of America	167.00	DRED	CE	$125,000.00	Hubbard Pond
158	Rye	Ralph L. Brown	79.80	Rye	FO	Donation	Seavey's Creek
	Rye	First Essex Sav. Bank, NH	58.70	Rye	FO	$80,000.00	Seavey's Creek
159	Rye	Ralph Brown	64.00	DRED	FO	$1,000,000.00	Odiorne State Park
160	Sanbornton	Ralph Meader	86.33	Sanbornton	CE	$95,783.00	Calef Hill
161	Sandwich	Vanderpoel & Barbara Adriance	15.43	Sandwich	CE	Donation	Red Hill Pond
	Sandwich	Mr. & Mrs. Charles Crooker	16.85	Sandwich	CE	Donation	Red Hill Pond
	Sandwich	Mr. John Dyer	6.16	Sandwich	CE	Donation	Red Hill Pond
	Sandwich	Denley Emerson	609.23	Sandwich	CE	$250,000.00	Red Hill Pond
	Sandwich	Grace Henry	198.00	Sandwich	CE	Donation	Red Hill Pond
162	Sandwich	George & Nancy Bates	264.20	Sandwich	CE	$100,000.00	White Mt. Nat'l For.
	Sandwich	John G. Mutter, et al.	430.00	Sandwich	CE	Donation	White Mt. Nat'l For.
163	Sandwich	Wilbur & Joan Cook	273.52	Sandwich	CE	$150,000.00	Bearcamp River
	Sandwich	Wilbur & Joan Cook	9.67	Sandwich	CE	$.00	Bearcamp River
	Sandwich	Roger Coolidge	74.50	Sandwich	CE	Donation	Squam Lake
164	Shelburne	Millbrook Trust	279.00	F&G	CE	$120,000.00	Androscoggin River
165	South Hampton	Henry V. Crosby, Jr.	113.00	South Hampton	CE	$61,914.00	S. Hampton Watershed
166	Stark	Diamond International Corp	8.00	DRED	FO	$.00	Ammonoosuc River
	Stark	Diamond International Corp	290.00	DRED	FO	$.00	Devil's Slide
	Stark	Diamond International Corp	77.50	DRED	FO	$.00	Christine Lake
167	Stark	Mrs. Ellen K.F. Dorr	.31	DRED	FO	$8,750.00	Nash Stream
168	Stark,Odell,Strat,Colu	Diamond International Corp	39,601.00	DRED	FO	$8,046,933.00	Nash Stream
169	Stewartstown	The Nature Conservancy	313.10	DRED	CE	$30,000.00	Hurlbert Swamp
170	Stoddard	SPNHF	126.00	F&G	CE	$36,000.00	Highland Lake
171	Stratham	David & Aurise Batchelder	57.73	Stratham	CE	$105,000.00	Winnicut River
172	Stratham	Florence Wiggin	30.00	F&G	CE	$100,000.00	Squamscott River
173	Stratham/Greenland	Susan Conway	39.00	F&G	FO	$195,000.00	Squamscott Rvr/G.Bay
	Stratham/Greenland	Susan Conway	2.79	F&G	FO	$.00	Great Bay
174	Sunapee	Edith Harrison	180.00	Sunapee	CE	$70,000.00	Sunapee Farms
	Sunapee	Jolyon Johnson	144.30	Sunapee	CE	$15,000.00	Sunapee Farms
	Sunapee	George Nielsen	58.50	Sunapee	CE	$100,000.00	Sunapee Farms
	Sunapee	Richard & Elizabeth Webb	75.70	Sunapee	CE	Donation	Sunapee Farms
175	Sutton	Dalphond Brothers, Inc.	117.85	F&G	CE	$25,000.00	Cascade Marsh
176	Swanzey	Bennett & Brown 1965 Trust	1.60	Swanzey	FO	Donation	Swanzey Lake
	Swanzey	Mrs. Evelyn Carpenter	142.80	Swanzey	FO	$175,000.00	Mt. Cresson
	Swanzey	Lois Stabler	122.00	Swanzey	CE	Donation	Honey Hill
	Swanzey	West Swanzey Muster Team	13.00	Swanzey	FO	Donation	Ashuelot River
177	Tamworth	Charles E. Aspinall	64.43	Tamworth	CE	$30,000.00	Mill Brook
	Tamworth	Joan T. Cave	742.00	Tamworth	CE	Donation	Hemenway S. F.
	Tamworth	Estella Perkins	297.01	Tamworth	CE	$60,000.00	Bearcamp River
178	Tamworth	Katherine D. Reed	148.70	DRED	FO	$250,000.00	White Lake St. Park
179	Tamworth	A.B. Thompson Trust	223.00	F&G	FO	$130,000.00	Bearcamp River
	Tamworth	A.B. Thompson Trust	17.50	F&G	CE	$.00	Bearcamp River
180	Tamworth	Charles P. Bowditch Estate	83.13	DRED	FO	$85,000.00	Lake Chocorua
181	Temple	Maurice Stone	140.00	Temple	CE	$55,000.00	Temple Farm
182	Thornton	Jeraldine Ballou	23.60	F&G	FO	$75,000.00	Pemigewasset River
183	Troy	Lit. Monadnock Dev. Trust	153.80	DRED	FO	$65,000.00	Little Monadnock Mt.
184	Troy	Tree Growers, Inc.	565.10	DRED	CE	$527,637.77	Little Monadnock Mt.
185	Tuftonboro	Cecily Bentley	54.10	Tuftonboro	CE	Donation	Twenty Mile Brook
	Tuftonboro	Wayne & June V. Parkhurst	33.00	Tuftonboro	FO	$85,000.00	Twenty Mile Brook
186	Walpole	Robert Galloway	29.40	Walpole	FO	$25,000.00	Mill Pond
	Walpole	Robert Galloway	16.60	Walpole	FO	$.00	Mill Pond
	Walpole	Hubbard Farms, Inc.	31.00	Walpole	FO	Donation	Connecticut River
187	Warner	Steven Lowell (TNHL)	316.10	DRED	FO	$200,000.00	Mt. Kearsarge
188	Warner	Charles F. Goodnow	660.00	DRED	FO	$200,000.00	Mt. Kearsarge
189	Weare	Charles Alex	96.10	Weare	FO	$120,000.00	Ferrin Pond
	Weare	Kingsbury Timber Corp.	106.60	Weare	CE	Donation	Toby Hill
190	Webster	William R. & Kathleen Y. Fifield	.20	F&G	FO	$10,000.00	Lake Winnepocket
191	Webster	Harold W. Janeway	8.39	Webster	CE	Donation	Blackwater River
	Webster	Winifred Mock Irrevocable Trust	58.90	Webster	FO	$51,000.00	Blackwater River
	Webster	Edward Phelps	13.00	Webster	CE	$23,500.00	Blackwater River
	Webster	Lamar W. Riggs	15.50	Webster	CE	Donation	Blackwater River
	Webster	Abby A. Rockefeller	268.24	Webster	CE	Donation	Blackwater River
192	Webster	Theodore A. Gaskell	51.10	Webster	FO	$103,000.00	Blackwater River
	Webster	Harold & Elizabeth C. Janeway	19.08	Webster	CE	Donation	Blackwater River
193	Wentworth's Location	Diamond International Corp	300.00	DRED	FO	$.00	Magalloway River
194	Westmoreland	Windyhurst Farm Partnrshp	216.92	AGR	CE	$550,000.00	Connecticut River
195	Westmoreland	Marilyn S. Wingersky, et al.	41.38	AGR	CE	$25,000.00	Connecticut River
196	Whitefield	Bernard Bean	218.70	AGR	CE	$277,294.00	Coos Cty Hill Farm
197	Wilmot/Danbury	SPNHF	695.40	DRED	CE	$150,000.00	Ragged Mt.
198	Winchester	William Kelly, Jr.	250.00	F&G	CE	$250,000.00	Ashuelot River
199	Windham	James Morgan	54.15	Windham	FO	$250,000.00	Rock Pond
200	Wolfeboro	Back Bay Partnership	10.71	Wolfeboro	FO	$225,000.00	Back Bay Winnipesaukee
	Wolfeboro	Donald H. McBride	23.00	Wolfeboro	CE	Donation	Lake Wentworth
379	**parcels**		**100,875.90 acres**			**$46,422,786.04**	

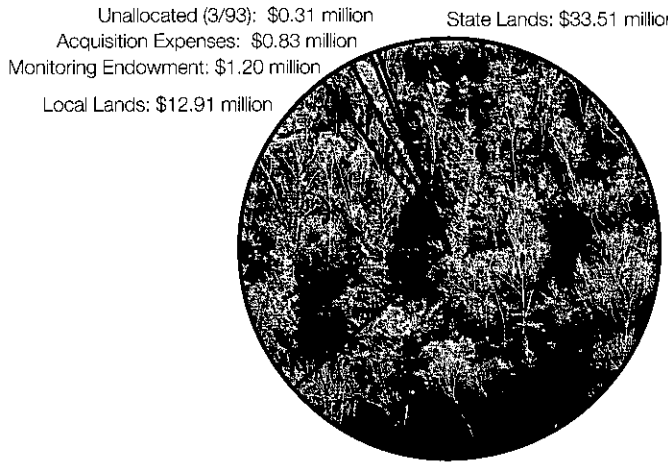
Trust for New Hampshire Lands Donors–$5,000 or More

Amoskeag Bank
Anonymous
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BankEast Corporation
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Windsor Brooks
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New London Trust Company
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David and Janet Nixon
Numerica Savings Bank
Oleonda Jameson Trust
Freedom Capital Management Corp.
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Peterborough Savings Bank
Putnam Foundation
RealWorld Corporation
Orr And Reno, P. A.
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Lou & Lutza Smith Foundation
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How the Trust for New Hampshire Lands Funds Were Spent (private money)



How the LCIP Funds Were Spent (public money)



Total: $48.76 million

Trust for New Hampshire Lands Staff 1986-1993

Paul O. Bofinger, *President*
Nancy Brown, *Administrative Assistant*
Bob Chamberlin, *Land Agent*
Barbara Fales, *Executive Assistant*
Betty Hadley, *Secretary*
Roberta Jordan, *Land Agent*
Charlie Levesque, *Program Director*
Brenda Lind, *Assistant Director*
Tammalene Mitman, *Administrative Assistant*
Rita Quinn, *Executive Assistant*
Carol Sheehy, *Data Manager*
Greg Smith, *Cartographer*
Sarah Thorne, *Director*
Cor Trowbridge, *Grassroots Organizer*
Judy Tumosa, *Land Agent*
Bob Wadlegger, *Data Manager*
Henry Whittemore, *Land Agent*
Nancy Winneg, *Outreach Coordinator*

Land Conservation Investment Program Staff 1987-1993

Will Abbott, *Executive Director*
Scott Abrahamson, *Intern*
Diane Alves, *Administrative Assistant*
Susan Bielski, *Intern*
Lorraine Felladore, *Administrative Assistant*
Marcia Nagy, *Administrative Assistant*
Judy Van Royen, *Administrative Assistant*

Governors of New Hampshire 1987–1993

The Honorable John Sununu

The Honorable Judd Gregg

The Honorable Steve Merrill

New Hampshire Executive Council 1987–1993

The Honorable Raymond S. Burton

The Honorable Robert C. Hayes

The Honorable Ruth L. Griffin

The Honorable Earle A. Rinker, III

The Honorable Peter J. Spaulding

The Honorable Bernard A. Streeter, Jr.

Trust for New Hampshire Lands Incorporators

John B. Andrews, *N.H. Municipal Association*

Phil Auger, *Cooperative Extension Service*

Arthur Baldwin, *Chocorua Lake Association*

E.H.B. Bartelink

John Barto, *Esq.*

Robert P. Bass, Jr., *Esq.*

Charles Bassett, *N.H. Snowmobile Association*

Robert Breck, *Souhegan Valley Land Trust*

Charles Bridges, *Cooperative Extension Service*

Eleanor Briggs

J. Wilcox Brown

Daniel Burnham, *Sierra Club*

William Bushnell

John Byrne, *Henley Group*

Rick Cables, *White Mountain National Forest*

Meade Cadot, *Harris Center for Conservation Education*

James Cleveland, *Esq.*

Fran Cormier, *N.H. Association of Conservation Commissions*

Mrs. G. W. Cottrell, *N.E. Wildflower Association*

Geoffrey Dates, *Connecticut River Watershed Council*

Charles DeGrandpre, *Esq.*

Rick DeMark, *N.H. Association of Conservation Districts*

Philip DuBois

Dudley Dudley, *Executive Council*

William Dunlap, *Taft Business Machines*

Robert Dunning, *N.H. Homebuilders Association*

Dr. Charles Faulkner

Lewis Feldstein, *N.H. Charitable Fund*

Liz Fletcher, *Nashua River Watershed Association*

John Fort, *Tyco Labs*

Sharon Francis, *N.H. Natural Resources Forum*

Robert L.V. French, *Northland Forest Products*

Christopher C. Gallagher, *Esq.*

Irene Gallen-Cushing

Benjamin Gayman, *Esq.*

John Gemmill, *N.H. Camp Pasquaney*

Jane Grant, *League of Women Voters*

Phil Gravink, *Attitash*

The Hon. Hugh Gregg

Robert E. Gregg, Jr., *LandVest*

Pamela S. Hall, *Normandeau Associates*

Jean Hallager

Bonnie Ham, *Selectman*

Peter Hamblett

Richard Hamilton, *White Mountain Attractions*

Mary Louise Hancock

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E. Hollis Harrington, *Indian Head Bank*

Robert Harrison

William B. Hart, *Dunfey Brothers Capital Group*

Mrs. Mead Hartwell

Maryanna Hatch, *Great Bay Conservation Trust*

Nancy Hayden

Phil Heald, *Statewide Program of Action to Conserve our Environment*

Ross Heald, *Selectman*

Jack B. Heath, *Rockingham Land Trust*

D. Dickinson Henry, *Audubon Society of New Hampshire*

David Henry, *Tin Mountain Conservation Center*

J. Richard Higgins, *N. E. Telephone*

David Hills

Marshall Hoke

Peter Horne, *Cooperative Extension Service*

William P. House

Thomas Howe, *Lakes Region Conservation Trust*

Leslie Hubbard, *Hubbard Farms*

Jay Jacobs, *N. H. Association of Conservation Districts*

Carl Jacobs, Sr.

Harold Janeway, *Society for the Protection of New Hampshire Forests*

Frank Jillson, *N.H. Blue Cross/Blue Shield*

Kennett R. Kendall, *Kendall Insurance*

Bayard W. Kennett, *Century 21*

Lucia Kittredge

William Klubben, *Central N.H. Regional Planning Commission*

Stewart Lamprey, *N.H. Business Sales*

Wilbur LaPage, *N.H. Division of Parks and Recreation*

Chester B. Lucy, *Conway Supply*

Martha West Lyman, *N.H. Rivers Campaign*

Charlton MacVeagh

Kenneth Marshall, *N.H. Farm Bureau*

William Matson

Thomas McCann, *N.H. Insurance Company*

Hannah McCarthy, *Daniel Webster College*

Malcolm McLane, *Esq.*

John McLane, *Esq.*

Donella Meadows

John H. Morison, *Hitchiner Manufacturing*

David Mussulman, *State Conservationist*

J. Bonnie Newman

Dale Nitzschke, *University of New Hampshire*

Janet Nixon

Donald Normandeau, *N. H. Fish and Game Department*

Karl Norwood, *The Norwood Group*

George Olson, *Rockingham Planning Commission*

Dudley W Orr, *Esq.*

John Page

Isobel Parke, *Statewide Program of Action to Conserve our Environment*

Heather Parker, *Piscataquog Watershed Association*

John Pendleton, *Esq.*

Douglas Philbrook

Philip Preston, *Squam Lakes Association*

David Putnam

Hugh Putnam, *New England Forestry Foundation*

Thomas Putnam

Robert Reno, *Esq.*

Steve Rice

Tudor Richards

Fred Roedel, *Chalet Susse*

John Rogers

William B. Ruger, *Sturm, Ruger Company*

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Erick Sawtelle, *N.H. Wildlife Federation*

John Schiffman

David Scott, *Office of State Planning*

Robert Shaines, *Esq.*

Mary Shriver, *N. H. Wildlife Federation*

Alan Smith, *Chocorua Lake Conservation Foundation*

Edward Spencer, *The Nature Conservancy*

Wallace Stickney, *Department of Transportation*

The Hon. John Sununu

Henry Swan, *Wagner Woodlands*

Marjory Swope, *N.H. Association of Conservation Commissions*

Steve Taylor, *Commissioner, Department of Agriculture*

The Rt. Rev. Douglas E. Theuner, *Episcopal Diocese of N.H.*

Susan Thoresen, *The Thoresen Group*

David Thun

C. Robertson Trowbridge, *Society for the Protection of N. H. Forests*

John Tucker

C. Nathan Tufts, *Merrimack River Watershed Council*

Frederic K. Upton, *Esq.*

Wayne Vaughn, *N.H. Camp Directors Association*

Richard Webb

The Rev. Brendan Whittaker

Mary Louise Williams

Walworth Williams

Fred Winch

Sumner Winebaum, *Winebaum News*

Stephen Winship

Rawson L. Wood, *Loon Preservation Committee*

Victoria Zachos

Kimon Zachos, *Esq.*

Land for New Hampshire

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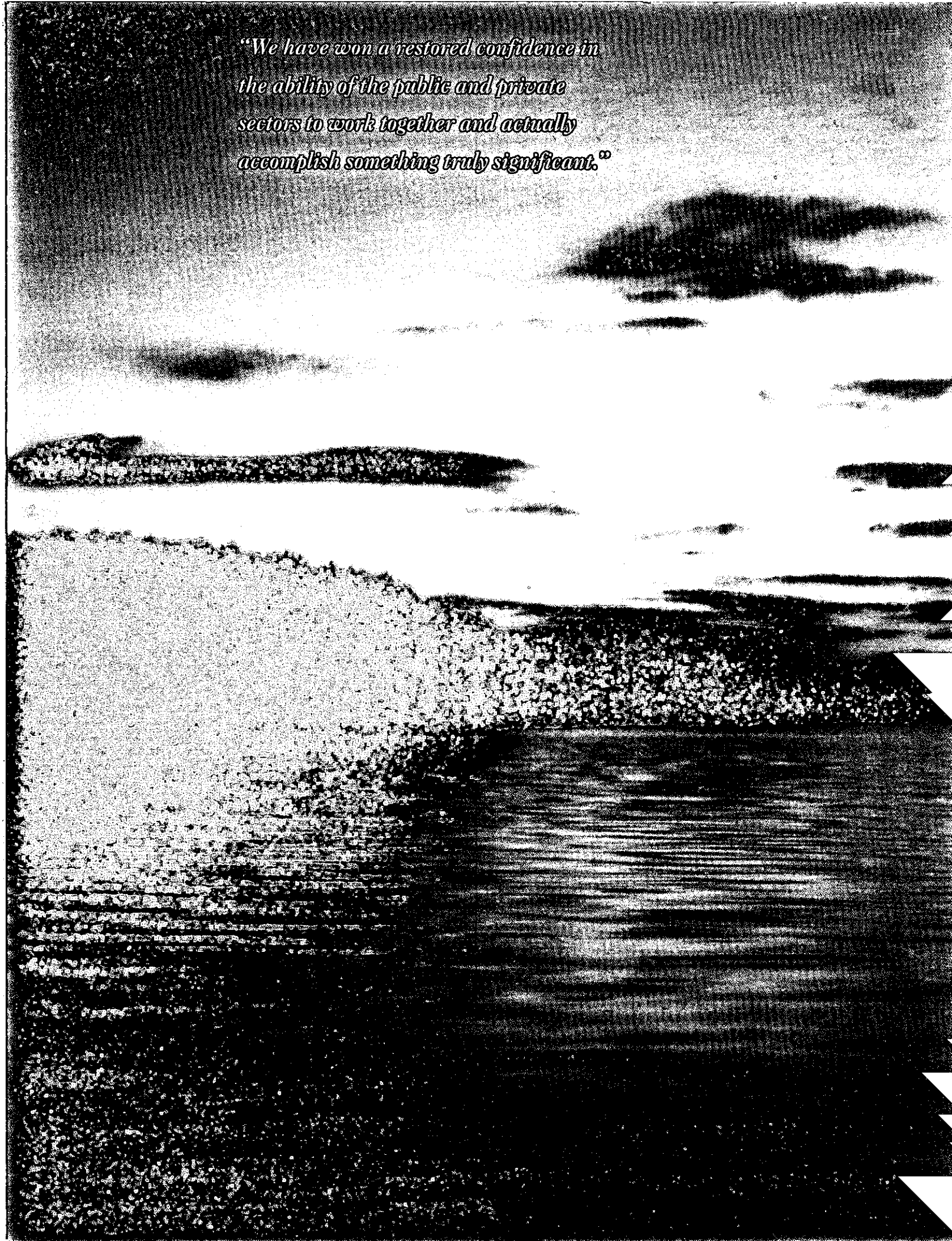
Photographs: Cover-Wilcox Point, Great Bay, George Barker. Inside front-Dan Habib. 1-Bill Johnson. 2-Jeff Malenfant. 4-TNHL. 5-SPNHF, TNHL. 6-Brookdale Farms. 7-TNHL (2). 8-Peter Randall. 9-George Barker. 10-Bill Finney, TNHL (2). 11-Bascom family. 12-Michael Moore, TNHL (2). 13-Bill Johnson. 14-TNHL (2), Alison Forbes. 15-TNHL. 18-Henry Woolsey, TNHL, George Barker. 19-US F&WS. 20-TNHL (2), Bill Johnson. 21-Dan Habib. 22-Lakes Region Conservation Trust, TNHL, Margo Pinkerton. 23-Bill Johnson. 24-Terry Barnum, TNHL. 25-Peter Randall. 26, 27-Dan Habib.

Design: Whitman Communications Group, Inc., Lebanon, NH

Printing: The Nimrod Press, Boston, MA

This final report was produced jointly by the NH Land Conservation Investment Program and the Trust for NH Lands, March 1993. An expanded version of this report with details and maps of each LCIP-protected property is available at town libraries. All LCIP records are at the NH Division of Records & Archives.

For information about the LCIP, contact the Office of State Planning, 2½ Beacon Street, Concord, NH 03301


"We have won a restored confidence in
the ability of the public and private
sectors to work together and actually
accomplish something truly significant."

ELIZABETH A. STEELE
688 GREAT HILL ROAD
TAMWORTH, NH 03886

4/16/00

To: Chairman — House Resources, Recreation & Development Committee

Although I'm not able to attend the hearing on SB401 on April 19th, I wish to register my strong support of this bill.

I am especially interested in the enviromental aspects of the bill, but all of it is important.

Sincerely,

Elizabeth A Steele

4/20/00

To: Honorable H. Charles Royce

Dear Sir

Enclosed is a summary of proposed changes to 'details' of SB401 NA(2CHIP. I have read and studied this legislation a number of times as well as details of the L2CHIP Report. There are serious flaws but repairable. If your committee would give study you will find the recommendations are realistic and fair Ex. Increase quorum from five - 3 votes decide to eleven - 9 votes thus of twenty decide. Add a representative one from each major state region - ele. for balance.

This authority will be around for many years. The proposal needs scrutiny. Don't rush it. While there is lots of support for this bill, I'll bet only a rare few have seriously read/studied the details

Thank you for consideration

Respectfully,

Alvin Tanner

Salisbury 648 2176

Note: I am a member of both town and regional conservation commissions and planning boards. Also a member of 3+ other groups.

I have sent copies of this typed critique to members of the committee less this note. I hope this was OK.

A T.

If your committee had the time might be interesting to look at Mass Law Chap 279 (3?) Here, all key decisions are local ex Cape Cod Land Plan is one of several. Unfortunately this year you may not have time. That plan works.

Critique: SB 401 NHL&CHIP Reference proposed RSA 227-M 4/19/00

Recommended REVISIONS to make proposed legislation more responsive to the public and fair to all interest groups and also assures better legislative oversight.

227-M: 3, II

Board Membership
Change (c) Improve fair balance to the authority. Add five members, representing each regions interest, one from each of the states five regions; Seacoast, Manadnock, Lakes, Dartmounth-Sunapee, and Northern. They shall be voting members. Terms three years. This change assures local views are supported and the taxpayers are represented.

227-M: 3, III

Members – state agencies
Add to voting member list all five state agency members such as director of Fish & Game, etc. as well as the five representatives from the various state regions. This adds expertise from agencies directly involved in land selection and management.

227-M: 3, V

Change proposed quorum of only five with only three votes deciding major issues to eleven of twenty voting members to make a quorum. Require a ¾ super majority to approve land and easement approvals. Also require this same majority before any land acquired funding from state taxpayers to close or 'post' any land state owned or other. Legislation as proposed allows a with a small quorum for only three votes to acquire land and it may be closed or posted without a vote thereby blocking the taxpayers that funded the acquisition of use of the land.

227-M: 4

Powers....
Change (I & II) Change, cross out " but not limited to criteria..." to read "shall be limited to criteria..". As proposed "not limited..." allows for future problems and bypasses legislative control. Also change approval vote to 'post' land from a simple majority to 'requires' three fourths of members vote to make a change to 'post' any land acquired with taxpayers funding.

This assures that authority is limited to specific rules the legislature and voters expect. This especially includes control of 'changing lands from 'non-posted' to 'posted' by a simple majority vote of members. It also assures that reasons to 'post' lands are well documented and supported for the publics interest. This should apply to all lands acquired with taxpayers money. This prevents special interest groups at some future date limiting land use and access by the general public. In addition a change should be added that all non-profit voting members must abstain from voting involving land acquisitions for their employer/organization.

Add a sentence "a copy of the report with aquisions and administrative costs listed separately shall be made available to ant interested person".

227-M: 5

Change the Directors term from five to three years and two terms.

The director has to much authority over project screening and approval. Far two much concentrated power. This could lead to increased costs and politics in proposal selection.

Limit the authority to screening proposals to insure that they meet the basic criteria set for land acquisitions. Limit administrative budget to $50,000- and assure that no state funds are used for lobbing efforts for causes other than the specific land/buildings program stated in this legislation. Avoid misuse of taxpayer funds advocating an array of other programs.

227-M: 7 III — Financial Assistance
Proposal calls for state to guaranty loans of non-profits. This guaranty should be crossed out, no such guaranty should be made without legislative approval.

227M: 8, I (a) — Acquisitions: .....Criteria
As proposed legislation would give higher rankings everything else being equal, to projects in 'rapidly expanding growth areas. This would give major priority to funding projects in areas seeing growth to the harm of most of the state poor rural towns and smaller cities.

227-M: 9 II — Regarding votes for 'posting' open land. Change from a majority vote to require a three Fourths member vote. This applies to any land not just state acquired with state taxpayers funding. A good reason to 'post' will get the required votes.

227-M: 14 I — Public Access; Liability.
Change [I (b)] Add the authority may change access from open to 'posted' land only by a three fourths vote of the members on any land acquired under this legislation using tax payers funding. This assures that anti hunting bias is controlled. Many organizations supporting the NHL&CHC work are anti hunting, logging, etc. they may well become the non- profit voting members some day.

227-M: 14, 9 — Appropriations
Add; 'Appropriations subject and limited to that approved at each biennial legislative session.' This is essential to keep legislative control over this authority.
Finally considered a 10 or 20 year 'sunset' on this law to allow measurement and change as needed.

227-M: 14 VII 6 — Bonds Authorized
No, don't allow them. Very important issue, if bonds are allowed it would force the state into a long-term commitment possibly forcing funding during economic down turns. Assure that this program is funded restricted to only that funding approved in each biennial State budget legislation.

A E Tanner

City of Manchester
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 FAX

COMMISSION

Fred Harris, Chairman
Joseph Sullivan, Clerk
Howard Keegan
Thomas Murphy
William Allen
Ronald Ludwig, Director

April 18, 2000

Representative Charles Royce, Chairman
The House of Representatives of the State of New Hampshire
Resources, Recreation and Development Committee
Legislative Office Building – Room 305
Concord, NH 03301

Re: Senate Bill 401 - Land and Community Heritage Investment Program

Dear Representative Royce:

I am writing to request your support of Senate Bill 401, which will create the Land and Community Heritage Investment Authority and appropriate the initial funding for projects. This program will benefit Manchester and help to protect both the natural and cultural resources of the City.

During the last several years, we have worked on the Regional Environmental Planning Program (REPP) with other City departments, Southern New Hampshire Planning Commission and local residents, by identifying significant properties. Manchester has many historic buildings and sites that should be protected for future generations. There is also a need to preserve additional open space, which is rapidly being lost to residential and commercial development.

The Land Conservation Investment Program (LCIP) that ceased operation about ten years ago, focused on buying large tracts of pristine property in more rural areas. Manchester was successful however, in nominating a non-traditional project involving the restoration of a former industrial site along the Piscataquog River into Bass Island Park. The City was also fortunate to have a statewide project that protected a 17-acre parcel along the Merrimack River.

We see the new (LCHIP) program as a great opportunity for communities in the state to preserve historic sites and open spaces that are being threatened by rapid development. Our committee has identified the mill buildings of the Amoskeag Millyard, abandoned City railroad corridors, The Great Cohas Swamp and parcels along the Merrimack and Piscataquog Rivers as properties to consider.

We encourage you and your committee to support this legislation to re-establish a statewide Land and Community Heritage Investment Program. This program will help New Hampshire communities to protect the unique "sense of place" that makes our state distinctive and a great place to live.

Sincerely yours,

Ronald Johnson, Deputy Director

TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue • Stratham, NH 03885

Voice (603) 772-4741 • Fax (603) 775-0517

April 17, 2000

Honorable Donna Sytek
Speaker of the House
NH House of Representatives
State House, Room 313
Concord, NH 03301

Honorable Beverly A. Hollingworth
President of the Senate
NH State Senate
State House, Room 302
Concord, NH 03301-4951

Honorable Jeanne Shaheen
Governor
State of New Hampshire
State House, Room 208-214
Concord, NH 03301-4990

Honorable H. Charles Royce, Chairman
House Resource, Recreation, &
Development Committee
Room 305, Legislative Office Building
Concord, NH 03301

Dear Sir and Madams:

Please let it be known that the Town of Stratham passed by unanimous voice vote the following resolution during its 2000 Town Meeting held on March 17, 2000 and as it appeared in the Town Warrant for said meeting as Article #18:

> "**Resolved**, New Hampshire's natural, cultural, and historic resources in this town and throughout the state are worthy of protection and, therefore, the State of New Hampshire should establish and fund a permanent public/private partnership for the voluntary conservation of these important resources."

Accordingly, we would urge support and passage of SB 401 as currently before the House Resources, Recreation, and Development Committee when acted upon by your respective bodies and/or offices.

Sincerely,

Board of Selectmen

Cc: Rep. C. David Corbin
Rep. George R. Rubin
Rep. Walter D. Ruffner
Sen. Burton J. Cohen
Brian Hart, Coordinator, CNHL&CH

April 19, 2000

Representative Charlie Royce, Chairman
Resources, Recreation & Development Sub-Committee
Legislative Office Building - Room 305
Concord, New Hampshire 03301

RE: Senate Bill 401

Dear Chairman Royce,

This letter is intended to show my support for Senate Bill 401. I heartily urge your committee to act favorably toward this important piece of legislation. I currently am employed by Southwestern Community Services Inc. (SCS), based in Keene New Hampshire, as the agency's Director of Housing and Economic Development. We are the Community Action Agency serving both Cheshire and Sullivan counties. Our agency has been developing both housing and commercial real estate since 1989. To date, SCS has developed over 150 units of Affordable Housing for elderly, handicapped and low to moderate income households as well as over 75,000 square feet of commercial space.

Several of our projects have involved the purchase and rehabilitation of historically significant buildings. Two of our projects are located in buildings that are listed on the National Register of Historical Places. Although highly successful, these two developments were easily the most difficult to develop as they required us to accomplish our renovations to extremely strict historical standards required and overseen by the US Department of the Interior. Funds available for such preservation work are very rare and difficult to access and to utilize.

I can state emphatically that efforts to preserve historically significant pieces of our state have very tangible as well as intangible benefits. These efforts bind both people and communities together as well as to allow our future to have a link to our past. I have worked closely with the NH Department of Historical Resources and have seen first hand how difficult it is to preserve our history due to the extremely limited resources available.

Investments and efforts to preserve our cultural, historical and ethnic heritage yield huge exponential returns. Even small preservation efforts invariably lead to even larger efforts. The relatively small amount of capital represented within Senate Bill 401 will result in countless additional efforts with identical goals. I believe that it is exactly these sorts of efforts that make New Hampshire a unique and special place to live and work. I take no more pride than to be able to show my young children how their Dad was part of an effort that successfully preserved a part of our history, albeit small.

Please show your support for this legislation as it is studied as part of your committee's work. Become a part of this growing effort. You will be proud that you did. Thank you for your time and attention.

Sincerely,

Keith F. Thibault
9 Joslin Road
N. Swanzey, NH 03431

Rep. William Rose

Hearing on SB-401, at Resources, Recreation & Dev. Comm.4/19

Thank you Mr. Chairman and members of the Committee. I am against Senate Bill- 401, as it is currently written. But, I am not against the entire bill.

I don't often agree with Governor Shaheen on issues, but I do support some of her comments regarding this bill. At the Senate hearing, her budget advisor, said that The Governor supports phasing in state support for a land and historic building preservation program with $ 1 million next year - then $ 2 million the year after and $ 3 million the third year. Shaheen's advisor also said that the Governor doesn't support state money to administer the Land and Community Heritage Investment Program; but would rather see private funds and grants pay the cost in the early stages.

All lobbyists and pressure groups should keep in mind that we don't get the money from Santa Claus! It comes from taxpayers pockets; and they generally want us to be careful how we (in the Legislature) spend their tax dollars. We already have an estimated deficit of $ 37- 40 million. And the education funding issue will be hanging over our heads for at least 2 more years. Plus we have $ 67.6 million in current bonded debt service; which doesn't include our highway debt of about $ 200 million. I think the question becomes - should we (as a state) go intentionally deeper into debt to buy land and fix up old buildings ??

I think the Governor is right (if we do go ahead with this) it should be done gradually - with private funds and grants to pay for the cost in the early stages. I agree that we should preserve historic buildings; but not move heavily into land purchasing. I would prefer land easements. I generally support Rep. Brewster's amendment.

Shouldn't we, as Representatives of all the people, be very careful of borrowing more money, when we are in a deficit situation? The Wall St. fianancial "watch dogs" are constantly observing our bonding situation. If they decide that we are slipping into excessive bonded debt, they could reclasify our rating downward. This would cause our state to pay a higher interest rate to borrow & issue bonds in the financial market place. That would be really bad news. Let's be careful and cautious, before we decide to approve of more bonding.

Thank you Mr. Chairman & Members of The Committee.

File Rep Clark

State Incentive-Based Growth Management Laws

November 1999

NCSL and the Trust for Public Land (TPL) have developed a database of state legislation designed to provide financial and other incentives to manage growth and preserve open space. The database includes brief abstracts of enacted state legislation on such topics as conservation easements, land trusts, open space, smart growth and tax incentives, and a statutory citation for detailed reference to the provisions of each law. The database can be searched by state and topic.

As with all legislation, this database is a work in progress. New abstracts will be entered every two weeks. They will include summaries of existing laws and proposed legislation being considered during the 1999 sessions. Over the course of the year, the abstracts will be expanded to incorporate brief summaries of how the laws are being implemented.

The database is not intended to duplicate existing work of other organizations. It does not include summaries of planning and zoning laws that are more capably covered by the American Planning Association. Its emphasis is on recent legislation that represents a trend toward non-regulatory, incentive-based approaches to managing growth and preserving open space. Other helpful web sites include the Trust for Public Land, and the American Farmland Trust. NCSL and TPL are grateful for the generous funding support of the Henry M. Jackson Foundation in enabling this effort to proceed.

Select State(s):

All States
Alabama
Alaska
American Samoa
Arizona
Arkansas
California
Colorado

Select Primary Topic Area(s):

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Bonds
Conservation Easements
Funding Sources
Grants/Loans
Growth Management
Impact Fees

To narrow your search, type in a key word or exact text string:

[Searches for **exact phrase** in summary text.]

Results Format:

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444 North Capitol Street, N.W., Suite 515
Washington, D.C. 20001
Tel: 202-624-5400
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V - denotes historic preservation
~ - denotes ~~of~~ high density development and urban infill

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State Incentive-Based Growth Management Laws

Alabama

Citation:	Summary	Topic Areas
Ala. Code, § 35-18-1 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic, or open-space values of real property; assuring its availability for agricultural, silvicultural, forest, recreational, or open-space use; protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, paleontological, or cultural aspects of real property. The holder of an easement may be a governmental body, a charitable corporation or a land trust. The term of a conservation easement must be stated at the time it is established, or it becomes the lesser of 30 years or the life of the grantor.	[Conservation Easements] [Land Trusts] [Open Space]

Arizona

Citation:	Summary	Topic Areas
Laws of 1998, House Concurrent Resolution 2027	Passed by the electorate on the November 1998 ballot as Proposition 303, it appropriates $220 million in general fund revenue over 11 years to purchase state trust lands--or the development rights to such lands--to protect open space. The referendum requires local governments or nonprofit groups using state grants to purchase trust lands to provide a 50-50 match. It also precludes state mandates for local urban growth boundaries and growth management plans.	[Funding Sources] [Grants/Loans] [Open Space] [Purchase of Development Rights]
Ariz. Rev. Stat. Ann., § 33-271 et seq.	Authorizes the creation of a conservation easement that imposes limitations for conservation purposes to preserve the historical, architectural, archaeological or cultural aspects of real property. Conservation purposes include preserving land areas for outdoor recreation, natural habitat of fish or wildlife, or open space for scenic enjoyment of the general public. A governmental body or charitable land trust may hold an easement. Conservation easements are voluntary in nature and unlimited in duration unless stated otherwise at the time of creation.	[Conservation Easements] [Land Trusts] [Open Space]
Ariz. Rev. Stat. Ann., 11-1101 et seq.	Authorizes a county to assess impact fees against developers provided it has adopted an ordinance for the public facility for which the fee is collected. A public facility is defined to include capital improvements for roadways, wastewater and drinking water systems, and public parks. The amount of the fee must be "reasonably attributable or reasonably related to the service demands of the benefit area," and shall not exceed "a proportionate share of the costs	[Impact Fees] [Land Use Planning] [Local Government]

incurred or to be incurred in providing a public facility."

Laws of 1998, Chapter 204	The "Growing Smarter Act" amends existing local government planning law to require that municipal and county general plans include, among other components: (1) a land use element to promote infill and identify locations where development should be encouraged; (2) a growth area element to identify areas suitable for planned multimodal transportation, encourage mixed use development, conserve significant natural resources, and promote financially sound infrastructure expansion; and (3) a cost of development element to require developers to pay their fair share of the costs of providing necessary infrastructure. All zoning and rezoning must be consistent with and conform to the revised local government plans.	[Growth Management] [Land Use Planning] [Local Government] [Smart Growth]

Arkansas

Citation:	Summary	Topic Areas
Ark. Stat. Ann., §15-20-401 et seq.	Authorizes any state agency, county, municipality or charitable organization to hold a conservation easement for the preservation of historical, architectural, archeological or cultural aspects of real property.	[Conservation Easements] [Land Trusts] [Local Government]

California

Citation:	Summary	Topic Areas
Cal. Civil Code, §815 et seq.	Permits the voluntary conveyance of perpetual easements to any nonprofit organization or state or local government entity to retain real property in its natural, scenic, historical, agricultural, forested, or open-spaced condition.	[Conservation Easements] [Land Trusts] [Open Space]
Cal. Gov't Code, §66000 et seq.	Authorizes a local agency to assess a fee as a condition for approval of a development project, provided the agency identifies the purpose of the fee; identifies the use to which the fee will be put; determines how there is a reasonable relationship between the fee's use and the development project; determines how there is a reasonable relationship between the need for the public facility and the development project; and determines how there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development project. Facilities for which fees may be assessed include schools and facilities for nonagricultural water, sewage disposal, stormwater and flood control, electricity generation and distribution of gas and electricity, transportation, and parks and recreation.	[Impact Fees] [Land Use Planning] [Local Government]
1999 Senate Bill 680 (Passed Senate, in Assembly Committee)	Would authorize a 55 percent state income tax credit for individuals or corporations that donate conservation easements to natural resource lands to public agencies or nonprofit organizations. The Legislature would set the yearly amount of tax credits available, and the Resources Agency would be responsible for approving each donation. Roughly 55 percent of the tax credits would be allocated for land and water necessary to protect endangered species and for wildlife corridors, 35 percent for farmland protection, and 10 percent for parks and open space.	[Conservation Easements] [Income Taxes] [Tax Incentives]
Assembly Bill 950 (Passed Assembly; in Senate	Would require a local agency formation commission responsible for reviewing and approving land use proposals that may lead to the conversion of open space to consider guiding the proposed new land use away from existing prime agricultural land towards areas that are	[Agricultural Land] [Local Government] [Open Space]

Committee)	not categorized as open space or prime agricultural lands.	[Rural Land]
Assembly Bill 1229 (Passed Assembly; in Senate Committee)	Expands the organizations eligible under the Agricultural Land Stewardship Program to hold conservation easements to include resource conservation districts and regional park or open space districts whose purposes include farmland preservation. Eligible districts can apply to the Department of Conservation for grant funds to purchase conservation easements.	[Agricultural Land] [Conservation Easements] [Open Space]

Colorado

Citation:	Summary	Topic Areas
Colo. Rev. Stat., §36-1-107.5	Directs the state Land Board to establish a long-term stewardship trust of up to 300,000 acres of land. It authorizes the board to sell or lease conservation easements on state trust lands.	[Conservation Easements] [Land Trusts] [Open Space]
Colo. Rev. Stat., §29-21-101	Creates a conservation trust fund in the Division of Local Government in the Department of Local Affairs consisting of lottery proceeds. The Division of Local Government must distribute shares from the fund annually to eligible counties, municipalities and special districts for the acquisition, development and maintenance of new conservation sites, or for capital improvements or maintenance for recreational purposes on any public site.	[Conservation Easements] [Funding Sources] [Local Government]
Colo. Rev. State. §31-25-301	Authorizes any town to acquire, establish and maintain land or interest in land for the preservation or conservation of sites, scenes, open space, and vistas of recreational, scientific, historic, esthetic or other public interest.	[Conservation Easements] [Local Government] [Open Space]
Colo. Const., Art. 27, §1 et seq.; Colo. Rev. Stat., §33-60-101 et seq.	Establishes the Great Outdoors Colorado Program to preserve, protect, enhance and manage the state's wildlife, park, river, trail and open space heritage. The program provides grants on a matching basis to local governments and nonprofit land conservation organizations to acquire title and development rights to open space. The constitutional amendment creates the Great Outdoors Colorado Trust Fund comprised of dedicated proceeds from the state lottery to finance the grant program.	[Funding Sources] [Grants/Loans] [Open Space]
1999 House Bill 1155 (Enacted)	Provides a state income tax credit for the donation of a conservation easement to a governmental entity or a nonprofit organization. The amount of the tax credit is equal to the fair market value of the conservation easement, not to exceed $100,000 per donation. The bill allows the unused portion of the tax credit to be carried forward for 20 years. Implementation Notes: The bill's fiscal note estimates that the impact of the tax credit on the state's general fund is projected at $238,500 in FY 2000, $715,000 in FY 2001, $1.16 million in FY 2002, and $1.5 million in subsequent years.	[Conservation Easements] [Income Taxes] [Tax Incentives]
Colo. Rev. Stat., §29-1-801 et seq.	Authorizes a local government to assess a fee on a land development as a condition for permit approval in order to finance an improvement or facility necessitated by the land development that is directly related to a local government service. Land development includes a subdivision of land or a change in the use of land that results in an increase in the number of service units. The fee must be contained in a charter or general policy of the local government that is adopted by resolution or ordinance.	[Impact Fees] [Land Use Planning] [Local Government]

Connecticut

Citation:	Summary	Topic Areas
Conn. Gen. Stat. Ann., §7-131d	Establishes the Protected Open Space and Watershed Land Acquisition Grant Program to be administered by the Department of Environmental Protection to provide grants to municipalities and nonprofit land conservation organizations to acquire title or development rights to land for open space and watershed protection purposes, and to provide grants to water companies for improvements to protect and supply safe drinking water. Municipalities, nonprofit land conservation organizations and water companies must provide matching funds as a condition for grant receipt. A permanent conservation easement must be executed at the time of closing on any property purchased with grant funds to protect in perpetuity the natural and open space characteristics of the land. Prior to disposing of any watershed land, a water company must notify the municipality in which the land is located, and any private nonprofit land-holding organization that has requested notification of potential watershed land sales, of the availability of the land, and offer the municipality or the private nonprofit land-holding organization first right of refusal to acquire the land.	[Conservation Easements] [Grants/Loans] [Land Trusts] [Open Space] [Purchase of Development Rights]
Senate Bill 1231 (Enacted as Public Act 99-235)	Stipulates that 21 percent of the state's land area shall be held as open space. The goal of the state's land acquisition program is to ensure that 10 percent of the state's land area is held by the state as open space, with not less than 11 percent of the state's land area to be held as open space by municipalities, water companies or nonprofit land conservation organizations. The act sets a strategy for land acquisition beginning with 3,000 acres in 1999, 4,000 acres each in 2000 and 2001, and 5,000 acres in 2002, to continue until the open space land acquisition goal is achieved. The state may not convey open space land to any person, organization or political subdivision of the state unless the recipient executes a conservation easement restricting development of the land.	[Conservation Easements] [Land Trusts] [Local Government] [Open Space]

Delaware

Citation:	Summary	Topic Areas
Del. Code Ann., § 7-6901 et seq.	Authorizes the creation of a conservation easement to retain land or water areas predominantly in their natural, scenic, recreational or open condition, or in agricultural, farming, forest or open space use. Authorizes the creation of a preservation easement to preserve a structure or site historically significant for its architecture, archeology or associations. Governmental bodies or charitable trusts may acquire such easements. Easements may be released, in the same manner that the holder may dispose of real property, subject to conditions imposed at the time of creation of the easement.	[Conservation Easements] [Land Trusts] [Open Space]
1999 House Bill 248 (Passed House; in Senate)	Would create a state income tax credit for permanent gifts of land or conservation easements to public agencies and qualified private nonprofit, charitable organizations. Eligible property must meet criteria for open space established by the Delaware Land Protection Act, consist of natural habitat for the protection of Delaware's unique and rare biological natural resources, or protect Delaware's important historic resources. The tax credit is based on 40 percent of the fair market value of the gift, but cannot exceed $50,000. In any one tax year, the credit claimed cannot exceed the tax due, but unused portions of the credit can carry forward for up to five consecutive years. The total amount of tax credits made by the state under this provision cannot exceed $1 million a year over a ten-year period for a total of $10 million.	[Conservation Easements] [Open Space] [Tax Incentives]

Florida

Citation:	Summary	Topic Areas
Fla. Stat. Ann., §259.101, §375.045	Creates the Florida Preservation 2000 Program and the Florida Preservation 2000 Trust Fund to preserve natural areas that are subject to development pressures. The trust fund, administered by the Department of Environmental Protection, is comprised of state revenue bond proceeds to be used to acquire title or development rights to lands that protect valuable natural resources, provide open space for natural resource based recreation, recharge groundwater, serve as habitat for threatened or endangered species, or preserve important archeological or historical sites.	[Bonds] [Conservation Easements] [Funding Sources] [Open Space] [Purchase of Development Rights]
1998 Amendment No. 5	Among other provisions, this ballot measure authorizes the state to issue revenue bonds to finance the acquisition and improvement of land, water and related natural resources for conservation, outdoor recreation, water resources development, restoration of natural systems and historic preservation purposes.	[Bonds] [Funding Sources] [Open Space]
Fla. Stat. Ann., §704.06	Authorizes any governmental body or agency or a charitable corporation or trust whose purposes include protecting the natural, scenic or open space value of real property, assuring its availability for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving sites or properties of historical, architectural, archeological or cultural significance to acquire a conservation easement.	[Conservation Easements] [Land Trusts] [Open Space]
Senate Bill 908 (Enacted as Chapter 99-247)	Creates the Florida Forever Program, a 10-year, $300 million annual bond-funded program designed to purchase environmentally significant lands and water resource development projects. Bond proceeds are to be deposited in the Florida Forever Trust Fund. Twenty-four percent of the proceeds--$72 million annually--is allocated to the Florida Communities Trust in the Department of Community Affairs for land acquisition and for grants to local governments and nonprofit environmental organizations for the purchase of community-based, urban open spaces, parks and greenways to implement local government comprehensive plans. Debt service on the bonds is to be paid from documentary stamp tax revenue.	[Bonds] [Funding Sources] [Local Government] [Open Space]
Senate Bill 906 (Enacted as Chapter 99-246)	Creates the Florida Forever Trust Fund to be administered by the Department of Environmental Protection. The fund consists of state revenue bonds used for land acquisition under the Florida Forever Program. The fund's cap is $3 billion.	[Bonds] [Funding Sources] [Open Space]
House Bill 17 (Enacted as Chapter 99-378)	Authorizes counties and municipalities to designate urban infill and redevelopment areas. Local government incentives to developers for new development, expansion of existing development or redevelopment within an urban infill and redevelopment area include waiver of license and permit fees, waiver of local option sales taxes, expedited permitting, lower transportation impact fees for development that encourages public transit, prioritized infrastructure financing, and absorption of developer's concurrency costs. State incentives for local governments that adopt urban infill and redevelopment plans include authority to issue community redevelopment revenue bonds, community redevelopment tax increment financing, and priority in the allocation of private activity bonds. The act also establishes a grant program for local government projects in urban infill and redevelopment areas, and amends the state's transportation concurrency requirements to encourage public transit facilities within urban infill and redevelopment areas.	[Funding Sources] [Growth Management] [Local Government] [Smart Growth] [Tax Incentives]

Georgia

Citation:	Summary	Topic Areas
Ga. Code Ann., § 44-10-1 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting the natural, scenic, or open-space values of real property; assuring the availability of property for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archeological, or cultural aspects of property. Governmental bodies or charitable land trusts may be holders of conservation easements. A conservation easement is unlimited in duration unless otherwise provided for at the time of creation.	[Conservation Easements] [Land Trusts] [Open Space]
Ga. Code Ann., §36-71-1 et seq.	Authorizes any municipality or county that has prepared a comprehensive plan containing a capital improvements element to adopt an ordinance imposing a development impact fee as a condition for approval of a proposed development. The fee may not exceed a proportionate share of the cost of system improvements, and is to be calculated on the basis of levels of service for public facilities applicable to existing development and new growth. Development impact fee revenue may be spent only for system improvements for which the fee was collected and only in service areas where the project is located. Before adopting a development impact fee ordinance, a municipality or county must establish a development impact fee advisory committee with at least 40 percent of the membership consisting of development interests.	[Growth Management] [Impact Fees] [Local Government]

Idaho

Citation:	Summary	Topic Areas
Idaho Code, § 55-2101 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a governmental body or charitable land trust. A conservation easement is unlimited in duration unless otherwise stated at the time of its creation. The granting of a conservation easement shall not have an effect on the market value of property for the purpose of ad valorem tax assessment.	[Conservation Easements] [Land Trusts] [Open Space]
1999 House Bill 145 (Enacted as Chapter 125)	Authorizes counties to issue bonds to purchase open space or conservation easements for scenic and recreational purposes.	[Bonds] [Conservation Easements] [Local Government] [Open Space]

Illinois

Citation:	Summary	Topic Areas
1999 House Bill 2208 (In House Committee)	Would provide a state income tax credit equal to the fair market value of a conservation easement granted by a landowner under the Illinois Conservation Enhancement Act. The Department of Agriculture would determine the fair market value of land protected by a conservation easement. The tax credit may be carried over for three years if it exceeds a taxpayer's tax liability in the year in which it is applied.	[Conservation Easements] [Income Taxes] [Tax Incentives]
1999 House Bill 2697 (In House Committee)	Would authorize local governments--including counties, townships, municipalities, and soil and water conservation districts--to acquire real property development rights, and provide state grants to local governments to purchase development rights.	[Grants/Loans] [Local Government] [Purchase of Development Rights]
1999 House Bill 64 (In House Committee)	Would expand the use of revenue in the Conservation 2000 Fund and the Conservation 2000 Projects Fund to be used to purchase open space, especially in high-growth areas of the state.	[Funding Sources] [Grants/Loans] [Open Space]
1999 House Bill 211 (In House Committee)	Would authorize counties and municipalities to acquire open space land after adoption of an open space plan. The plan must identify the open space land necessary to achieve the program's objectives; state the costs of implementing the plan; indicate the tax necessary to finance the principal and interest on bonds issued to acquire the land; and establish standards and procedures for setting priorities for the acquisition of specific parcels of land. The plan must be submitted to the voters as a referendum for approval. The legislation also would authorize landowners to transfer the development rights to farmland to local governments for deposit in a development rights bank.	[Agricultural Land] [Bonds] [Open Space] [Transfer of Development Rights]
1999 Senate Bill 1087 (Enacted as Public Act 91-220)	Establishes the Illinois Open Land Trust Program and the Illinois Open Land Trust Fund to be administered by the Department of Natural Resources. The program's purpose is to acquire real property or conservation easements for natural areas from willing sellers for conservation and recreational purposes. The department may make grants or loans to local governments from the fund to acquire open space and natural lands. Grantees and loan recipients must, as a condition of financial assistance, agree to convey to the state a conservation easement to land acquired with fund assistance.	[Conservation Easements] [Grants/Loans] [Open Space]

Indiana

Citation:	Summary	Topic Areas
Ind. Code Ann., § 32-5-2.6 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. Governmental bodies or charitable land trusts may hold conservation easements. A conservation easement is unlimited in duration unless the instrument creating it provides otherwise. For the purposes of taxation, property subject to a conservation easement shall be assessed and taxed on a basis that reflects the easement.	[Conservation Easements] [Land Trusts] [Open Space]

Iowa

Citation:	Summary	Topic Areas
1999 Senate File 293 (In Senate Committee)	Would create the State Strategic Development Council to coordinate development projects by state agencies and prepare a state strategic development plan. The bill also would establish the Land Management Planning Board composed of state and local government representatives to oversee planning by local governments. The board would be empowered to approve local government strategic development plans and administer the Land Use Planning Fund. Revenue in the fund would be used to reimburse local governments for costs incurred in preparing strategic development plans. A strategic development plan would have to identify one or more strategic development areas and could identify one or more strategic preservation areas. The objectives of a strategic development plan would include: (1) encouraging compact and contiguous high-density development in appropriate areas; (2) preserving nonreplaceable farmland and natural areas; and (3) preventing sprawl. The bill would provide for a dispute resolution process where a local government fails to ratify the strategic development plan. Counties and municipalities would be required to amend their comprehensive plans to conform to the provisions of the strategic management plan approved by the board.	[Funding Sources] [Growth Management] [Land Use Planning] [Local Government] [Smart Growth]

Kansas

Citation:	Summary	Topic Areas
Kan. Stat. Ann., § 58-3810 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a governmental body or a charitable land trust. Unless otherwise stated at the time of the easement's creation, it is limited in duration to the lifetime of the grantor and may be revoked at the grantor's request. Easements may not impair the rights of a public utility, city or a watershed district with respect to the acquisition of rights-of-way, easements or other property rights upon which utilities or watershed structures are located.	[Conservation Easements] [Land Trusts] [Open Space]

Kentucky

Citation:	Summary	Topic Areas
Ky. Rev. Stat., § 382.800 et seq.	Authorizes the establishment of a conservation easement to impose limitations to protect natural, scenic, or open space values; assure its availability for agricultural, forest, recreational, or open space use; protect natural resources; maintain or enhance air or water quality; or preserve historical, architectural, archaeological, or cultural aspects of real property. Governmental bodies or charitable land trusts may hold conservation easements. The duration of a conservation easement is unlimited unless otherwise stated at the time the easement is created.	[Conservation Easements] [Land Trusts] [Open Space]

Maine

Citation:	Summary	Topic Areas
Me. Rev. Stat. Ann., 30-A §4354	Authorizes a municipality to enact an ordinance requiring a developer to construct off-site capital improvements or pay an impact fee. The fee may require the developer to pay the entire cost of infrastructure improvements for wastewater, drinking water, solid waste, fire protection, roads, and parks and open space. The fee amount must be reasonably related to the developer's share of the infrastructure's cost.	[Growth Management] [Impact Fees] [Local Government]
Me. Rev. Stat. Ann., 33 §476 et seq.	Authorizes the creation of a conservation easement that restricts the use of real property to protect natural, scenic or open space values; assure its availability for agricultural, forestry, recreational or open space use; protect natural resources; or maintain or enhance air or water quality. The holder of an easement may be a governmental body or a nonprofit corporation or charitable land trust. The easement's duration may be unlimited unless a lesser time is designated at the time it is created, or circumstances in the future have changed to render the easement no longer in the public interest.	[Conservation Easements] [Land Trusts] [Open Space]
Me. Rev. Stat. Ann., 5 §6200 et seq.	Establishes the Land for Maine's Future Fund to be administered by the Land for Maine Future's Board. The fund consists of proceeds from the sale of bonds and contributions from private and public sources. Revenue in the fund is to be distributed to state agencies and cooperating entities to purchase property or interests in property, including conservation easements, that qualifies as natural resource lands of state significance, including farmland and open space with conservation, wilderness or recreational values.	[Conservation Easements] [Funding Sources] [Open Space] [Purchase of Development Rights]
1999 Legislative Document 1080 (In Joint Committee)	Would require that growth-related capital investments by the state be made only in a locally designated growth area identified in a local comprehensive plan, or in areas served by a public sewer system with sufficient capacity to accommodate growth.	[Growth Management] [Local Government] [Smart Growth]

Maryland

Citation:	Summary	Topic Areas
Md. Code Ann., SF §5-7B-01 et seq.	Establishes the Priority Funding Areas Program that designates the types of existing areas--primarily urban centers and areas proposed for revitalization--that are eligible for state economic development funds, and authorizes counties to designate priority funding areas that meet local guidelines for intended use and have sufficient infrastructure in place to make development viable. Beginning October 1, 1998, no state funding of growth related projects can occur unless the projects are located in a priority funding area. To receive funding, a local government must certify to the state Office of Planning that a project is within a designated area.	[Grants/Loans] [Growth Management] [Land Use Planning] [Local Government] [Smart Growth]
Md. Code Ann., NR §5-9A-01	Establishes the Rural Legacy Program to enhance the protection of natural resources while maintaining the viability of agricultural and forestry lands. It provides state funds to local governments and land trusts to purchase land and development rights from willing sellers. The primary funding sources are a portion of the state's property transfer tax, general obligation bonds and zero-coupon bonds.	[Bonds] [Open Space] [Purchase of Development Rights] [Real Estate Transfer Taxes] [Rural Land]
Md. Tax-Property Code, §2-	Authorizes the governing body of any county or municipality to grant a property tax credit against the county or municipal property tax imposed on any real property that is subject to a perpetual	[Conservation Easements] [Local Government] [Tax

220	conservation easement donated to a qualified land trust.	Incentives]
Md. Real Property Code, §2-118	Authorizes the creation and enforcement of conservation easements to prohibit the development or limit the use of water or land areas.	[Conservation Easements] [Open Space]
1999 House Bill 5 (Enacted as Chapter 304)	Establishes a Smart Growth Economic Development Infrastructure Fund in the Department of Business and Economic Development. The fund is to be used to make loans to economically distressed counties to finance economic development projects.	[Grants/Loans] [Smart Growth]

Massachusetts

Citation:	Summary	Topic Areas
1999 Senate Bill 1626 and House Bill 1295 (In Joint Senate-House Committee)	Would authorize a state income tax credit for the donation of a conservation easement on conservation lands. The tax credit is equal to 50 percent of the fair market value of the land, up to a maximum of $50,000.	[Conservation Easements] [Income Taxes] [Tax Incentives]
Senate Bill 1513 and House Bill 3203 (In Joint Committee)	The Community Preservation Act would authorize the local legislative body of a municipality to refer to its electorate use of a portion of the local excise tax or real estate tax to fund a community preservation program. If a funding mechanism is approved, the municipality shall form a community preservation committee to develop a community preservation plan. The plan shall address the municipality's need for open space preservation, historic preservation and community housing. The committee may use revenue in its community preservation fund to purchase interests in open space, which must include a conservation easement restricting the use of the land for open space purposes. A municipality that adopts a community preservation program may issue bonds to help capitalize its community preservation fund.	[Conservation Easements] [Funding Sources] [Local Government] [Open Space]

Minnesota

Citation:	Summary	Topic Areas
Minn. Stat. Ann., § 84C.01 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a governmental body or a charitable land trust. A conservation easement is unlimited in duration unless the instrument creating it provides otherwise.	[Conservation Easements] [Land Trusts] [Open Space]
Minn. Const., Art. 11, §14	Establishes the Environment and Natural Resources Trust Fund. The legislature is responsible for appropriating revenue in the fund for projects that protect, conserve, preserve and enhance the state's air, water, land, fish, wildlife and other natural resources. The constitutional amendment credits not less than 40 percent of the net proceeds of the state lottery to the fund.	[Funding Sources] [Grants/Loans] [Open Space]
House File 2420 (Enacted)	As part of the omnibus tax bill, article 5, sections 34, 35, 39, 40 and 41 authorize local governments to acquire development rights to property in the form of a conservation easement, and to issue bonds to purchase development rights.	[Bonds] [Conservation Easements] [Local Government]

		[Purchase of Development Rights]

Mississippi

Citation:	Summary	Topic Areas
Miss. Code Ann., § 89-19-1 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body, nonprofit or charitable land or educational trust may hold an easement. A conservation easement is unlimited in duration unless otherwise provided for at the time of its creation.	[Conservation Easements] [Land Trusts] [Open Space]

Nevada

Citation:	Summary	Topic Areas
Nev. Rev. Stat., § 111.390 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body or charitable land trust may hold a conservation easement. The duration of a conservation easement is unlimited unless otherwise provided for when it is created, or established by court order.	[Conservation Easements] [Land Trusts] [Open Space]
Nev. Rev. Stat., §278B.010 et seq.	Authorizes a local government to adopt an ordinance imposing an impact fee in a service area to cover the costs of constructing capital improvements attributable to new development. The local government must adopt a capital improvements plan by ordinance that contains land use assumptions within designated service areas where impact fees may be assessed. Impact fee revenue must be deposited in an interest-bearing account that clearly identifies the capital improvements within the service area for which the fee was collected. Before imposing an impact fee, the local government must establish an advisory committee that includes at least one member of the development community.	[Growth Management] [Impact Fees] [Local Government]

New Jersey

Citation:	Summary	Topic Areas
Laws of 1998, Senate Concurrent Resolution 66	Passed by the electorate on the November 1998 ballot as Public Question No. 1, the constitutional amendment dedicates $98 million annually from the state sales tax over 10 years to purchase land for recreation and conservation purposes, farmland preservation, and historic preservation. The constitutional amendment also sets aside $98 million annually for 20 years to repay up to $1 billion in bonds issued to finance open space.	[Agricultural Land] [Bonds] [Funding Sources] [Open Space] [Sales Taxes]
N.J. Stat. Ann., 40:55D-42	Authorizes a municipality to adopt an ordinance requiring a developer to pay the pro-rata share of the costs of providing reasonable and necessary street improvements and water, sewer and drainage facilities, that are located outside the development boundaries but necessitated by construction within the development boundaries. The impact fee may be assessed as a condition for approval of a subdivision or cite plan.	[Growth Management] [Impact Fees] [Local Government]

Senate Bill 1544 (Passed Senate in Assembly Committee)	Would provide a corporation business tax credit equal to between 30 and 50 percent of the value of any, land or interest in land donated to the state for recreation and conservation purposes, not to exceed $1 million per year. Any unused portion of the tax credit could be carried over in future years. The bill also would provide a personal income tax credit equal to between 30 and 50 percent of the value of any, land or interest in land donated to the state for recreation and conservation purposes. The credit may not exceed the taxpayer's liability for the year.	[Conservation Easements] [Funding Sources] [Open Space] [Tax Incentives]
Senate Bill 9 (Enacted as Chapter 152)	Establishes the Garden State Preservation Trust consisting of nine members–four state agency directors and five public members. The trust provides funding for the Department of Environmental Protection, the State Agriculture Development Committee and the New Jersey Historic Trust to cover the costs of projects undertaken by those entities and grant or loan recipients for recreation and conservation, farmland preservation and historic preservation purposes. The trust is empowered to issue bonds payable out of the revenues of the trust. From July 1, 1999 through June 30, 2009, the trust may issue bonds in an amount not to exceed $1 billion to purchase land or development rights in land for authorized purposes. From July 1, 2009 through June 30, 2029, the trust may issue bonds in an amount not to exceed $2 billion solely for bond-refunding purposes. The act also establishes the Garden State Preservation Trust Fund Account comprised of state general fund revenue collected from the state sales and use tax equal to $98 million annually for 30 years. For each of fiscal years 2000 through 2009, the trust shall transfer 60 percent of its revenue to the Garden State Green Acres Preservation Trust Fund; 40 percent to the Garden State Farmland Preservation Trust Fund; and $6 million to the Garden State Historic Preservation Trust Fund. Fifty percent of the revenue in the Green Acres program is allocated for open space acquisition and park development by the state; 40 percent for grants and low-interest loans to local governments for open space acquisition and park development; and 10 percent for grants to nonprofit organizations for open space acquisition and park development. Implementation Notes: Senate Bill 9 was enacted to implement a successful 1998 constitutional amendment (Public Question No. 1) that dedicated $98 million annually over 10 years to purchase open space, and set aside an additional $98 per year for 20 years to repay $1 billion in revenue bonds. New Jersey voters had previously approved nearly $1.4 billion in state bonds since 1961 to protect more than 400,000 acres of land. At the local level, 53 municipalities and 13 counties have raised taxes to purchase open space. The legislation's intent is to work in tandem with local governments and private land trusts to preserve one million acres of the state's remaining two million acres of undeveloped land--or 20 percent of the state's land area--over the next 10 years.	[Agricultural Land] [Bonds] [Grants/Loans] [Open Space] [Sales Taxes]

New Mexico

Citation:	Summary	Topic Areas
N.M. Stat. Ann., § 47-12-1 et seq.	Authorizes the creation of a land use easement to protect natural or open spaces, to assure availability of property for agricultural, forest, recreational or open space use, or to protect natural resources. The holder of an easement may be a nonprofit corporation, nonprofit association or nonprofit trust. The term of a land use easement must be stated in the terms of the easement.	[Conservation Easements] [Land Trusts] [Open Space]

New York

Citation:	Summary	Topic Areas
N.Y. Env. Con. Law, §49-0301 et seq.	Authorizes public bodies and nonprofit conservation organizations to acquire and hold any conservation easement for the purpose of preservation or maintaining the scenic, open, historic, archeological, architectural or natural condition, character, significance or amenities of real property.	[Conservation Easements] [Land Trusts] [Open Space]
1999 Assembly Bill 1969, Senate Bill 1367 (AB 1969 in Assembly Committee; SB 1367 in Senate Committee)	Establishes a Smart Growth Economic Competitiveness Task Force to assist the governor in preparing a smart growth strategy. The intent of the strategy is to promote economic competitiveness through the development of infrastructure and local land use planning. The bill also establishes a program to fund regional compact economic competitiveness grants.	[Grants/Loans] [Land Use Planning] [Smart Growth]
Assembly Bill 8386 (In Assembly Committee)	The proposed Smart Growth for the New Century Act would authorize local governments to submit a smart growth plan to the Smart Growth Review Board for review and approval. The plan would implement the act's smart growth principles (which include elements related to public investment, economic development, conservation, coordination, community design, transportation and consistency); present a long-range plan detailing growth and conservation goals; map all areas designated in the plan for growth, redevelopment and preservation; demonstrate how land use regulations will ensure compliance with the plan; and show how publication participation will be used in developing and implementing the plan. The board has the power to review plan applications and certify or revoke approval of each plan. Each state agency shall give priority in making funding decisions to local governments that have certified smart growth plans. State financial assistance for projects may only be provided to areas designated in a smart growth plan as growth or redevelopment areas. Property within a designated growth or redevelopment area is eligible for a property tax exemption for a percentage of any increase in its assessed valuation. Areas designated for preservation will receive funding preference from the Office of Parks, Recreation and Historic preservation.	[Growth Management] [Land Use Planning] [Local Government] [Smart Growth] [Tax Incentives]
Assembly Bill 130-A (In Assembly Committee)	The proposed New York State Smart Growth Compact Act authorizes the creation of smart growth compact areas. Each smart growth compact area would be governed by a smart growth compact council composed of elected local officials within the area's boundaries. Each council would be empowered to prepare and enforce a smart growth compact plan, and provide technical and financial assistance to local governments preparing plans or regulations to implement the compact plan. Once adopted by the council, the compact plan must be ratified by each local government within the compact area and be submitted to the state Smart Growth Review Board for certification. Local governments with certified smart growth plans qualify for state priority incentive funding, especially for drinking water and wastewater infrastructure grants and loans.	[Grants/Loans] [Growth Management] [Land Use Planning] [Local Government] [Smart Growth]
Assembly Bill 1362 (In Assembly Committee)	Would provide a state income tax credit to a corporation that donates an interest in real property for beach access or use, public access to public waters or trails, fish and wildlife conservation, or other similar land conservation purposes equal to 25 percent of the property's fair market value, not to exceed $250,000 for any four consecutive tax years. The bill would provide a similar tax credit to an individual taxpayer for the same purposes, not to exceed $100,000 for any four consecutive tax years. The bill also establishes a Real Property Donation Credit Transitory Fund to be used as full funding for the income tax credits. The fund consists of revenue transferred from the Environmental Protection Fund or from the sale of bonds pursuant to the Clean Water, Clean Air Bond Act of 1996.	[Conservation Easements] [Open Space] [Tax Incentives]

North Carolina

Citation:	Summary	Topic Areas
N.C. Gen. Stat., §105-130.34, §105-151.12	Provides a state income tax credit for corporations and individuals that donate conservation lands to the state, local governments or nonprofit organizations. The tax credit is equal to 25 percent of the fair market value of the land, not to exceed $250,000. It may not exceed the amount of the tax imposed on the corporation or individual in the year it is claimed. Any unused portion of the credit may be carried over for the next five years.	[Conservation Easements] [Income Taxes] [Tax Incentives]

Oregon

Citation:	Summary	Topic Areas
1998 Measure No. 66	This ballot measure dedicates 15 percent of state lottery proceeds to a new fund for land conservation purposes. One-half of the revenue in the fund is to be used to create and maintain state parks, ocean shores, public beach access areas, historic sites and recreation areas. The other half of the fund's revenue is to be used to protect salmon, wildlife habitat and watersheds.	[Funding Sources] [Open Space]

Pennsylvania

Citation:	Summary	Topic Areas
1999 House Bill 350 and House Bill 525 (In House Committee)	Proposes to refer to the electorate a ballot measure that would issue a $100 million state general obligation bond to purchase agricultural conservation easements.	[Agricultural Land] [Bonds] [Conservation Easements]
1999 House Bill 788 (Passed House in Senate Committee)	Authorizes the creation of a conservation easement or a preservation easement that may be perpetual in length, but not less than 25 years in duration.	[Conservation Easements] [Open Space]
1999 House Bill 1200 and Senate Bill 800 (HB 1200 in House Committee; SB 800 in Senate Committee)	Would establish the Environmental Stewardship Fund to be administered by the Department of Environmental Protection. One-third of the revenue in the fund would be allocated to the Department of Conservation and Natural Resources to be used for, among other purposes, grants to municipalities and conservation districts to acquire or restore open space, watersheds, community parks and recreation areas, and farmland. The fund's revenue sources would include money appropriated by the legislature--with an annual cap of $55 million--and transfers from the Recycling Fund and the Hazardous Sites Cleanup Fund--not to exceed $30 million annually.	[Agricultural Land] [Funding Sources] [Grants/Loans] [Open Space]
House Bill 13 (In House Committee)	Among other provisions, the bill would require a municipality, as a condition for subdivision and land development approval, to ensure that the infrastructure necessary to support a development project is identified and provided concurrent with the impacts of the project. The bill also would authorize local zoning ordinances to contain provisions for the transfer of development rights on a regional basis to preserve farmland, environmentally sensitive areas, and areas of cultural or historical significance. Zoning ordinances would have to protect farmland and promote the creation of agricultural security areas.	[Agricultural Land] [Land Use Planning] [Local Government] [Smart Growth] [Transfer of Development Rights]

Senate Bill 970 (Enacted as Act 15)	Among other provisions, Senate Bill 970 establishes a supplemental Agricultural Conservation Easement Purchase Program. Funds in the program are to be allocated by the State Agricultural Land Preservation Board to eligible counties for conservation easement purchase programs under the Agricultural Area Security Act; for technical assistance to eligible counties for long-term installment purchases of agricultural conservation easements; and to reimburse private land trusts for expenses incurred in acquiring agricultural conservation easements. The act also authorizes eligible counties to appropriate additional funds to purchase agricultural conservation easements. Implementation Notes: This legislation supplements Pennsylvania's existing farmland preservation program, which has preserved more than 1,090 farms and 136,000 acres in 46 counties since its inception in 1989. The effect of the legislation is to add an additional $43 million to the agricultural conservation easement purchase program.	[Agricultural Land] [Conservation Easements] [Funding Sources] [Land Trusts] [Local Government]

Rhode Island

Citation:	Summary	Topic Areas
1998 Question No. 3	This ballot measure authorizes the state to issue general obligation bonds in an amount not to exceed $15 million for environmental and recreational purposes. One-third of that amount--$5 million--would be allocated to (1) the Department of Environmental Management to purchase land, development rights and conservation easements to protect natural and recreational resources, and to acquire greenways; and (2) to the Agricultural Land Preservation Commission to purchase development rights to farmland.	[Agricultural Land] [Bonds] [Conservation Easements] [Open Space] [Purchase of Development Rights]

South Carolina

Citation:	Summary	Topic Areas
S.C. Code Ann., § 27-8-10 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body, not-for-profit organization, educational corporation or charitable land trust may hold a conservation easement. It is limitless in duration unless otherwise designated at the time it is created. For ad valorem tax purposes, property must be assessed and taxed on a basis that reflects the easement.	[Conservation Easements] [Land Trusts] [Open Space]
S.C. Code Ann., §49-29-100	Provides a personal income tax deduction to landowners that donate a perpetual easement to the state under the scenic rivers program. The deduction is equal to the fair market value of the easement.	[Conservation Easements] [Income Taxes] [Tax Incentives]

Tennessee

Citation:	Summary	Topic Areas
Tenn. Code Ann., §6-58-101 et seq.	Chapter 1101 of 1998 creates within each county a coordinating committee, and requires the committee to recommend a growth plan to the county legislative body and to the governing body of each municipality within the county for ratification no later than January 1, 2000. The plan must identify urban growth boundaries for each municipality, and planned growth areas and rural areas within the county. If the county or municipality rejects the plan, the Secretary of State may appoint a dispute resolution panel to resolve the differences. The ratified plan must be submitted to the local government planning advisory committee for approval. Once approved, all land use decisions made by a county or municipality must be consistent with the growth plan. After July 1, 2001, state economic development and infrastructure financial assistance will not be available to counties and municipalities that do not have approved growth plans.	[Growth Management] [Land Use Planning] [Local Government] [Smart Growth]

Texas

Citation:	Summary	Topic Areas
Tex., Natural Resources Code, § 183.001 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body or charitable land trust may hold a conservation easement. A conservation easement is unlimited in duration unless the instrument creating it makes some other provision. Once land is no longer subject to a conservation easement, an additional tax is imposed on the land equal to the tax break received for the five years prior to termination of the easement plus 7 percent interest calculated on an annual basis.	[Conservation Easements] [Land Trusts] [Open Space]

Utah

Citation:	Summary	Topic Areas
1999 House Bill 119 (Enacted as Chapter 24)	Establishes a Quality Growth Commission and reestablishes the LeRoy McAllister Critical Land Conservation Fund. The commission is responsible for making recommendations to the legislature regarding what constitutes quality growth areas–areas where local governments have sufficient infrastructure in place to service growth–and what types of state revenue should be targeted to such areas. The commission also is charged with administering the land conservation fund. Revenue in the fund–initially a $3 million legislative appropriation–is to be used to acquire conservation easements to open space and agricultural lands.	[Conservation Easements] [Funding Sources] [Open Space] [Smart Growth]

Vermont

Citation:	Summary	Topic Areas
Vt. Stat. Ann., §24-5200 et seq.	Authorizes a municipality to assess an impact fee on any new development provided it has adopted a capital budget and a capital program. The municipality also must develop a reasonable formula to be used in calculating the fee that reflects the level of services that will be provided for the project and a means of assessing the impact of the development for which the fee is levied. The municipality may require the proposed development to cover the entire cost of a capital project constructed to service the new development; where future development projects benefit from the services provided to the initial developer, the municipality may require the new developers to reimburse the initial developer for a portion of the impact fee.	[Growth Management] [Impact Fees] [Local Government]

Virginia

Citation:	Summary	Topic Areas
Va. Code, § 10.01-1009 et seq.	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. The holder of an easement may be a charitable corporation, association or trust which is exempt from taxation. A conservation easement's duration is unlimited unless otherwise designated at the time it is created.	[Conservation Easements] [Land Trusts] [Open Space]
1999 House Bill 1752 (Enacted as Chapter 983)	Provides a state income tax credit for individuals and corporations that donate land or development rights to land to a qualified public or private conservation agency for a conservation or preservation purpose, including agricultural or forestry use, open space, natural resource or biodiversity conservation, or watershed or historic preservation. The tax credit is equal to 50 percent of the land's fair market value, not to exceed $50,000 in FY 2000, $75,000 in FY 2001, and $100,000 in FY 2002 and succeeding years. The credit may be carried over for a period of five years.	[Conservation Easements] [Income Taxes] [Tax Incentives]
House Bill 1747 (Enacted as Chapter 906)	Authorizes revenue in the Virginia Land Conservation Fund to be used for matching grants to local governments, public bodies and nonprofit organizations for purchasing title or development rights in land for the protection of ecological, cultural or historical resources; recreational purposes; threatened or endangered species; fish and wildlife habitat; natural areas; agricultural and forest lands; and open space.	[Agricultural Land] [Growth Management] [Open Space] [Purchase of Development Rights]

Washington

Citation:	Summary	Topic Areas
Wash. Rev. Code, §64.04.130 et seq.	Authorizes any state or federal agency, county, municipality, or nonprofit land conservation entity to hold a development right or easement to protect, preserve, maintain, improve, restore, limit the future use of, or conserve for open space purposes, any land or improvement on the land.	[Conservation Easements] [Land Trusts] [Local Government] [Purchase of Development Rights]
Wash. Rev. Code Ann.,	Authorizes a county, city or town that is required or chooses to prepare a comprehensive growth management plan to impose an impact fee on a	[Impact Fees] [Land Use

§82.02.050 et seq.	development activity to finance public facilities, provided there is a balance between the impact fee and other sources of funding for the public facilities. An impact fee must be reasonably related to the proposed development; not exceed a proportionate share of the costs of system improvements that are reasonably related to the proposed development; and be used to reasonably benefit the proposed development. An impact fee may be assessed only for public facilities that are identified in the capital facilities plan of a local government's comprehensive growth management plan, and must be contained in an ordinance adopted by the local government. Allowable public facilities include roads, parks, open space and recreational facilities, schools, and fire protection facilities.	Planning] [Local Government]

West Virginia

Citation:	Summary	Topic Areas
W. Va. Code, §20-12-1 et seq.	Authorizes any governmental body or qualified charitable tax exempt organization to hold a conservation easement. It defines a conservation easement as a nonpossessory interest in real property that imposes limitations or affirmative obligations to retain or protect for the public benefit the natural, scenic or open-space value of real property.	[Conservation Easements] [Land Trusts] [Local Government]
W. Va. Code, §7-20-1 et seq.	Authorizes counties to assess fees for any new development projects to cover the costs associated with necessary capital improvements or other services attributable to the development. The fees may not exceed a proportionate share of the costs required to service the development. The county must be able to demonstrate that the new development will realize a reasonable benefit from the capital improvement financed with the fee. Prior to assessing a fee, the county must meet certain criteria, including a demonstration of adequate population growth and adoption of a comprehensive plan.	[Growth Management] [Impact Fees] [Local Government]

Wisconsin

Citation:	Summary	Topic Areas
Wis. Stat. Ann., § 700.40	Authorizes the creation of a conservation easement that imposes limitations on land use for the purpose of retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. A governmental body or charitable land trust may hold a conservation easement. It is unlimited in duration unless otherwise designated at the time of its creation.	[Conservation Easements] [Land Trusts] [Open Space]
Wis. Stat. Ann., §71.28, §71.57 et seq.	Provides an income tax credit to owners of farmland that is subject to a farmland preservation agreement restricting the land's use. The income tax credit is calculated against property taxes accrued in the preceding year. The maximum income tax credit is $4,200.	[Agricultural Land] [Income Taxes] [Tax Incentives]

12 Berrill Farms Lane
Hanover, NH 03755
April 19, 2000

Resources, Recreation, and Development Committee
House of Representatives of the General Court
State of New Hampshire
Concord, NH 03301

Dear Committee Members:

I am writing you in support of Senate Bill SB 401, which I understand is before you today. I am enthusiastically in support of this bill and I encourage you to recommend it to the House as "ought to pass."

This bill not only establishes the Land and Community Heritage Program, but provides fuding from general obligation bonds to the extent of $3,000,000 the first year and $6,000,000 the second. While this is less in the first year than its proponents had hoped for, it will get the process off to a reasonable start. I also strongly support the povision in SB 401 to provide for $150,000 for the administration of the program.

It is, I believe, about a decade since the Land Conservation Investment Program (LCIP) came to its conclusion. This progam both enabled statewide land acquisition and recreation projects and assisted local communities in their own efforts toward the same goals. In its last year the program was threatened by decreasing revenues caused by an economic resession, but thanks to efforts by far thinking legislators supported strongly by Governor Gregg, the process was carried out to its conclusion. We are all beneficiaries of this long-range investment.

The program proposed now wisely expands that of LCIP to include community heritage, thus helping us conserve more of the wonderful assets of our great state of New Hampshire that we all enjoy and treasure, and that people from all over the country come to share with us. Without an adequately funded Land and Community Heritage Program we will see these assets gradually lost to other development. With that program, the growth that New Hampshire is certain to see can be managed in such a way as to preserve our most valuable assets. Governor Gregg emphasized that point in connection with the last year of the LCIP, and endorsing the SB 401 will be a strong step in support of what he and the legislature did about a decade ago.

Sincerely,

Robert Z Norman

Robert Z Norman

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2457 FAX (603) 271-7894

April 19, 2000

The Honorable H. Charles Royce, Chairman
House Resources, Recreation & Development Committee
Room 305, State House
Concord, NH 03301

SUBJECT: SB 401, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

Dear Chairman Royce:

Thank you for the opportunity to comment on SB 401, establishing a permanent land protection program in New Hampshire. The Department of Environmental Services (the Department) fully supports this bill.

Our experience in environmental management tells us that protection of critical natural resources sometimes requires permanent land protection. The cumulative effects of various human activities on the landscape can easily and often unintentionally destroy important resources such as aquifers, wildlife habitat, and healthy ecosystems. The New Hampshire Comparative Risk Project identified loss of aquatic habitat as the number one threat to New Hampshire's environment.

SB 401 implements the recommendations of the New Hampshire Land and Community Heritage Commission, whose legislative charge was to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources. The Commission, on which I served, studied this issue thoroughly and developed sound recommendations that I believe are firmly based in public support and feasibility.

In many cases where our existing regulatory programs might be inadequate, key land acquisitions can accomplish the goal of maintaining habitat or keeping drinking water clean. The Department has been successful in protecting critical lands through wetlands mitigation and supplemental environmental projects. However, these tools are inadequate to comprehensively protect lands that should be protected.

Through the Regional Environmental Planning Program, we asked the nine regional planning agencies to identify locally important lands for protection. After consulting with each community in the state, the planning agencies identified over 2,800 parcels of land worthy of protection. The commissions are currently developing portfolios for nearly 100 of these properties with willing sellers in anticipation of a mechanism for their protection.

There is much discussion about the impacts of unplanned growth and development in New Hampshire. Much of the burden of dealing with growth falls on local planning boards, which must review each development proposal as it is received. Through the regulatory process, planning boards can achieve some critical land protection, but ultimately must permit developments that meet local zoning and subdivision and site plan review regulations. A statewide land protection program as described in SB 401, made available to municipalities, can help to alleviate the burden on local planning boards by providing an option for permanent protection of lands that should not be developed due to their critical natural resources.

We encourage the committee to recommend passage of SB 401. We will continue to support local resource protection through our programs and look forward to having a permanent protection program available to address critical natural resources. Please contact me at 271-3505 or Eric Williams at 271-2457 if you have any questions.

Sincerely,

Robert W. Varney
Commissioner

cc: Sen. Russman
Sen. Klemm
Sen. Johnson
Sen. Below
Rep. Torr
Rep. M. Fuller Clark
Rep. Burling
Rep. Musler
Rep. Scanlan

FILE

Rockingham Planning Commission

156 Water Street, Exeter, N.H. 03833
603-778-0885 Fax 603-778-9183
email: rpc@nh.ultranet.com

April 19, 2000

Rep. H. Charles Royce, Chairman
House Resources, Recreation and Development COmmittee
Room 305 , Legislative Office Building
Concord, NH 03301

Dear Chairman Royce and Members of the Committee:

I am writing to relay the Rockingham Planning Commission's **strong support for SB 401** which will establish a Land and Community Heritage Investment Program for New Hampshire. The RPC, whcih is made of appointed local officials from our 25 member communities in Southeastern New Hampshire, voted unanimously to support SB-401 at our annual Legislators Forum in February. Last week at our April monthly meeting the Commission unanimously endorsed a ***Regional Open Space Plan*** (copy attached) which includes strong support for the establishment of a statewide land protection program, such as that envisioned in SB-401, to complement and foster local land protection efforts.

It is essential to our continued well being as a state and region that we act aggressively to protect the most important natural and cultural resources that we have. It is important to do so not only for the sake of our natural environment and the quality of life it affords, but for our economic well being. We understand that this is not an ideal time for the state to undertake major expenditures, however, we cannot afford to wait for a *good* time to do so.

Perhaps nowhere in New Hampshire is this more clear than in the rapidly growing Southeastern corner of the state. Our Open Space Plan forecasts that ***at current rates of development our region will reach full buildout between 20 and 30 years from now***. If we don't dramatically increase our efforts to protect the most important places that remain, we will lose them forever. We have spent the last 18 months, with support from the NHDES, developing a regional approach to open space protection that will help communities prioritize land protection so that connections to existing protected lands and critical resource areas are maximized. But we should not expect communities to act alone in pursuing protection efforts. The Land and Community Heritage Program will provide the vital "spark" to motivate our towns to plan for and act on open space and heritage protection. The results, when leveraged with local protection efforts, can be far reaching.

We urge your strong support of SB-401!

Sincerely,

Cliff Sinnott
Executive Director

cc: RPC Commissioners; Sen. Richard Russman
Enclosure: RPC *Regional Open Space Plan*

F:\RPC\legislature\sb401support.let.wpd

TESTIMONY BEFORE THE HOUSE RESOURCES, RECREATION AND DEVELOPMENT COMMITTEE

Mr. Chairman and Members of the Committee:

I am John Frisbee, Executive Director of the New Hampshire Historical Society. I am speaking on behalf of the Society Board of Trustees in support of Senate Bill 401, which the board formally endorsed at its March 16, 2000 meeting. This is a virtually unprecedented action by the Society, which traditionally has not taken positions on state legislation.

The New Hampshire Historical Society supports Senate Bill 401 in substantial measure because the bill recognizes the significance of preserving the heritage of our state, as well as its scenic lands and natural resources. The bill also recognizes that this is a shared responsibility.

This is a bill about keeping New Hampshire, New Hampshire. It is a bill which clearly recognizes the interrelationship of historic buildings and heritage areas with the landscape, for indeed the two are inseparable in distinguishing the Granite State from the rest of the nation.

It is not just the landscape, but the landscape combined with our communities and buildings that make us a special and distinctive place. Remove one, and we have diminished the other. We will be the lesser for it – and so will our children's children.

This is a bill about looking at **all** the qualities special to this state and making certain that we do not become Massachusetts or New Jersey. Take our historic buildings and villages off the landscape and the land we call New Hampshire is eroded. Take the natural lands that surround our towns and villages away and the historic and traditional character of our communities will be damaged forever. The two are inextricably bound to each other.

In most cases, our local governments and private organizations will resolve their own conservation and heritage preservation issues at a local level. But that is not always the case and not always possible. From time to time there are special circumstances in which outside help is **the** critical catalyst to success. That is what this bill in large measure provides – it recognizes that as a statewide community we sometimes need to help one another with critical problems that cannot be solved entirely at a local level.

Senate Bill 401 provides the needed catalyst, albeit a modest one, to create successful public and private partnerships helping to ensure we do not lose that which distinguishes us from everyone else. It is not just about land – it is not just about buildings – it is about the interrelated elements that, together, make up our New Hampshire heritage.

If you love New Hampshire, you cannot do anything but support this bill for the future of our state and our people.

Thank you.

13B

NORTHLAND FOREST PRODUCTS, INC.

NEW ENGLAND AND APPALACHIAN HARDWOODS

19 April 00

Dear Committee Members,

As a member of the Land and Community Heritage Commission (appointed by the Senate to represent Cultural Resources), as well as a past Chairman of the Society for the Protection of NH Forests and Strawbery Banke Museum, I am grateful for the opportunity to speak and submit written testimony in strong support of Senate Bill 401. The need is clear and extremely well documented. You will hear this from an extraordinarily diverse group of citizens and organizations.

I would like to remind this committee (~~unfortunately Chairman Tom Burak is out of state today or he would be making these comments~~ he was able to attend) of the diligent, and thorough efforts made by the Commission. The General Court created the commission and appointed a diverse group of community leaders who worked extremely hard for two years, almost entirely with private funding. The final report responded to all the requests made in the original legislation.

Senate Bill 401 is a faithful translation of the Commission's recommendations. As a member of the commission, I am pleased that the Citizens Groups have honored our report, and worked toward those recommendations, rather than go off and create an independent bill.

During my 25 years of involvement in land protection and historic preservation in New Hampshire, I have taken great pride in boasting to friends in other States about the power and energy created by the "New Hampshire way" of private/public partnerships. So many of our most successful efforts have combined the talents and resources of private individuals; businesses; state agencies; local, state and federal governments; and our non-profit organizations. Senate Bill 401 creates the quasi-public authority, incorporated as a non-profit under state law, (operating like the CDFA or the HFA) that can best facilitate these partnerships.

I believe the Senate has created a responsible and fiscally conservative funding mechanism. New Hampshire needs Senate Bill 401 NOW! Thank you.

Jameson S. French, President

P.O. Box 369
Kingston, N.H. 03848-0369
Tel. 603-642-3665
Fax 603-642-8670

P.O. Box 973
Troy, VA. 22974-0973
Tel. 804-589-8213
Fax 804-589-3852

R-2000-43

15A

RESOLUTION

SUPPORTING THE ESTABLISHMENT AND FUNDING OF A PERMANENT PUBLIC/PRIVATE PARTNERSHIP FOR THE VOLUNTARY CONSERVATION OF LAND RESOURCES

CITY OF NASHUA

In the Year Two Thousand

***RESOLVED** by the Board of Aldermen of the City of Nashua*

Whereas, the New Hampshire General Court established a Land and Community Heritage Commission (Chapter 161, Laws of 1998) "to determine the feasibility of a new public-private partnership to conserve New Hampshire priority natural, cultural and historical resources"; and

Whereas, the New Hampshire Community Heritage Commission, in its final report released on November 15, 1999, found that "pressures on our natural, cultural and historical resources caused by growth and sprawl are seriously affecting the quality of life of New Hampshire citizens"; and

Whereas, the Commission found further that immediate creation of a new and permanent public private partnership "to protect and provide stewardship for these critical resources" is needed because the task is "too large for either the private or public sector to accomplish alone"; and

Whereas, the Commission proposed a new voluntary program to be called the Land and Community Heritage Investment Program (LCHIP), similar to the successful Land and Community Investment Program (LCIP) but expanded to include cultural and historical resources, that would provide 60% state funding to be matched by 40% local funding to protect such resources; and

Whereas, the natural, cultural, and historical resources in this city and throughout the state are worthy of protection;

Whereas, a bill will be introduced in the 2000 session of the New Hampshire General Court to initiate LCHIP with modest start-up funding; and

Now therefore be it resolved that the City of Nashua urges the State of New Hampshire to establish and fund a permanent public/private partnership for the voluntary conservation of these important resources.

15B

RESOLUTION R-00-43

Supporting the establishment of funding of a permanent public/private partnership for the voluntary conservation of land resources

IN THE BOARD OF ALDERMEN

1ST READING MARCH 14, 2000

Referred to:

PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

2nd Reading APRIL 11, 2000

3rd Reading

4th Reading

Other Action

Passed APRIL 11, 2000

Indefinitely Postponed

Defeated

Attest: City Clerk

President

Approved 4/12/00 (Date)

Mayor's Signature

Endorsed by

Vetoed:

Veto Sustained:

Veto Overridden:

#16

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
OFFICE of the COMMISSIONER
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

GEORGE M. BALD
Commissioner

603-271-2411
FAX: 603-271-2629
e-mail: g_bald@dred.state.nh.us

April 19, 2000

Honorable Charles H. Royce, Chairman
Resources, Recreation & Development Committee
Legislative Office Building, Room 305
Concord, New Hampshire 03301

Dear Representative Royce:

Thank you for the opportunity for the Department of Resources and Economic Development to offer its support for the establishment of the land and community heritage investment program. The establishment of this program is an essential step in continuing to protect the character of New Hampshire, making it a place we want to live, work and play.

I believe we have an obligation to protect and to wisely use the natural, historical and cultural heritage that was given us. However, in addition to fulfilling that duty, we should remember there are real economic benefits in doing so. We have been working the land here in New Hampshire for centuries. Agriculture, tourism and forestry remain key components of our economy and way of life.

Protecting the working landscape and our historic resources is important not only to those of us who live in New Hampshire but also to the growing number visitors to the state. Those assets that this program would protect also contribute to the quality of life that keeps business here and brings new businesses to the state. According to a recent report, New Hampshire holds top rankings as an attractive place to locate a business and raise a family. We can seize the opportunity to continue to create jobs by preserving our landscape wealth.

There are any number of reports, public processes and existing state policies that call for the establishment of the land and community heritage program including the report from the Land and Community Heritage Commission on which we served as an active and dedicated member.

We know the value of open space. We know the importance of accepting our responsibility to protect our ecological and historical heritage. We know how much our lives are enriched by the landscape. The only item missing is the program itself.

I strongly encourage you to support SB401 in order that we may continue to live and work in a state that is New Hampshire.

Sincerely,

George Bald
Commissioner

#9

SENATE REFERENCE VERSION

RICHARD P BREWSTER
17 Cilleyville Road
Andover, NH 03216
USA
Home Phone (603) 735-5457

APRIL 19, 2000

RE: SB401 As passed by the Senate.

PAGE 1 LINE ↓

Chapter 227-M

M:3

2-20 II Increases membership from 16 to 20.

3-1 III Makes all 20 members voting members.

3-11 V Increase a quorum from 5 to 11.

M:4

3-19 I Eliminates the words' "not limited to".

3-24 II Eliminates the words "but not limited to".

4-1 VI Adds "a copy of the report with acquisition expenditures listed separetly from administrative costs, shall be made available to any interested person".

M:7

5-11 III Eliminates "loan guarantees".

5-36 V Adds 2/3's for an override.

6-3 VI The word "voting" members is removed as all members are voting members.

M:8

6-12 a. Removes "such that land conservation projects in rapidly developing areas of the State shall receive a higher ranking".

M:9

7-9 II Replaces "a majority vote" with "by a 3/4's super majority" and eliminates "or of upon recommendation of the executive director of fish and game or the director of the division of forest and lands".

M:14

I

9-30 a Between the words "the public interest" and "grantor may reserve" insert the following: "after first requesting permission from the Authority which must first vote approval by 3/4's majority before any lands acquired with the use of taxpayer funds may be 'posted' in this program".

9 and 10:

12 – 10/14 Allows for the implementation of the admisitrative framework and slowly introduces funds to fiance this program.

#19

Rep. Brewster, Merr. 1
April 18, 2000
2000-4158h
08/09

Amendment to SB 401-FN-A-LOCAL

Amend RSA 227-M:3, II-V as inserted by section 1 of the bill by replacing it with the following:

II. The authority shall be governed by a board of directors (the board) composed of 20 members. Members listed in subparagraphs II(a)-(c) shall not appoint designees to act in their places. The chairperson shall be elected from among all the members. Board membership shall be as follows:

(a) Two members of the senate, to be appointed by the senate president.

(b) Two members of the house of representatives, to be appointed by the speaker of the house.

(c) Ten public members, appointed by the governor and council:

(1) Two of whom shall represent natural resources;

(2) One of whom shall represent outdoor recreation interests;

(3) One of whom shall represent cultural and/or historic resource interests;

(4) One of whom shall represent business or real estate interests; and

(5) Five of whom shall represent municipal and/or local planning interests, including one from each of the state's major regions: Seacoast, Monadnock, Dartmouth-Sunapee, Lakes, and Northern.

(d) The director of the office of state planning, or designee.

(e) The commissioner of the department of cultural resources, or designee.

(f) The commissioner of the department of resources and economic development, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of agriculture, markets, and food, or designee.

(i) The executive director of the department of fish and game, or designee.

III. All members shall be voting members.

IV. The terms of the state members and the members of the senate and the house of representatives shall be coterminous with their respective terms in office. Members appointed by the governor and council under subparagraph II(c) shall serve a 4-year term, and may serve no more than 2 successive terms. Members appointed by the governor and council may be removed from office for cause, by the governor and council. Cause for removal shall include, but not be limited to, incapacity or failure to perform the duties of a member of the board of directors. Vacancies shall be filled for the unexpired term of the office in the same manner as the original appointment.

Legislative members shall be entitled to mileage reimbursement at the legislative rate.

V. Eleven members shall constitute a quorum. Decisions shall be made by a ¾ vote of those present and voting. Each member shall have one vote on matters coming before the board. The board shall meet quarterly and at such other times as may be deemed necessary by the chairman.

Amend RSA 227-M:4, I and II as inserted by section 1 of the bill by replacing it with the following:

I. Adopt procedures and criteria for the regulation of its affairs and the conduct of its business, including and limited to criteria and guidelines for acquiring lands, interests in lands, buildings and structures, other property or interests in property; guidelines for the stewardship of acquired resources; and definitions deemed important or necessary to carry out the purposes of this chapter.

II. Oversee, direct, and expend funds deposited in the trust fund of the New Hampshire land and community heritage investment program in accordance with the purposes of this chapter. This includes, and is limited to, the authority to draw upon funds for acquisition of lands, buildings, structures, or other real property, interests therein, or related program purposes, and for the administrative costs of the program.

Amend RSA 227-M:4, VI as inserted by section 1 of the bill by replacing it with the following:

VI. Prepare an annual report to be presented no later than December 1 of each year to the president of the senate, the speaker of the house, and the governor and council. The report shall include a listing of all the land and other property, or interests in land or other property acquired; the expenditure for these acquisitions, including all administrative costs associated therewith; and a complete financial accounting of the funds of the trust fund. A copy of the report, with acquisition expenditures listed separately from administrative costs, shall be made available for any interested person. The authority shall cause an audit by an independent certified public accountant of its books and accounts to be made each fiscal year.

Amend the introductory paragraph of RSA 227-M:7, III as inserted by section 1 of the bill by replacing it with the following:

III. Financial assistance to eligible applicants shall be provided through grants, block grants (grants to another organization for re-granting), and loans. Relative to eligible resources, this financial assistance may be used for the following:

Amend RSA 227-M:7, V and VI as inserted by section 1 of the bill by replacing it with the following:

V. Matching beyond the minimum shall be encouraged of all applicants, other than state agencies, through the proposal evaluation criteria. Projects with a high degree of match shall rank higher than other applications, all other criteria being equal. The board is authorized to override the requirement for a match, but only by an affirmative vote of 2/3's of its members.

VI. Of the funding provided to the program, 70 percent shall be allocated for projects initiated by municipalities, other political subdivisions, and qualifying non-profit corporations, while 30 percent shall be available for projects initiated by state agencies. The board is authorized to override this funding allocation requirement, but only by an affirmative vote of 2/3's of its members.

Amend RSA 227-M:8, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Imminence of threat to land or property;

Amend RSA 227-M:9, II as inserted by section 1 of the bill by replacing it with the following:

II. No lands purchased in fee for permanent state ownership under this chapter shall be posted to prohibit hunting or fishing, unless the board, by a ¾ super majority vote of its members, deems such posting to be necessary to protect the interests of the state and the safety of its citizens.

Amend RSA 227-M:14 as inserted by section 1 of the bill by replacing it with the following:

227-M:14 Public Access; Liability. Lands and interests in lands purchased with funds from this program, whether purchased by the state or any other eligible applicant, shall be open in perpetuity for passive recreational purposes. Language to be used in conservation, preservation, or scenic easements secured through the program shall approximate the intent of the following:

I. There is hereby conveyed pedestrian access to, on, and across the property for hunting, fishing, and transitory passive recreational purposes, but not camping, by members of the public; however, the property may be posted against such access or otherwise restricted by the grantee in the public interest after first requesting and receiving permission from the authority, which must vote approval by ¾ majority before any lands acquired with the use of taxpayer funds are posted in this program. A grantor may reserve the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.

II. The authority shall have the discretion to limit or prohibit passive recreational use on a case-by-case basis, where this activity would be inconsistent with the purpose for protecting the

property and/or when public safety would be at risk. Additionally, the authority may stipulate, as a condition of funding, on a case-by-case basis where appropriate, that certain lands or interests in lands be available for motorized recreational uses.

III. No person, or successor in title, who has granted or sold rights of public access by virtue of an easement, right-of-way, development right, or other means in accordance with the purposes of this chapter shall be liable to a user of that right of access for injuries suffered on that portion of the access unless those injuries are caused by the willful or wanton misconduct of the grantor or successor in title.

Amend the bill by replacing all after section 8 with the following:

9 Appropriation; New Hampshire Land and Community Heritage Authority; Expenditure Limit. The sum of $6,000,000 is hereby appropriated to the New Hampshire land and community heritage authority established in section 1 of this act for the purposes of this act for the biennium ending June 30, 2001. This sum may be expended with the following limits: $1,000,000 for the fiscal year ending June 30, 2002; $2,000,000 for the fiscal year ending June 30, 2003; and $3,000,000 for the fiscal year ending June 30, 2004. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

10 Appropriation; Administrative Costs. The sum of $50,000 is appropriated to the New Hampshire land and community heritage authority established in section 1 of this act, for the purpose of funding administrative costs of the authority for the biennium ending June 30, 2001. The source of funds for the $50,000 shall be as follows:

I. $40,000 from the forest management and protection fund, established in RSA 227-G:5.

II. $5,000 from PAU 02, 03, 01, class 20, department of agriculture, markets, and food funds for the fiscal year 2000.

III. $5,000 from PAU 02, 03, 05, 01, class 24, department of agriculture, markets, and food funds for fiscal year 2000.

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

2000-4158h

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire land and community heritage investment program.

II. Establishes the New Hampshire land and community heritage investment authority, and establishes its powers, duties, and authority.

III. Establishes membership on the authority's board of directors.

IV. Establishes criteria for acquisition of lands and other natural, cultural, and historical resources.

V. Increases the fee charged for the issuance of special conservation number plates from $25 to $30.

VI. Provides that a portion of funds received in the conservation numbers plate trust fund shall be distributed monthly to the New Hampshire land and community heritage investment authority for the purpose of administering the New Hampshire land and community heritage investment program.

VII. Provides a $50,000 appropriation for the purpose of administering the program for the biennium ending June 30, 2001, with such funds being transferred from the forest management and protection fund and the department of agriculture, markets, and food.

VIII. Provides a $6,000,000 appropriation to the program, with limits on expenditures from this sum for fiscal years 2002, 2003, and 2004.

IX. Transfers responsibility for the administration of the land conservation investment program and monitoring endowment under RSA 162-C to the office of state planning.

#23

Celebrating 100 YEARS

SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS

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Testimony of Jane A. Difley, President / Forester
Senate Bill 401

Thank you Mr. Chairman and members of the committee. I am grateful for the opportunity to speak on behalf of this landmark conservation bill. With all these dedicated citizens here, you are sure to hear many compelling statements about how the Land and Community Heritage Investment Program can benefit current and future New Hampshire citizens. I want to make just two points.

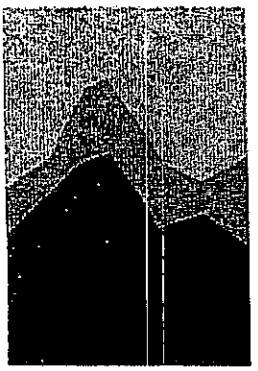
First, this program is about more than protecting natural and cultural resources – it is about sustaining the New Hampshire advantage that drives our economic prosperity and our quality if life. What is that advantage? It is our clean environment, livable communities, and rich heritage – assets that other states have lost but we still have. Last year we released two exhaustive reports on land use and conservation. I have summaries for all of you. The first, "New Hampshire's Changing Landscape" documents how fast we are losing critical natural resources. The second, "The Economic Impact of Open Space," shows that fully one-quarter of all economic activity in New Hampshire is dependent on open space. That includes hunting, fishing, farming, forestry, snowmobiling, and other outdoor activities. In short – conservation is a kitchen table, pocketbook issue.

My second goal is to put this exciting bill into historical perspective. Periodically over the past century the people of this state have banded together with their elected officials to do something truly visionary for the state's natural resources. In 1901 we joined hands to create the White Mountain National Forest. In the 1930s we worked together to establish the state parks system. In the 1960s it was current use assessment. And in the 1980s it was the Trust for New Hampshire Lands and the LCIP, which conserved 100,000 acres. These programs have helped shape the enviable landscape we have today. Now it's time to act once again.

The Land and Community Heritage Investment Program will go down in history as one of those major milestones – a moment when we acted together on behalf of this wonderful place we call New Hampshire. I urge you to look beyond the immediate challenges of next week and next year and do something truly visionary for your neighbors who have put their trust in you. Pass and fund Senate Bill 401 this year.
Thank you very much.

Recycled Paper

#23



RESOURCE SYSTEMS GROUP, INC.

The Economic Impact of Open Space in New Hampshire

Prepared for:

The Society for the Protection of New Hampshire Forests

January 1999

EXECUTIVE SUMMARY

The Society for the Protection of New Hampshire Forests requested Resource Systems Group to provide an independent analysis of the economic impacts of open space on the economy of the State of New Hampshire. The purpose of this assessment is to provide a factual basis for informing the public and conservation organizations about the value of open space to the New Hampshire economy. Open space is defined in this study as areas that are not built up, excavated, or developed. Wild areas, forests, tree farms, open productive agricultural land, grassland, pasture, wetlands, lakes, natural seashores, and the non-built up parts of state and municipal parks are all included. Open space does not need to be completely natural or pristine to be included under this definition. At present, approximately 89% of New Hampshire can be classified as open space.

Open space is a direct underpinning of four economic sectors: agriculture, forestry, tourism and recreation, and second homes used for vacations and recreation. For each sector, the availability of open space is a significant factor, and often the critical one, in determining the income, jobs, and taxes derived from those sectors. In addition, the study recognized that there were other important economic contributions to the state economy which cannot be quantified, including the value of open space in attracting and retaining business and industry and making New Hampshire an attractive place for retirement. This study collected data primarily from state and federal government sources, which were then used to evaluate and quantify the contribution of open space to the New Hampshire economy from each of the four sectors. An input/output economic model of New Hampshire was used to determine the indirect impacts of open space related economic activities. The economic impacts of open space are summarized in the following table.

Summary of the Economic Impacts Related to Open Space Activities in New Hampshire 1996/97

	Gross Direct Income	Average % Attributed to Open Space	Attributed Direct Income	Attributed Direct Jobs	Attributed Direct & Indirect Income	Attributed Direct & Indirect Jobs	Attributed State & Local Tax Revenues
Agriculture Related	$413,400,000	56%	$230,900,000	3,669	$376,915,800	5,467	$30,907,096
Forest Related	$1,198,214,000	100%	$1,198,214,000	6,487	$3,921,182,894	16,675	$325,300,797
Tourism and Recreation	$3,178,480,000	54%	$1,732,261,600	41,661	$3,067,152,265	64,002	$249,417,502
Vacation Homes	$478,783,000	100%	$478,783,000	8,648	$816,983,565	15,029	$285,855,786
Total	$5,268,,877,000	69%	$3,640,158,600	60,465	$8,182,234,524	101,173	$891,481,182

The results of the analysis show that open space based economic activities contributed $8.2 billion per year to the New Hampshire economy in 1996/97. This amounts to over 25% of New Hampshire's gross state product. There were over 100,000 jobs, amounting to 16% of all civilian jobs, which were dependent on open space. The open space based economy is larger than the whole tourist industry and it is second only to manufacturing in terms of both income and employment. With an estimated $891 million in state and local revenue generated, the open space based economy provided over 35 % of the



total state and local tax revenues in 1996/97. The 5,265,000 acres of open space in the state contributed an average of over $1,500 per acre in total state income.

The major quantifiable components of the open space based economy are as follows:

1 Agriculture related activities have annual gross revenues of $413 million. Of this total, $231 million, or 56% of the total revenue, is dependent on open space as defined in this study. Greenhouse production, ornamental horticulture, landscaping and the processing of food that is produced primarily outside the state are not considered to be open space related. The total direct and indirect impact on the state economy from agriculture is $377 million and this sector generates over 5,400 jobs.

2 Forestry based activities, including primary forest products, saw milling and paper manufacturing, generate almost $1.2 billion in gross revenues, all of which is open space based. When the indirect impacts are added, the total direct and indirect contribution to the state economy is $3.9 billion making it the largest contributing sector in terms of total income. The forest sector generates over 16,600 jobs.

3 Tourism and recreation spending by residents and visitors was almost $3.2 billion in 1996/97, including associated eating, drinking, and accommodation. Of the $3.2 billion it is estimated that 54% of the total expenditure, or $1.7 billion, is based on open space related activities such as hunting, fishing, bird watching, hiking, skiing, and camping. When the indirect impacts are added, the total direct and indirect impact on the state economy is over $3 billion and the sector generates over 64,000 jobs.

4 Second homes in New Hampshire that are primarily for vacation and recreational use generate $479 million in annual spending, all of which is open space related. This includes property tax payments, utilities, construction, repair, and renovation but not the tourism or recreation related expenditures of the owners or renters, as these expenditures are included in the tourism and recreation sector. The total direct and indirect impact on the state economy is $817 million and the sector generates over 15,000 jobs.

Overall, the estimates in this study are conservative because they do not include the contribution of open space in attracting and retaining businesses and retirees, or the increase in property values that may occur in proximity to open space. The four sectors that have been quantified together produce $3.5 billion in direct expenditures and generate a total direct and indirect impact of $8.2 billion. Of this total, about $4.4 billion is generated by primary open space activity, such as agricultural crop production, timber production, and outdoor recreation. About $3.8 billion is generated by secondary activities such as saw milling, paper manufacture, and agricultural food processing, based principally on New Hampshire-grown raw materials.



The magnitude of the contribution of open space to the state economy demonstrates how important open space is to the well being of the people of New Hampshire and why open space should be a continuing issue of public policy concern.



BACKGROUND AND PURPOSE

The Society for the Protection of New Hampshire Forests requested Resources Systems Group to provide an independent analysis of the economic impacts of open space on the economy of the State of New Hampshire. The purpose of this assessment is to provide a factual basis for informing the public and conservation organizations about the value of open space to the New Hampshire economy.

Open space comes in many forms, from municipal parks to the great wilderness areas of the White Mountain National Forest and includes thousands of acres of productive farm and forest lands as well as wilderness and wildlife reserves. Some of this land is public or in conserved private ownership that is protected permanently from development. Some is in multiple use or is primarily used for the production of food or fiber. Whatever its primary designation, there is little doubt that open space is an important factor in the economic well being of the state, and that it is a defining characteristic of the place that resonates with both residents and visitors. The value of the open space is widely recognized both by those who wish to extend open space greater protection and those who wish to develop open space. Indeed, it is often the proximity to open space that makes New Hampshire such an attractive place for tourism, recreation, retirement, and for the location of industries whose owners and employees value the quality of life that open space provides.

The conflict between open space and development is not new. The factors of production (land, capital, and labor) that are necessary for economic development have always included open space as a natural resource to be used for production or development. In the late 19th century, with the development of mass tourism and outdoor recreation, open space as a non-consumptive resource took on new meaning as tourism and recreation became an important part of the state's economy. Whenever a resource is used up, the production that is dependent upon it is in jeopardy, and that is true today of the industries that are directly or indirectly dependent on open space.

When resources are depleted, technology finds substitutes. In New England, wood fuel was replaced by coal and oil, as wood resources became scarce. Plastics and fiber composites replaced wood and metals and composite wood products are replacing sawed timber in home construction. Outdoor recreation and tourism could be replaced with indoor sports or urban culture based tourism. Similarly, forest products and open space based agriculture may to some extent be replaced by wood substitutes and industrial agriculture. Without expressing judgements on the relative values of these activities, there is little doubt that if New Hampshire were to see a decline in open space based economic activities the transition to substitutes would probably not be to New Hampshire's long term advantage. This is because while New Hampshire enjoys a natural advantage in open space based economic activities, it does not have an advantage in urban or cultural tourism, indoor recreation or in the oil based materials industries. Therefore, given the natural advantage that the state enjoys in open space based economic activity, it is important to understand and quantify the value that is created by open space resources.

The purpose of this study therefore is to attempt to provide a quantitative assessment of economic activities in the state that are based on open space, so that these economic values may be better understood in the process of public policy formation.



REVIEW OF THE METHODOLOGY FOR ECONOMIC VALUATION OF OPEN SPACE

The methodology for the economic valuation of open space can be considered as a special case of the more general problem of the valuation of natural resources which may have both market and non-market values and in addition include consumptive and non-consumptive uses.

Open space is defined here as areas that are not built up, excavated, or developed. Wild areas, forests, tree farms, open productive agricultural land, grassland, pasture, wetlands, lakes, natural seashores, and the non-built up parts of state and municipal parks are all included. Open space does not need to be completely natural or pristine to be included under this definition. Excavated areas, unless fully reclaimed, playing fields, landfills, waste lagoons, industrial agriculture and horticulture facilities, and greenhouses are excluded. For practical reasons, small areas of open space such as back yards, home gardens, and landscaping around commercial developments are also excluded. Under this definition, almost all open space could revert to the natural state if left alone.

The need for the measurement of the economic value of open space occurs because open space, like other non-consumptive natural resources, is not well represented in the market place. Some values such as standing timber, soil quality, and clean water may be factors in the sale price of private land. But the more general values such as the life supporting services of natural ecosystems and the value for outdoor recreation are often not reflected in selling prices or rents. This does not mean that they cannot be given market place values and today there are attempts through access fees, hunting and fishing licenses, and pollution trading credits to bring natural resource values into the market place. As a result, there has been an increased emphasis on market based policy.

The study of the economics of natural resources has been very active in the last two or three decades. It is an outgrowth of classical economics and it has become of greater importance in part because of the rise of the environmental movement and in part because of the growing desire to quantify intangible values and environmental externalities. As a result, a wide variety of techniques have been developed for placing values on non-consumptive uses of natural resources for which market pricing is not available or inappropriate. The variety of approaches taken by resource analysts are not mutually exclusive and some methodologies can be used in combination with one another, depending upon the intended use of the analysis. Each approach has a particular application and the choice of methodology should be governed by the intended use of the analysis.



There are at least five approaches that can be taken to the valuation of open space. These are

1 Value of services provided by natural ecosystems
2 Enhancement of property values in proximity to open space
3 Value of time and goods used by people using open space resources
4 Benefit cost analysis of developing versus protecting open space
5 Economic impact of open space related economic activity

VALUE OF SERVICES APPROACH

Open space valuation can be considered as a special case of the valuation of natural ecosystems. The value of services provided by nature can be used as a measure of the value that natural ecosystems provide to the human economy. The value of natural services is established by the cost of replacing those services with human technology. Therefore, the value of a forest lies not only in the value of the timber but in the purification of air and water that would have to be provided at enormous cost by human engineering if it were not present. This approach has been used in a landmark paper by Robert Costanza, in which the value of all the global ecosystems was valued at $16 to $54 trillion per year[1]. This compares with the estimated global gross economic production of $18 trillion per year. The approach recognizes that human existence is critically dependent on natural ecosystems and leads to a recognition, if any were needed, that we cannot survive without nature. However, the approach does not relate directly to public policy at the state or local level. The values that are provided by nature, enormous though they are, are outside the money economy at present. The valuation derived from this approach does not translate into the economic terms of jobs, income, and taxes that are best understood in the political process.

ENHANCEMENT OF PROPERTY VALUES IN PROXIMITY TO OPEN SPACE

A room with a view is more valuable than one without. This seems to be a value derived from art, but it is never-the-less a real economic effect, especially where the open space is at the water front. Measuring the differences in selling prices for property at varying distances from open space gives a surrogate value for the open space itself. In addition, it provides a measure of the effects of open space on the economy, to the extent that the enhanced values are translated into transactions at higher values. Higher values also increase property tax revenues. Property values provide a useful localized measure of open space values, however, they relate to only one impact associated with open space. There are many other economic effects of open space such as recreation and community-wide aesthetic values that are not reflected in individual property values. Furthermore open space may have direct productive value such as on farms and forest that are not included in property values. Thus property values are a very incomplete measure of the economic value of open space.

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[1] Costanza, Robert et al: The value of the world's ecosystem services and natural capital
Nature 387, 253-260 (1997) Article



VALUE OF TIME AND GOODS USED IN RELATION TO OPEN SPACE

Open space is used for a variety of activities, some of which are incorporated in the market economy and some of which are not. Those goods and services provided by open space which enter into the market economy, such as agricultural and forest production, can be valued by the market price of the goods produced. Similarly, the price paid for access to open space where fees are charged for recreational use can also be used. However, in the case where the actual use of the open space is free, such as boating or swimming in lakes or hiking trails, some economists have used surrogate prices to value the resource. These surrogate values include the value of time used in recreation, and/or the value of goods such as boats, fishing tackle, skis etc. which are used for recreation. The problem with this approach is that it uses two fundamentally different measures of value that cannot be easily combined. Furthermore, the actual values of time used are highly controversial and the valuation of goods and services purchased may not always directly relate to the state or place in which the open space is located.

COST BENEFIT ANALYSIS OF DEVELOPING VERSUS PROTECTING OPEN SPACE

Cost benefit analysis is a comprehensive approach to decision making based on comparing the economic costs and benefits of specific courses of action. Usually the costs and benefits of an action are specified in dollar terms and the ratio of benefits to costs is determined over the lifetime of the action. It is most commonly used to determine if the benefits exceed the costs for a specific action such as building a dam or constructing a highway. A comprehensive cost benefit analysis would take into consideration all costs including externalities, such as pollution, and loss of wildlife and open space. Therefore, cost benefit analysis is an appropriate tool for making development versus protection decisions. It has been widely used by the U.S. Army Corp of Engineers in decision making in dam construction and flood protection programs.

Cost benefit analysis is a decision-making methodology. It does not specify exactly how the costs are to be determined. The methodology has been highly controversial when applied to natural resource decision making primarily because of a lack of agreement on how the costs of the loss of natural resources can be accounted for. Typically, cost benefit studies have used one or more of the other approaches described in this section in order to evaluate costs and therefore cost benefit analysis is not a complete substitute for other methods.

ECONOMIC IMPACT ANALYSIS

Economic impact analysis is a set of techniques for measuring the effect of specific economic activities on other parts of the economy. In the case of open space, the methodology should begin with the collection of data on those parts of the economy that are dependent upon open space and then making an assessment of the contribution of open space to that activity in dollars terms. The economic impact of that activity can then be estimated by the use of an input/output model of the state economy. Through the use of input/output models the indirect and induced effects can be characterized in terms of income, employment, and tax revenues.

Economic impact analysis has the advantage that it provides measures of economic activity in terms of income, employment, and taxes that are very relevant as a basis for public policy making. However, economic impact analysis is not in itself a decision-making tool, although it can be used as a comparative method for evaluating the merits of alternative courses of action.



In this study, economic impact methods were used to assess the economic importance of open space on the New Hampshire economy, mainly because the method provides the most relevant measure of the economic value of open space that is most easily understood by policy makers. A more complete description of the methods used is given in the following sections of the report.

DESCRIPTION OF THE METHODOLOGY USED

INTRODUCTION

Economic impact analysis is used to determine how a specific economic activity will affect the economy of a community, state, region, or nation in which the activity takes place. The usual measures that are used for this analysis are income, employment, and taxes paid. The expenditure of any business becomes the income of other businesses and individuals, which in turn is re-spent in the economy to provide more income for others. Thus any initial economic activity has a multiplier effect that ripples through the economy. Economic impact analysis measures these economic effects in the area where the activity takes place.

The method used in this report calculates the economic impact of open space related economic activities on the State of New Hampshire. The method is dependent upon statewide multipliers derived from IMPLAN, a national economic input/output model used in this study.[1] Not all the impacts of an economic activity are confined to the home state. Purchases of fuel, raw materials, equipment, and services may occur out of state. Some purchases, such as fuel oil, may be imported, which means that there would be an economic impact abroad. The analysis presented here is limited to the economic impact in New Hampshire.

DIRECT EXPENDITURE AND EMPLOYMENT

The direct expenditure made by open space related economic activities is the sum of all the direct payments which are made by those activities, such as agriculture, forestry, tourism, recreation, and second home use. The expenditures made by the purchasers of these goods and services become the income of the producers. This includes salaries and wages paid to workers, payments to landowners, and profits or compensation to owners and managers. These data come from published and unpublished state and federal data, surveys, and industry sources. This is the primary input to the analysis. Some sectors of the economy, for example tourism and recreation, include economic activities, such as hunting and fishing, which are attributable to open space, and some, such as visiting museums, which are not. Therefore, the expenditure data must be adjusted so that only those activities that are directly related to open space are counted. This is discussed in the case of each sector.

The direct employment is the number of persons employed directly by those who receive the direct expenditure payments, including owners and managers. This information is obtained from the IMPLAN database that is derived from US Census data collected on all industries.

INDIRECT INCOME AND INDIRECT EMPLOYMENT

The term indirect income, as used in this analysis, is actually the sum of the indirect and induced income. It is composed of the sum of the expenditures made by the companies or individuals that act as

[1]Palmer, C and E. Siverts, IMPLAN Analysis Guide, US Forest Service, Fort Collins Colorado, 1985



suppliers to the sectors affected, plus the expenditures made by the employees of those businesses and their suppliers (induced income). These expenditures include such item as supplies, fuel, utilities, trucking, financial services, and the housing, transportation, retail, and other personal expenditures of employees. The estimates of indirect income are obtained by taking the direct expenditure and using the IMPLAN multipliers to determine the amount of indirect and induced income from each class of expenditure.

Indirect employment is the number of persons employed as a result of the indirect income generated by open space related economic activities. The number is derived by using the IMPLAN indirect employment multiplier expressed as the number of jobs per $1 million of indirect income. The job estimates are provided for the same categories as indirect income.

STATE AND LOCALTAX REVENUES

The actual amount of state and local taxes paid by open space related economic activities is very hard to estimate. The specific tax payments of individuals and businesses are usually confidential. Tax estimates are made in two ways. In the first instance where there are specific data available, such as rooms and meals tax records and timber tax records, the data are used. The second method is to use state tax collection to income ratios, because in many cases it is impossible to calculate the actual state tax payments made by some industries. This method assumes the taxes paid by open space related economic activities are the same as the state average as a percentage of income. The average state tax rates are provided in the model.

USE OF THE IMPLAN INPUT/OUTPUT MODEL

This study uses the results of the IMPLAN input/output model in the form of a set of multipliers and expenditure fractions that have been calculated for each state. The IMPLAN model uses basic data on businesses that have been collected by the Department of Commerce for businesses by category. IMPLAN is an input/output model developed by the U.S. Forest Service for economic impact analysis of forest and natural resource based activities, although it has been used for many applications throughout the country. This model uses the IMPLAN 1995 structural matrices for New Hampshire[1]. These IMPLAN results are incorporated into a computer spreadsheet model that calculates the economic impacts.

Several of the limitations of economic impact analysis stem from the characteristics of input/output models. Nevertheless, input/output models are the only practical way of assessing the indirect effects of an economic activity. In this methodology, the input/output approach is combined with direct income in a hybrid assessment. This is necessary as open space related economic activity is not classified as a separate activity by the Department of Commerce.

The hybrid model is a computer model that takes the gross direct income in each applicable sector or sub sector (e.g. agricultural crops) and the percentage of the income in that sector attributable to open space to determine the direct income attributable to open space. The number of direct jobs and the indirect and induced income and jobs are then determined by the use of the multipliers derived from the IMPLAN model of the New Hampshire economy. The state and local tax revenues are in some cases directly available or are calculated using average tax rates in the model.

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[1] Minnesota IMPLAN Group, IMPLAN Professional Users Guide, Minnesota IMPLAN Group Stillwater, Minnesota. 1997.



To illustrate the application of the model the example of the expenditure on ground transportation by tourists can be used. Based on sample surveys of visitors, the NH Travel Economics Report for 1996 estimates that visitors spent $228,000,000 on ground transportation in New Hampshire. (See table 3 in this report). This includes all visitors, but the number that visit primarily for open space based activities can be estimated from the responses to a survey[1]. The survey asked what activities the visitor engaged in. In that survey approximately 42% indicate that they are participating in outdoor open space based activities. Therefore $95,760,000 of the total an be attributed to open space. Now using the IMPLAN multipliers the number of direct jobs can be estimated. The direct job multiplier is 11.7 jobs per million of expenditure which means that the direct jobs from $95,760,000 of ground transportation is 1,122 jobs.

The spending of $95,760,000 becomes the income of people working on ground transportation who in turn spend for their own needs creating further income for others. This is calculated by the total indirect and induced income multiplier derived from IMPLAN. The multiplier is 2.114 which means that $95,760,000 of initial income from visitor spending becomes a total of $202,436,000 in total income in the state. Similarly the indirect and induced jobs multiplier is 26.88 jobs per $1 million of income which, when applied to an initial income of $95,760,000 provides an estimate of 2,574 total direct and indirect jobs in the state. State and local taxes on the $202,436,000 of income can be estimated at $16,600,000 based on an average state income to tax ratio of 8 cents per dollar. This is an average estimate for the state. It does not imply that the 2,574 workers whose jobs are dependent on ground transportation spending will themselves pay that much tax.

THE LIMITATIONS OF ECONOMIC IMPACT ANALYSIS

Economic impact analysis can be helpful in policy making and planning, but it is not itself a decision-making tool. Policy makers must weigh the economic impact estimates along with other factors in making decisions. One important consideration is that the analysis only deals with impacts that are easily quantifiable in dollars or employment. Environmental, health, or social impacts are not normally assessed, even though they may have economic implications. Economic impact analysis also assumes linear relationships, or fixed coefficients, between changes in demand for products and services and the resulting changes in income and employment. It therefore does not take into account how specific businesses may increase their productivity over time, or with changing local circumstances. The analysis also assumes that the response to any incremental change in demand for goods or services is at the average rather than the marginal rate, which may not always hold true. Despite these limitations input output based economic impact analysis is the best tool available for estimating the economic effects of one or more specific economic activities on a state or regional economy.

ECONOMIC SECTORS AFFECTED BY OPEN SPACE IN NEW HAMPSHIRE

Open space supports the New Hampshire economy in two distinct ways. First, open space is the fundamental resource of the land based industries. The agriculture and forestry sectors of the economy are directly dependent on open space for the primary production of food and raw materials, and in turn the agricultural and wood products processing industries are dependent on the primary production. Second, open space is a key underpinning of the recreation and tourism economy. Open space, which includes lakes, farmland, forests, mountains, and wilderness, is one of the prime reasons why people visit New Hampshire as tourists. The recreation and tourism economy includes recreation-related

[1] Source: *New Hampshire Visitor Surveys 1997/1998*, New Hampshire Office of Travel and Tourism Development



expenditures by residents and non-residents. Furthermore, open space is a prime motivator in the selection of New Hampshire for second homes. Therefore open space is the basis for agriculture, forestry and forest products, recreation and tourism, and second homes in New Hampshire.

This section provides a brief description of each of these economic sectors and their dependence on open space. Each section defines the limits of the economic sector that are considered in this analysis and the estimate of economic activity within each sector that is attributable to open space. In addition, this section describes other economic impacts of open space that cannot at present be quantified.

AGRICULTURE RELATED ACTIVITIES

Based on data provided by the New Hampshire Department of Agriculture the total sales of agricultural and horticultural products and services in the state in 1996/97 was $413 million[1]. Some parts of the total can be attributed entirely to open space based activities, but in the horticulture sector greenhouses and landscaping are not open space dependent, by the definition used in this study. Greenhouse production is excluded, although some greenhouses are temporary over the ground structures, because the data are not available to distinguish between these types of production. Table 1 below shows the estimated gross sales and sales attributed to open space for the agriculture sector.

Table 1 Agriculture Related Sales 1996/97

Agriculture & Products	Gross Sales	% Open Space	Open Space Attributed Sales
Agricultural production	$117,900,000	100%	$117,900,000
Ornamental Horticulture	$150,000,000	20%	$30,000,000
Processed Agricultural Products	$125,000,000	50%	$62,500,000
Livestock and Poultry	$20,500,000	100%	$20,500,000
Total Agriculture Related	$413,400,000	68%	$230,900,000

For the purposes of this analysis, we attribute 100% of primary agricultural production and livestock production to open space. The processing of raw products into value added products such as apple cider, yogurt, or cheese in New Hampshire, using in-state produced raw materials, would probably not take place if there were no agriculture and so it can be considered to be open space based. The processing of food or fiber produced out of state is not included. Informal estimates indicate that approximately 50% of the agricultural processing by value is dependent on in-state production. In the ornamental horticulture sector it is estimated, very approximately and based on only anecdotal information, that about 20% of the total sales are open space based. The remaining 80% is from greenhouses or involves landscaping products and services. Horse rearing sales are not included because of a lack of any reliable data on this activity.

In 1996/97 the economic activity in the agricultural sector of New Hampshire is an estimated $413 million with approximately $231 million attributable to open space.

[1] New Hampshire Dept of Agriculture, Markets and Food, Brochure including Summary Statistics of N.H. Agriculture, February 1997.



FOREST RELATED ACTIVITIES

The forestry sector of the economy has a set of production activities centered on the growing and harvesting of trees, and another set of production activities centered on adding value to forest products. For the purposes of this analysis, we consider open space to directly contribute to the forestry activities involving the growing, harvesting, and delivery of raw wood to processors and users. In addition, for the same reasons applied to the processing of agricultural products, the manufacturing of forest products such as lumber, plywood, and paper are considered also to be dependent on open space to the extent that the industry is primarily processing New Hampshire-grown wood. Thus, this analysis assumes that 100% of the economic activity involving forestry, logging, and trucking of raw wood and the manufacture of those raw materials into lumber, wood products, and paper products is attributable to open space.

Table 2: Forest Related Sales and Transactions 1996/97 [1]

Forestry Related Activities	Gross Sales	% Open Space	Open Space Attributed Sales
Stumpage fees paid to landowners	$36,900,000	100%	$36,900,000
Timber Tax	$4,100,000	100%	$4,100,000
Logging & Trucking	$63,814,000	100%	$63,814,000
Syrup and Xmas trees	$4,200,000	100%	$4,200,000
Lumber & wood products	$323,600,000	100%	$323,600,000
Paper & Allied Products	$765,600,000	100%	$765,600,000
Total Forest Related Industry	$1,198,214,000	100%	$1,198,214,000

The forest related industries of New Hampshire are estimated to have total direct sales and transactions, totaling almost $1.2 billion in 1996/97, of which over $1 billion came from the manufacturing of wood and paper products. The manufacturing of furniture, cabinets, boats, and prefabricated building components is not included because they typically include significant amounts of material derived from out of state and are therefore not dependent on open space in New Hampshire. The sales of wood chips are included in the estimate but the added value of steam or electric power produced by burning wood chips is not included[2].

TOURISM AND RECREATION

Tourism and recreation are a significant component of the New Hampshire's economy, second only to manufacturing in employment. Open space and its recreational activities create an environment that attracts tourists to the state and is one of the major factors in maintaining the high level of tourist and recreational spending. Tourist spending in New Hampshire is almost twice the national average[3]. In 1996, tourists directly spent $2.66 billion in New Hampshire[4]. According to visitor surveys, on

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[1] Sources include the American Forest and Paper Industry Association, 1997, U.S. Dept of Commerce BEA Regional Economic Database and the NH Dept of Resources and Economic Development.

[2] The electric power produced by wood chips is a relatively recent activity and could easily be replaced with electricity derived from other fuels. The electric power is therefore not dependent on open space.

[3] Source: *Fiscal Year 1996 Travel Economics Report*, New Hampshire Office of Travel and Tourism Development

[4] Source: *Fiscal Year 1996 Travel Economics Report*, New Hampshire Office of Travel and Tourism Development



average 42 percent of tourism is based on open-space activities in New Hampshire[1]. Using that percentage, it is estimated that $1.05 billion of tourist spending is attributable to open space. In addition, some recreational activities are completely dependent on open space. Hunting, angling, and wildlife viewing, for example, generated $685 million in direct expenditures in the state in 1996[2] of which 100% is attributable to open space. Tourism and recreation based on open space, including wildlife related recreation, had expenditures totaling $1.73 billion dollars in 1996/97[3]. Approximately 42,000 direct jobs are attributed to these activities. Table 3 gives the breakdown of the direct spending in the tourism and recreation category and the percentage of that spending which is attributable to open space in each category.

Table 3: Tourism and Recreation[4]

Tourism & Recreation	Gross Sales	% Open Space	Open Space Attributed Sales
Eating & drinking	$668,670,000	42%	$280,841,400
Accommodation	$312,480,000	42%	$131,241,600
Wildlife Related Recreation	$685,000,000	100%	$685,000,000
Other Recreation	$372,000,000	42%	$156,240,000
Food Stores	$206,460,000	42%	$86,713,200
Other Retail Stores	$443,610,000	42%	$186,316,200
Ground Transportation	$228,000,000	42%	$95,760,000
Services & Other Transport	$262,260,000	42%	$110,149,200
State Rooms and Meals Taxes	$84,400,000	42%	$35,448,000
State Revenue Licenses & Fees	$70,680,000	42%	$29,685,600
Total Tourism & Recreation	$3,178,480,000		$1,732,261,600

Apart from the recreation industries themselves, the largest direct beneficiaries of open space based tourist and recreation spending are eating and drinking establishments, who receive over $280 million per year. Hotels, motels and campgrounds receive $131 million and general retail and food stores together had sales of $273 million related to outdoor recreation and open space based tourism. In addition equipment sales, including guns and boats, to those engaged in wildlife related activities totaled $367 million, which is included within the total of $685 million wildlife related spending in Table 3.

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[1] Source: *New Hampshire Visitor Surveys 1997/1998*, New Hampshire Office of Travel and Tourism Development

[2] Source: U.S. Fish and Wildlife Service, *1996 National Survey of Fishing, Hunting and Wildlife Associated Recreation- New Hampshire*, U.S. Fish and Wildlife Service, Washington DC, May 1998.

[3] Total for all tourism and recreation from the source cited are higher than the numbers given in table 3 because the data used in this study have been adjusted to avoid double counting of wildlife related spending in overlapping data sources. The data sources for wildlife recreation are more current and comprehensive than for other outdoor recreation and may be considered more reliable. Other outdoor recreation source may have been slightly underestimated and recreation related retail expenditure in some cases is included in the general retail category.

[4] Spending categories are from *Fiscal Year 1996 Travel Economics Report*, New Hampshire Office of Travel and Tourism Development. The 42% open space dependent percentage is estimated from the *New Hampshire Visitor Surveys 1997/1998*, New Hampshire Office of Travel and Tourism Development.



VACATION AND RECREATION HOMES

There are over 60,000 rural vacation and recreational homes in New Hampshire making up approximately 11% of all the homes in the state[1],. Without the beauty of the open landscape, and recreational activities resulting from open space, the primary reasons why people buy second homes in New Hampshire would not exist. Therefore, the existence of vacation and recreation homes in New Hampshire can be considered to be directly attributable to the presence of open space. Hence, 100 percent of all economic activities from rural second homes have been attributed to open space.

Table 4: Vacation and Recreation Homes

Vacation and Recreation Homes	Gross Spending	% Open Space	Open Space Attributed Sales
Property Tax	$234,012,000	100%	$234,012,000
Real Estate Transfer Tax	$4,401,000	100%	$4,401,000
Real Estate Commissions	$14,030,000	100%	$14,030,000
Home Construction	$75,340,000	100%	$75,340,000
Utility and Maintenance Expenses	$151,000,000	100%	$151,000,000
Total	$478,783,000	100%	$478,783,000

The estimated value of vacation and recreational second homes is $5.36 billion[2]. The economic benefits resulting from these second homes are given in table 4 above. Revenues from the spending of second-home residents when they are on vacation in New Hampshire are not included in Table 4 but the revenue is included in the tourism and recreation estimate in Table 3. The estimated 1996 value of the direct spending on second homes is $479 million[3].

OTHER ECONOMIC ACTIVITIES AFFECTED BY OPEN SPACE

Although the four sectors described above account for most of the economic activity in the state that can be directly attributed to open space, there are other important economic effects that can be indirectly attributed to open space. These include:

1. Attraction of businesses to the state where the quality of life is an important factor for owners or employees.
2. Open space and a high quality environment make New Hampshire hotels and resorts attractive for conferences and other business activities.

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[1] Extrapolated from the *US Census Bureau 1990 Census of New Hampshire.*

[2] Based on an estimated 60,000 homes at average value of $89,000.

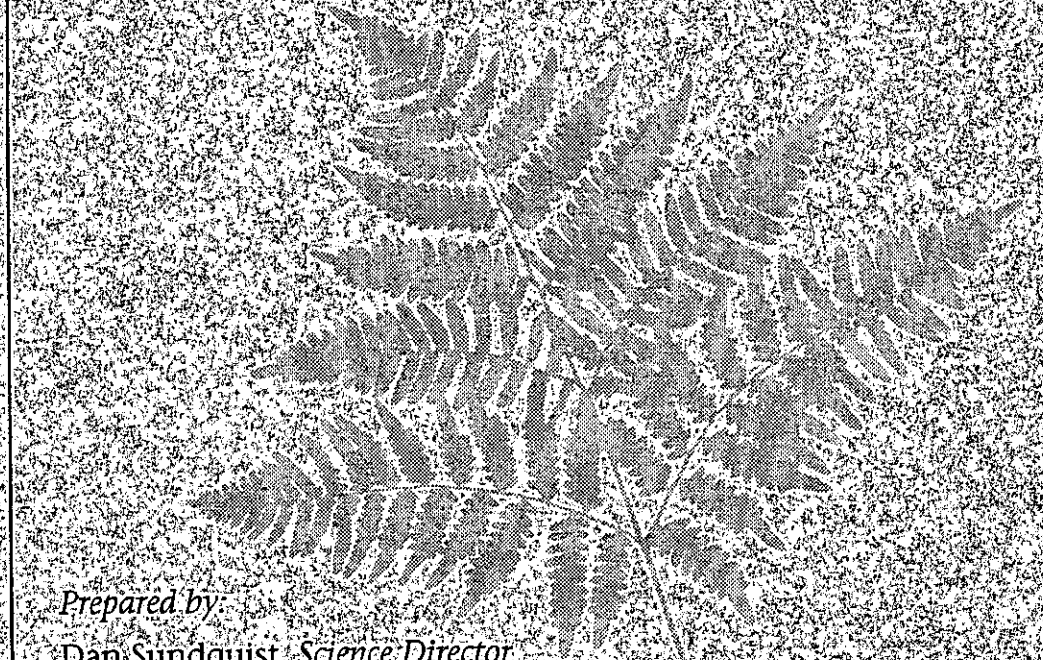
[3] There is no current data available on the value or spending of second homes in New Hampshire. The estimate is based on the 1990 census data extrapolated to 1996/97 based on data from the US Census Bureau, the New Hampshire Department of Revenue Administration, the New Hampshire Association of Realtors, and the *Fiscal Year 1996 Travel Economics Report*, New Hampshire Office of Travel and Tourism Development.



#23

New Hampshire's Changing Landscape

Population Growth, Land Use Conversion, and Resource Fragmentation in the Granite State



Prepared by:

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Concord, N.H.

October 1999



Executive Summary

New Hampshire is blessed with an extraordinary and diverse natural environment that has shaped our history, our economy, and our way of life. We justifiably pride ourselves on the farms, forests, rivers, lakes, and mountains that give our state its unique character, provide for a high quality of life, and sustain some of our most important industries. But the fabric of our natural and rural landscape is at risk due to sustained, high levels of population growth and development.

This study uses the latest scientific information to identify the extent and distribution of some of the most critical natural resources that make up New Hampshire's landscape. Whether these resources are large blocks of forest land, productive farm soils, plant, and animal habitat, or drinking water supply lands, they are strategically valuable to our human community. As such, changes in their status need to be well understood. It is the intent of this study to document current baseline conditions for the most critical natural resources in New Hampshire, and to foster research to monitor and analyze future trends.

In this report, we describe the growth New Hampshire has already accommodated and what the effect of growth and development over the next 20 years will be on the state's landscape. We hope this report will serve as a compelling catalyst for informed conservation action by the people of the Granite State.

Population growth and development: how much is New Hampshire likely to change?

- New Hampshire is the fastest growing state in the Northeast, with a 6.8% population gain from 1990 to 1998.
- Between 1998 and 2020, New Hampshire's population will grow by more than 342,800 people.
- The state's population has doubled since 1950 and will have tripled by 2020.
- The average statewide population gain from 1980 to 1998 is about 13,000 people per year. Half the growth is due to the birth rate exceeding the death rate; half is due to net domestic in-migration.
- 85% of the growth from 1998 to 2020 will be concentrated on 33% of the land area of the state, principally in the southeastern counties.
- The number of housing units in the state grew by 55% between 1980 and 1998.
- 110,000 new single-family homes have been built since 1980; nearly 5,000 were built in 1998 alone.

Growth and development is inevitable and essential for many aspects of economic opportunity. But the pace, location and types of growth that New Hampshire is likely to experience in the next 20 years will have profound and irreversible impacts on the character, economic diversity, and environmental health of the state. Our work and other recent research points to the following disquieting trends:

The predicted growth of the next 20 years will have negative impacts on New Hampshire's farms and forests in the state.

- Forest cover in New Hampshire has dropped for the first time in decades, falling from a high this century of 87% in 1983 to 83% in 1993.
- By 2020, forest cover is predicted to decline to 80% of the state's land area, with a total loss between 1993 and 2020 of 144,000 acres.
- The greatest loss of forest land will occur in southeastern New Hampshire, with about 60,000 acres lost in Rockingham, Hillsborough, and Strafford Counties; this could accelerate the demise of critical forest-based

economies in these areas, and undermine recreational opportunities.

- Farm land declined 20% from 1974 to 1997 with over 83,800 acres lost to other uses. Our most productive crop lands declined by 24% in the same time period.

How much land in New Hampshire has already been protected?

- 22% of New Hampshire's land base is currently protected through ownership by public or private conservation agencies, conservation easements, or other form of permanent protection.
- 56% of all the protected land in the state consists of the White Mountain National Forest.
- More than 70% of all protected land in New Hampshire is located in the northern half of the state.
- 50% of the 259 municipalities and unincorporated places in the state have 10% or less of their lands protected.

Why do we need to protect more land?

- Large blocks of forests and wetlands are crucial for providing wildlife habitat and sustaining critical ecological processes. They are the fabric that holds together New Hampshire's natural environment. They are also the basis for New Hampshire's forest, recreation, and tourism industries.
- Of all the forest blocks in the state bigger than 500 acres, only 22% are currently protected. Outside of the White Mountains, only 11.7% of forest blocks greater than 500 acres are protected. Not only will many New Hampshire towns, especially those in the southeastern part of the state, lose total forest cover, but there will also be a loss of the large blocks due to building of new roads and residential development.
- Just 22.2% of all the high-value wetlands in the state are currently protected.
- The current system of conservation lands does not adequately protect more than three-quarters of known rare animal species, at least three-quarters of known rare

plant species, and close to 60% of classified rare natural community types.

- The vast majority of conservation land is concentrated in the northern half of the state; more land needs to be protected near population centers to assure future water supplies and to provide easy access to outdoor recreation opportunities.

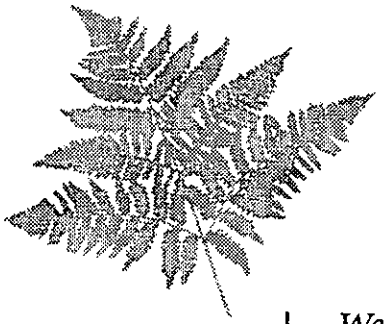
Rapid and poorly planned growth is not good business.

- Open space and associated economic activities, such as recreation, tourism, development of second homes, agriculture, and forestry, directly and indirectly contributed $8.2 billion to the New Hampshire economy in 1996/97. *This amounts to over 25% of New Hampshire's gross state product.*
- Study of 8 New Hampshire towns has shown that a town's tax base is eroded by high rates of residential development; residential development cost the towns an average of $1.09 for every $1.00 of tax revenue.

What needs to be done?

New Hampshire citizens can act at many levels to conserve the most valuable components of our landscape. Improved local land use regulations and infrastructure planning can create incentives for "smart growth" and thus slow sprawl. Continued inventorying of our natural resources and scientific research can help identify the lands most important for permanent protection—"smart conservation." Willing landowners can work with land conservation groups to find the right protection options to suit their needs.

To do all this, a statewide, permanent, state-funded conservation program that will systematically address the conservation needs of the state is urgently needed. We need to reach beyond individual ownerships with well-founded, visionary plans for our communities that protect and conserve those resources that transcend property lines—our extensive forested areas, our rivers and lakes, our drinking water supplies, and habitat for rare species and natural communities—resources that enable our human communities to flourish.



Acknowledgements

We wish to thank the many people who have contributed to the design and content of this study.

OUR STUDY ADVISORY COMMITTEE:

Steve Blackmer, *President*, The Northern Forest Center
Richard Cook, *Vice President for Conservation*, Audubon Society of New Hampshire
Tom Duffy, *Senior Planner-Data Management*, N.H. Office of State Planning
Kate Hartnett, *Executive Director*, N.H. Comparative Risk Project
David Publicover, *Senior Staff Scientist*, Appalachian Mountain Club
Henry Tepper, *Executive Director*, New Hampshire Chapter of The Nature Conservancy
Sarah Thorne, *Research Director*, Society for the Protection of N.H. Forests

With special thanks for their continuing interest and contributions to the statistical analyses in this study:

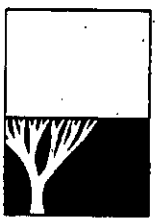
Dr. Thomas Lee, *Professor*, Department of Plant Biology, University of New Hampshire
Dr. James Taylor, *Professor*, Department of Zoology, University of New Hampshire

And to the many others who provided the data on which this study is based and offered excellent comments and suggestions as the study developed:

Charles Bridges, *Administrator*, Habitat & Diversity Programs, N.H. Fish and Game Department
Delayne Brown, *Biological Technician for GIS*, N.H. Fish and Game Department
Meade Cadot, *Executive Director*, Harris Center for Conservation Education
Sara Cairns, *Data Manager/Biologist*, N.H. Natural Heritage Inventory
David Capen, *Professor & Director*, Spatial Analysis Laboratory, University of Vermont

Kathy Fallon-Lambert, *Director*, Hubbard Brook Research Foundation
Carol Foss, *Consulting Biologist*
John Kanter, *Coordinator*, Non-Game & Endangered Wildlife Program, N.H. Fish & Game Dept.
John Lanier, N.H. Fish and Game Department
Fay Rubin, *GIS Manager*, Complex Systems Research Center, University of New Hampshire
Dr. Mark Okrant, *Professor/Coordinator of Geography*, Plymouth State College
Dan Sperduto, *Senior Ecologist*, N.H. Natural Heritage Inventory
Marc Tosciano, *Deputy Director*, New England Agricultural Statistics Service
David Van Luven, *Coordinator*, N.H. Natural Heritage Inventory
David Williams, *GIS Specialist*, Spatial Analysis Laboratory, University of Vermont

This research was made possible by a grant from the U.S. Environmental Protection Agency, Region 1.



Society for the
Protection of
New Hampshire
Forests

The Nature Conservancy

Copies of this report may be purchased from the
Forest Society for $20.00 by contacting
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54 Portsmouth Street
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Windcrest Farm
Paul and Deborra Doscher
274 Poor Farm Road
Weare, NH 03281
603-529-2653

Certified Tree Farm #1639
Cut-Your-Own Christmas Trees

April 19, 2000

Representative Charles Royce, Chair
House Committee on Resources, Recreation and Development
Legislative Office Building
Concord, NH 03301

Dear Chairman and Members of the Committee,

As a resident of Weare and a past member of the Planning Board and Conservation Commission and present member of the John Stark Regional School Board, I have seen the population of our community more than double in the past 20 years. As a result we have lost thousands of acres of productive woodlands, wildlife habitat and farmland to scattered residential development. We have seen our schools grow from one to three, and our property tax rate rise so high that in 1998 it was among the 12 highest in the state.

Right now Weare has an opportunity to protect the largest remaining contiguous open space tract in our town. The owner of a 1300 acre parcel known as Melvin Valley, an entire watershed, is willing to sell the land for conservation. Another two abutting landowners, encouraged by his proposal, have offered to include theirs as well. There is strong local support for these acquisitions, not only because they will help protect the habitat of a federally endangered plant species and preserve critical wildlife habitat, but because if this property were to be developed the cost of community services, including schools would have a devastating impact on our local tax rate.

Weare cannot hope to protect this land on its own. It is not a wealthy town. But if the Land and Community Heritage Investment Program could match our fundraising, conserving this land begins to look achievable.

Please vote to support this program. If you see fit to amend the bill, please increase the amount of funding that will be available. The need is great. The opportunities are fleeting. If we fail to act now, it will become even harder to prevent the relentless erosion of our rural communities into an endless sprawl of Massachusetts style suburbia.

Sincerely,

CANTERBURY
Shaker Village

April 19, 2000

H. Charles Royce, Chair
House Resources, Recreation & Development Committee
Room 305 Legislative Office Building
Concord, NH 03301

RE: SB401
Land and Community Heritage Investment Program

Dear Representative Royce and Committee Members:

As a Trustee of Canterbury Shaker Village, I am writing in strong support of SB401 to create a permanent source of funding for the Land and Community Heritage Program in New Hampshire.

As the beneficiary of significant funding through the LCIP program, we know first hand the difference this type of support can make for a historic site.

- Ten years ago, the Village's 25 buildings were at risk after years of deferred maintenance. By selling the development rights on its 694 acres to the Land Conservation Investment Program, the Village established its first endowment to restore and maintain buildings and support public programming. Those funds have helped attract private monies and proved to be the turning point in our financial stability.

- Over 800 acres of former Shaker lands to the north of the Village were also protected through LCIP funds, protecting 1,500 of the original 3,000 acres of Shaker lands in Canterbury. Because of the LCIP program, a significant portion of the historic landscape and archaeological remains that tell the story of the prosperous Shaker industrial and agricultural economy has been preserved for future generations.

- In 1993, the Village achieved National Landmark status, in large part because of the work we have done to preserve the total historic landscape. Today Canterbury Shaker Village receives 65,000 visitors a year, helping to support New Hampshire's tourist economy.

Canterbury Shaker Village, Inc., 288 Shaker Road, Canterbury, New Hampshire 03224 · (603) 783-9511 FAX (603) 783-9152

However, despite our many successes, we continue to need public support. Some of the original Shaker lands are not yet protected. The Board of Trustees has set a goal to protect an additional 500 acres of privately-owned former Shaker lands, including the northernmost pond in the historically-significant Shaker mill system. A permanent source of State funding for historic and cultural resources could help make this goal a reality.

Our experience tells us that public funding can make all the difference in preserving our State's historic, cultural, and natural resources. This type of private-public partnership helps to stimulate energy and activity by leverage private funds with a public investment. We urge you to support SB401.

Sincerely,

Lucia Kittredge

Lucia Kittredge
Trustee

1 copy	Chairman Royce (original)
21 copies	Members of the Committee
1 copy	Stenographer
1 copy	Committee files

#32

DANBURY PLANNING BOARD
Danbury, New Hampshire 03230

April 19, 2000

The Honorable H. Charles Royce, Chair
Committee on Resources, Recreation, and Development
New Hampshire House of Representatives
Room 305, Legislative Office Building
Concord NH 03301

RE: SB 401

Dear Chairman Royce, and Members of the Committee:

At its meeting on April 18, 2000, the Danbury Planning Board unanimously adopted a motion "to authorize Planning Board members to testify in support of SB 401 (NH Land and Community Heritage Investment Program) and land use planning and anti-sprawl / smart growth legislative initiatives."

This action is consonant with that of the 2000 Danbury Town Meeting, which adopted warrant article #19, "To see if the Town will vote to send the following resolution to the New Hampshire General Court: Resolved, New Hampshire's natural, cultural and historic resources in this town and throughout the state are worthy of protection and, therefore, the State of New Hampshire should establish and fund a permanent public/private partnership for the voluntary conservation of these important resources."

We believe that SB 401 embodies those worthy principles, and we hope that you will give it your overwhelming approval, with an enthusiastic recommendation of "Ought to Pass."

From personal experience, we know the value of public investment in historic preservation, far beyond what a community could generate alone. Our town - one of the smallest and poorest in Merrimack County -- has benefited enormously, in a host of tangible and intangible ways, from receiving a substantial Community Development Block Grant that was used to rehabilitate an abandoned historic church building for use as a community center and pre-school / after-school programs. The Danbury Community Center has won state and regional awards, and from its hillside location at the village center it serves as a beacon of hope and achievement, strengthening community bonds and inspiring us to other worthwhile endeavors. In anticipation of future projects, the March 2000 Town Meeting voted to create a capital reserve fund dedicated to conservation and preservation.

We urge the General Court to make these civic benefits an attainable goal for every community in New Hampshire, by enacting SB 401 without delay.

Sincerely,

L. R. Wilson, Chair
Danbury Planning Board

cc: Danbury Board of Selectmen

DANBURY PLANNING BOARD
Danbury, New Hampshire 03230

April 19, 2000

The Honorable H. Charles Royce, Chair
Committee on Resources, Recreation, and Development
New Hampshire House of Representatives
Room 305, Legislative Office Building
Concord NH 03301

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Dear Chairman Royce, and Members of the Committee:

At its meeting on April 18, 2000, the Danbury Planning Board unanimously adopted a motion "to authorize Planning Board members to testify in support of SB 401 (NH Land and Community Heritage Investment Program) and land use planning and anti-sprawl / smart growth legislative initiatives."

This action is consonant with that of the 2000 Danbury Town Meeting, which adopted warrant article #19, "To see if the Town will vote to send the following resolution to the New Hampshire General Court: Resolved, New Hampshire's natural, cultural and historic resources in this town and throughout the state are worthy of protection and, therefore, the State of New Hampshire should establish and fund a permanent public/private partnership for the voluntary conservation of these important resources."

We believe that SB 401 embodies those worthy principles, and we hope that you will give it your overwhelming approval, with an enthusiastic recommendation of "Ought to Pass."

From personal experience, we know the value of public investment in historic preservation, far beyond what a community could generate alone. Our town - one of the smallest and poorest in Merrimack County -- has benefited enormously, in a host of tangible and intangible ways, from receiving a substantial Community Development Block Grant that was used to rehabilitate an abandoned historic church building for use as a community center and pre-school / after-school programs. The Danbury Community Center has won state and regional awards, and from its hillside location at the village center it serves as a beacon of hope and achievement, strengthening community bonds and inspiring us to other worthwhile endeavors. In anticipation of future projects, the March 2000 Town Meeting voted to create a capital reserve fund dedicated to conservation and preservation.

We urge the General Court to make these civic benefits an attainable goal for every community in New Hampshire, by enacting SB 401 without delay.

Sincerely,

L. R. Wilson, Chair
Danbury Planning Board

cc: Danbury Board of Selectmen

#33

Upper Valley Land Trust
19 Buck Road, Hanover, New Hampshire 03755
Tel: 603/643-6626 Fax: 603/643-6636 e-mail: info@uvlt.org

Trustees
CHAIR:
Patricia Peat
Hartland
VICE-CHAIR:
Bob Fox
Hanover
TREASURER:
Tom Ketteridge
Lyme
SECRETARY:
Skip Sturman
Thetford
Jim Ashley
Norwich
Elizabeth L. Bayne
Piermont
Judy Ferm Brown
Norwich
Thomas B. Gerlach
Strafford
Marion McCollom Hampton
Hanover
June Hemberger
Norwich
Howard C. Patch
Lebanon
Elizabeth W. Russell
Norwich
Frank Sands
Norwich
Stephen Taylor
Plainfield
Cliff Vermilya
Hanover
Willis Wood
Weathersfield

Advisory Council
C. Treat Arnold
Bruce Bender
Peter H. Burling
Richard W. Carbin
Geoffrey Dates
John Dryfhout
Raymond Lobdell
Allie Quinn
David M. Roby
Peter Stettenheim
Bayne Stevenson
Sarah Thorne

Staff
Bill Bridge
Stewardship Coordinator
Dick Hodge
Farm Specialist
Robert O. Linck
Associate Director
Annette Lorraine
Conservation Director
Elsie McCarthy
Project Assistant
Jeanie McIntyre
Executive Director
Kate Read
Community Relations Director
Susan Rising
Operations Manager

April 19, 2000

Testimony before:
House Resources, Recreation, and Development Committee

Re: SB 401, Land and Community Heritage Investment Program

Submitted by: Kate Read, Upper Valley Land Trust

My name is Kate Read, and I am here this afternoon on behalf of the Upper Valley Land Trust, a non-profit land conservancy based in Hanover. For the past 15 years we have worked in communities on both sides of the Connecticut River, helping people in New Hampshire and Vermont to conserve woodlands, agricultural lands, wildlife habitat, and scenic areas. Because Vermont has a program for state investment in purchasing conservation easements, we have seen the difference the state can make when it partners with local communities to achieve land conservation goals.

Throughout the Upper Valley region, residents on both sides of the river are working hard to protect natural resources that they treasure as important to the quality of life in their growing communities. But in working with these people, we have observed that New Hampshire residents cannot accomplish what Vermont residents can. The commitment is there on the local level, but too often, the financial resources are insufficient. They need help.

For example:

- Haverhill, NH has several hundred acres of productive agricultural land farmed by a strong core of farmers many of whom are now in their 70's. We see no possibility of conserving this farmland without some investment from outside that community.

- Likewise, in Cornish and Claremont there is more farmland that will be lost if it is not protected. Residents of these communities look across the river at conserved farmland in Windsor and Weathersfield, Vermont and at thousands of acres of protected forestland on the flanks of Mount Ascutney, and they see what a difference state investment can make in protecting natural resources.

Printed on recycled paper.

#33

- In Orford, state assistance could help award-winning tree farmers conserve several hundred acres of productive forestland.

- In Canaan, community members are working hard to find a way to protect the rich wetlands surrounding Bear Pond. Some state investment there would provide leverage that could make all the difference.

New Hampshire's LCIP program, which sunsetted several years ago, demonstrated what can be accomplished when local initiative is leveraged by state support. At this time of unprecedented growth pressure on our natural resources, we ask you to help New Hampshire communities take their future in to their own hands by supporting the proposed Land and Community Heritage Investment Program.

Thank you.

#36

DUNBARTON CONSERVATION COMMISSION
1011 SCHOOL STREET
DUNBARTON, NEW HAMPSHIRE 03045

April 19, 2000

Honorable H. Charles Royce, Chair
House Resources, Recreation, and Development Committee
Legislative Office Building
Concord, New Hampshire 03301

RE: SB 401

Dear Chairman Royce and Committee Members:

I am here today to speak on behalf of the Dunbarton Conservation Commission, of which I am a member.

The Land and Community Heritage Investment Program is not a new idea. Eleven years ago, in 1989 and again in 1991, Dunbarton applied for and received State support through the Land Conservation Investment Program for the acquisition of prime forestland in an area now known as the Kuncanowet Town Forest and Conservation Area. From the name of the area you might surmise, and correctly so, that these projects generated widespread support and enthusiasm within the community. The Town Forest Committee, the Conservation Commission, the selectmen, and unaffiliated residents were involved in the planning, landowner contacts, negotiations, and proposal writing that went into the two projects. Four hundred ten acres of land were donated to match the $242,000 cost of an additional 235 acres. Because they abutted existing town forest lands, the resulting block of protected land totalled more than 900 acres!

These projects would not have happened without the LCIP. Nor would a subsequent project which increased the total protected acreage to more than 1,000 acres have happened without the LCIP. Although no State funds were used for this subsequent acquisition, the foundation funds that made the acquisition possible would not have come through had there not been 900 acres of already protected land in the immediate vicinity.

The community spirit that the LCIP funds inspired has carried forward in how the property is managed. The management committee includes representatives from the Conservation Commission, the Town Forest Committee, and three at-large Dunbarton residents. Seven plus miles of trails are maintained by our trail master and his assistants, and many people have used the area recreationally. It remains an excellent wildlife area as well. Two winters ago we found and made a cast of bobcat tracks. Deer, moose, fisher, coyote, otter, and the usual cast of characters are also found in this diverse habitat.

Clearly, State funding through the LCIP made a significant contribution to preserving an important piece of Dunbarton's landscape, which includes, incidentally and not insignificantly, an old mill site for which we have developed some interpretive information. But the job is not done. Since the LCIP projects, the Conservation Commission has spearheaded the project I referenced above, and two additional projects at Kimball Pond. We have protected the entire shoreline of this undeveloped great pond, largely with town funds and contributions from residents. The financial support from within the community demonstrates that there is strong support for conservation action. However, there is no comparison in terms of acreage and habitat protected between what we were able to accomplish at Kimball Pond (164 acres) and what the LCIP made possible in the Kuncanowet.

We have the opportunity now to protect an additional 664 acres around the town's land at Kimball Pond. It connects other town-owned conservation lands and, if protected, would create a wildlife corridor of more than 1,200 acres with a remarkable diversity of wetland and upland habitats. The property includes several cellar holes, one of which is among the oldest in Dunbarton. The owners are willing to work with the town to see the land protected, but, bottom line, they are asking a significant amount of money for it. There is no way our grassroots fundraising alone can raise the money necessary to conserve this land as open space. With a State LCHIP grant covering up to 60 percent of the cost, this project is conceivable and suddenly very real. To have an opportunity like this in south central New Hampshire and let it pass because there is no money is disheartening, at best, and short changes the future. There are two other parcels currently on the market that merit protection, one along the Bela Brook corridor identified in the town's 1971 open space plan and reiterated as important in the planning processes precipitated by the LCIP and, more recently, the Regional Environmental Planning Program, and the other, agricultural land off Route 13.

We strongly and wholeheartedly endorse a permanent, State-funded, matching grants program with sufficient funding for meaningful action to protect our critical land and community heritage resource. Time is running out.

On behalf of the Dunbarton Conservation Commission, I urge your support for S.B. 401.

Thank you.

Respectfully,

Margaret Watkins

Margaret Watkins

#36

PISCATAQUOG
Watershed Association

April 19, 2000

Honorable H. Charles Royce, Chairman
House Resources, Recreation, and Development Committee
Legislative Office Building
Concord, New Hampshire 03301

RE: SB 401

Dear Chairman Royce and Committee Members:

I am here today, as president of the Piscataquog Watershed Association, on behalf of the board of directors, who unanimously endorse a permanent, state-funded, matching grants program as captured in the proposed Land and Community Heritage Program.

The Piscataquog Watershed Association (PWA) is a nonprofit, all-volunteer conservation organization founded 1970. It is a regional land trust for all or portions of the towns of Henniker, Deering, Weare, Dunbarton, Francestown, Greenfield, Lyndeborough, New Boston, Goffstown, and Manchester. We hold eighteen conservation easements and own some 314 acres throughout the watershed. The PWA is also an advocate on behalf of the Piscataquog River and its watershed wildlife.

Historically, the PWA has achieved its land conservation goals largely through donations of land and interests in land. More recently, of necessity, we have begun to identify key blocks of remaining habitat in this 220-square mile watershed and focus on permanent protection for them. Not all of the owners of ecologically significant lands will be in the position financially or of the mind to conserve their land. Funding increasingly is an issue, especially when the pressure to develop watershed lands for residential purposes, in particular, is so intense. Land and community heritage conservation is an enormous task, one in which the State has a legitimate and necessary role. The proposed Land and Community Heritage Investment Program offers vital support for protecting important lands that otherwise may well be lost to development.

One can only wonder how many building permits are being issued across the state as we debate this bill. On behalf of the PWA board I urge you to pass this legislation with no less funding than was passed by the Senate, and preferably more, as recommended by the Land and Community Heritage Commission. I cannot stress enough how important it is to fund this Program now.

With your support today, we have an opportunity to create a program that leverages money and the energy of concerned citizens for a lasting legacy that will maintain New Hampshire's appeal for tourists, while ensuring that it remains a wonderful state in which to raise our families and a home for all kinds of wildlife, not just those that can adapt to suburban conditions or marginal habitat.

Thank you.

Respectfully,

Margaret Watkins

Margaret Watkins
President, Piscataquog Watershed Association

#41

Testimony before the House Committee on Resources, Recreation, and Development
by Richard W. Moore, President
Audubon Society of New Hampshire
Chair, Citizens for Land and Community Heritage
April 19, 2000

Chairman Royce, members of the committee:

My name is Richard Moore. I am president of the Audubon Society of New Hampshire, which represents nearly 10,000 households in the state committed to the protection and enhancement of New Hampshire's natural environment, for wildlife and for people.

For the last year I have had the honor of chairing the largest, most diverse coalition in the state: the coalition of Citizens for Land and Community Heritage. The coalition now includes 116 endorsing organizations, ranging from the usual suspects (natural resource conservation organizations and historical resource organizations) to the BIA, boards of realtors, local land trusts, timber owners. I believe it is the largest and most diverse coalition of any type ever brought together in New Hampshire on one issue.

One hundred and one towns and cities passed a resolution at their 2000 town meeting or city council in support of the creation and funding of a new program. More than 5,500 pledge cards have been collected from all over the state urging passage of this legislation. Our senate passed this legislation by a unanimous vote.

Why? Because the people of New Hampshire want to protect our land and our cultural heritage. Will you represent your people?

The people of New Hampshire believe it is the state's responsibility to share part of the burden, to fund part of the cost--a small part of the cost--in partnership with every town, every conservation organization, every historical society, every land trust. Will you represent your people?

I am a naturalist. I speak for the Audubon Society, an organization that cares profoundly about wildlife and wildlife habitat. One of the things we have learned by being part of the coalition of Citizens for Land and Community Heritage is that protecting our built environment, our town centers and historic structures, is also a way of protecting habitat. Because when we care for and reuse the community infrastructure we already have, we do not need to sprawl into the countryside and convert farms and forests into suburbs and malls. We have learned this.

We already knew this: that New Hampshire's natural landscape is imperiled. Twenty thousand acres a year. That is nearly the size of many towns in New Hampshire. The Audubon Society spent millions of dollars to establish the Massabesic Audubon sanctuary on the outskirts of Manchester, 130 acres of open land accessible to the 250,000 people who live within a twenty-minute drive. Twenty thousand acres is 250 Massabesic sanctuaries being developed, every year! The time to act is now.

#41

Ten years ago the Land Conservation Investment Program, which was a model for today's legislation, helped protect Wilcox Point, a winter roost for eagles on Great Bay. At the time, one pair of Bald Eagles had returned to nest in New Hampshire, after 40 years in which no eagles nested here. Through conservation, education, and action by volunteers, Audubon, and the State Department of Fish and Game, one pair continues to nest at Umbagog. This year, for the first time, two additional pairs of eagles are nesting in New Hampshire. Both of those nests are on private land. That land--those nests--could be protected by easements, without taking them off the tax rolls, without closing them to recreation, without taking them out of timber production, if that is in the management plan of the owners.

If not, this is what could happen ["Monitor" article about Hooksett eagle roost destroyed]. You have, in this legislation, the opportunity to do something great. The conservation organizations and cultural heritage organizations stand ready to throw our time and our own beleaguered budgets into the process. The people of New Hampshire want to shape our future. I ask you, and urge you: Please, represent your people.

Thank you.

#41

To see if the town will vote to send the following resolution to the New Hampshire General Court:

Resolved, New Hampshire's natural, cultural and historic resources in this town and throughout the state are worthy of protection and, therefore, the State of New Hampshire should establish and fund a permanent public/private partnership for the voluntary conservation of these important resources.

New Hampshire Communities that Passed Land and Community Heritage Resolution at 2000 Town Meeting

Warrant Article Passed

Alstead (398-95)
Amherst (2,371-796)
Andover
Antrim (unanimous voice vote)
Ashland (332-104)
Auburn
Barrington (869-261)
Bedford
Bethlehem (unanimous voice vote)
Boscawen (unanimous voice vote)
Bow
Brentwood (unanimous voice vote)
Brookfield
Brookline
Candia
Canterbury
Center Harbor
Charlestown
Chesterfield
Conway (1201-486)
Danbury
Danville (783-154)
Deerfield
Dummer
East Kingston
Effingham
Enfield
Epping (131-40)
Exeter (2010-563)
Farmington
Fitzwilliam
Francestown
Gilford
Gilmanton
Greenfield (unanimous voice vote)
Greenland
Groton
Hancock
Henniker
Hill
Hillsboro
Hollis
Hopkinton
Jackson
Kensington (460-187)
Kingston (1080-381)
Lancaster
Lee
Litchfield
Loudon
Lyme (unanimous voice vote)
Madbury (unanimous voice vote)
Madison
Marlborough
Meredith
Middleton
Milford
Milton (569-201)
Mont Vernon*
Nelson
New Durham
New Hampton (272-97)
New Ipswich (601-248)
New London
Newbury
Newfields
Newton (857-140)
Nottingham
Ossipee
Pembroke
Peterborough
Piermont
Pittsfield
Plainfield
Raymond
Sanbornton
Sandown (927-210)
Sandwich
Sharon (unanimous voice vote)
Stoddard (unanimous voice vote)
Stratham
Sullivan
Sunapee (675-203)
Tamworth
Temple
Wakefield (534-205)
Walpole
Warner (unanimous voice vote)
Weare (1184-431)
Webster (unanimous voice vote)
Wilton
Winchester (467-139)
Windham

City Council Resolution Passed

Claremont
Concord
Dover
Portsmouth
Rochester

Town Council Resolution Passed

Durham
Londonderry
North Hampton

May Town Meeting

Chester
New Castle

** Passed a reworded resolution*

#42

TOWN OF TUFTONBORO

The Diamond in the Heart of New Hampshire"

April 19, 2000

To: Members of the NH House of Representatives
~ Resource, Recreation and Development Committee ~
Re: SB 401 - NH Land and Community Heritage Investment Program

Good Afternoon,

My name is Kristine Kenison and I am here today to speak in support of SB 401. I hail from the rural community of Tuftonboro, NH, with a population of approximately 1900 people, that is until the warmer weather sets in! Along with many other Lakes Region communities, our status as a " best kept secret", has undoubtedly been let out of the bag. While we welcome thoughtful growth and it's associated benefits, we realize the need to present a more cautious-side, when it comes to growth related impacts that threaten our precious resources.

As a member of Tuftonboro's Conservation Commission, and currently a student in the Resource Management Administration Program at Antioch NE Graduate School, I am continuously reminded of the issues and consequences associated with the potential loss of our state's "unique resources". In response to this threat, our community decided that we needed to take a more formal stock of our significant resources, as well as better educating ourselves about the nature of these community defining resources. Beginning last fall, we developed a grassroots Natural, Cultural, Historic Resource Inventory Project, assisted by UNH Cooperative Extension staff. We have identified resource areas to be inventoried with our initial focus on historical, recreational, and conservation/town owned lands. Once completed, this inventory will provide information that will support more careful land use planning, voluntary land conservation, and improved resource protection methods. This project has already fostered a renewed sense of civic pride and has offered members of the community a unique opportunity to collectively count our blessings!

We here in Tuftonboro, look forward to the thoughtful partnerships that will be born out of the NH Land and Community Heritage Investment Program. We are diligently preparing our inventory and with an eye ahead to the prioritization phase. We feel a great sense of commitment to Tuftonboro and to the legacy that we can create, via the preservation of our rural character and the riches that it embodies.

Thank you for your commitment to this vitally important piece of legislation.

Sincerely Yours,

Kristine F. Kenison

Kristine F. Kenison, Member
Tuftonboro Conservation Commission

240 Middle Road Post Office Box 98 Center Tuftonboro, NH 03816
(603) 569-4539 Fax (603) 569-4328

Windmill on Cow Island 1825

#43

TESTIMONY BEFORE THE HOUSE RESOURCES, RECREATION AND DEVELOPMENT

April 19, 2000

The Manchester Historic Association's Board has unanimously passed a resolution in support of the Land and Community Heritage Investment Program.

One of the major goals of the Historic Association is to encourage the preservation and continued use of the city's historic resources. The proposed program would be a valuable and useful resource. The public-private partnership focus of the program and its emphasis on community-based projects make it an ideal tool. for organizations wishing to improve the community though preservation.

All of us at the Manchester Historic Association encourage you to vote in favor of this program. Thank you.

Gail Nessell Colglazier
Director

Patricia Meyers
Trustee

#44

New Hampshire Association of REALTORS®, Inc.
P.O. Box 550
115A Airport Road, Concord, New Hampshire 03302-0550
Telephone 603-225-5549
FAX # 603-228-0385

The Voice for Real Estate™ in New Hampshire

April 17, 2000

Representative Charles Royce
House Resources, Recreation, and Development Committee
NH House of Representatives

Dear Chairman Royce and Committee Members,

The New Hampshire Association of REALTORS® supports the passage of Senate Bill 401. We favor the concept of the Land and Community Heritage Investment Program and we believe the proposed funding mechanism reflects the broad base of public support.

Our real estate markets in New Hampshire are highly dependent upon the natural, cultural, and historical resources with which we are blessed. Our REALTOR® organization, which is comprised of more than 4,000 real estate professionals from throughout the State, believes that the Land and Community Heritage Investment Program is an open-market approach to conserving our most important resources. Regulatory approaches toward resource conservation that might arise in the absence of this proposed program are far less desirable.

The fact we are seriously discussing issues like "growth regulation" and "sprawl control" on local and statewide levels strongly suggests that we must identify the best ways in which to properly manage the rapid growth within our State. As a basis for this growth management, the retention of those characteristics that make New Hampshire a special place to live, work and play is vitally important.

Senate Bill 401 addresses the deepest concerns that our REALTOR® membership has voiced since the establishment of the Land and Community Heritage Commission. We believe that a program that will benefit New Hampshire's citizenry as a whole must be funded in a broad-based manner; the proposed bonding responds to that concern. We advocate respect for private property rights; the bill is clear that all projects must involve a willing seller and a willing buyer. Further, the proposed legislation ensures local involvement in the process of project selection and future stewardship, guarantees public access to protected resources in most cases, and promotes the maintenance of private ownership when feasible. These are all positive aspects within the proposed Land and Community Heritage Investment Program in our view.

Please vote to recommend passage of Senate Bill 401.

Sincerely,

Thomas A. Howard

Thomas A. Howard, Vice Chair
Public Policy Committee

EQUAL PROFESSIONAL SERVICE

REALTOR® is a registered collective membership mark which may be used only by real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and subscribe to its strict Code of Ethics.

#405

Congressional Presentation
Wednesday, April 19, 2000

Thank you Mr. Chairman, members of the committee
Good ~~morning~~/afternoon ladies and gentlemen:

My name is Kevin Koo, and I am the president of the Student Historic Preservation Team of Fairgrounds Junior High School, the group that is working to restore ~~restoring~~ the Historic 1886 Gatehouse in Mine Falls Park in Nashua. Many of our members were present to the committee I would first like to show my appreciation for this wonderful opportunity to be here.

Today, I'd like to speak to you a little bit about Senate Bill 401 and its impact on our team and our project.

As ~~you probably already~~ I'm sure you know by now, SB 401 establishes the Land and Community Heritage Investment Program. One key word that really catches my attention is heritage. Heritage is so many people, places, things, and ideas. Heritage is so much time, and yet, it is also so little time. In many ways, heritage is very difficult to define, to grasp wholly. In fact, heritage is not only history; it is the joining of history with people and culture. It is this blend that really makes it all the more special, meaningful, and priceless.

What, then, is the heritage of New Hampshire? The Land and Community Heritage Investment Program is designed to protect this heritage. New Hampshire's heritage includes forests, mountains, rivers, and lakes; it is maple syrup, apples, and pumpkins; it is also hiking, biking, skiing, and snowshoeing. But there's another side, too. New Hampshire's heritage is all about mills, gatehouses, power canals, and textiles. It represents towns, cities, and people. So what is New Hampshire's heritage? It is the land, the waters, and the sky. It is the seeds we plant, the crops that grow, and the people who tend to them. It is the historic buildings that bear the signs of age, the office complexes that conduct business, and the lifestyles of tomorrow. The heritage of our state depends and relies on US, and in the same way, WE ARE the heritage of ~~the special place we call~~ New Hampshire.

The Historic 1886 Gatehouse in Nashua is a small part of the heritage. However, it plays a crucial role, for, by recognizing the significance of its history and its presence, we can realize and understand our own contributions and duties to the land and people all around us. The Student Historic Preservation Team is so dedicated to the restoration and preservation of the Gatehouse not only because it is a historic building; it deserves our care and attention because we see so much of ourselves in it. Our history is the root of our existence, and saving this history can only help us to reflect upon the people and ideas that came before us. New Hampshire's historical and cultural heritage has shaped our state in so many ways. Our efforts to preserve the Gatehouse are helping to save a piece of our heritage, and I believe that while we must keep looking forward to the future, we also must not forget the past.

~~In this endeavor, we are not alone. There are numerous groups, organizations, coalitions, and individuals who are actively working to protect our history and preserve our heritage.~~ The Land and Community Investment Program is ~~not just a financial plan, nor is it a far-fetched dream, rather, this~~ a means to begin to save and preserve our historical and cultural resources – the same resources that truly define our heritage and our identity. Senate Bill 401 establishes this program, and its passage would certainly be a step in the right direction. On behalf on the Student Historic Preservation Team and the future leaders of NH, myself, I would like to urge you to consider the benefits of this program and the positive impact that it will have on all of us. Our heritage is the past and our heritage is the future. Our heritage, then, is now. It is who we were, who we are, and who we will be. Together, let's Protect and preserve our heritage and preserve New Hampshire. Thank you.

Newsletters

Oh, yes, it's the
RING-RING-I-GOT-IT fax

I just realized
that my speech is extren-poetic... oops...

#45

❖ Student Historic Preservation Team Newsletter ❖
Fairgrounds Jr. High School

Volume 1 Issue 1 June 1999

Update by Sarah Smith, Secretary

Welcome to the first edition of the Student Historic Preservation Team Newsletter! This newsletter is designed to update you, the reader, on exactly what is happening within our organization. The Student Historic Preservation Team (**SHPT**) was founded in 1998. Since then SHPT has adopted a project, the **Gatehouse Project**, whose goals are listed on this page.

The Gatehouse is a small, but important structure located within **Mine Falls Park**, Nashua, NH. This historic building regulated the water flow to the **Nashua Manufacturing Company's** mill yard. By opening (and closing) the five gates under the Gatehouse, water from the Nashua River would flow into the three-mile long **power canal** and into **downtown Nashua.** This building is an important part of Nashua heritage because it marks the start of **industrialization** in NH and within our city. To date we have made significant progress on our first goal, which includes the removal of graffiti from the outside of the building. We conducted a test during **National Preservation Week** (May 9th-15th, 1999) to see if the method we most prefer, a baking soda poultice removal method would be safe enough for the building. With expert professional help we are currently making a decision if this is the best process. We are very encouraged by the results and we are committed to using preservation protocol that requires us to use the ***gentlest means possible***. Before we proceed on a city owned building, we must work with many other people to have our work approved and to develop plans to keep graffiti off of the building. We are trying very hard to work with others and, in turn, many generous individuals and organizations are working hard with us. (cont. pg 2)

Mine Falls Park Advisory Committee Trail Improvement Days:
June 12th
July 17th
August 14th
September 18th
October 23rd

Trail days run from 9am to 1pm. For additional information please call 594-3400 box 5005

A Poem by Abby Gagne Written 5/12/99

The water so blue,
the grass emerald green,
the story of destruction written down by the trees.
In this beautiful setting there is but one flaw,
the graffiti that covers our Gatehouse's proud
walls!

The wind blows the song sung by men,
who slaved to accomplish what was vital back
then.
Now, 100 years later, it still rings the bell,
that wherever there's heaven, there's a foot print
of hell.

But SHPT has a new resolution -
Take away the graffiti and find a solution.

So we'll work and we'll struggle,
day after day
And no matter how tough,
we'll wash that footprint away.

SHPT Goals

1.The restoration of the exterior of the Historic Gatehouse in Mine Falls Park.

2.The redesign, including landscaping, of the surrounding area.

3.The development of the interior of the Historic Gatehouse for heritage education and interpretation.

4.Link the Gatehouse to its natural end in downtown Nashua.

5.Present our work as a lasting gift to the community.

"The Student Historic Preservation Team is the first example in New Hampshire of a school program focused on the understanding, appreciation, and preservation of our state's rich architectural and engineering heritage."
-Dr. James Garvin, State Architectural Historian, NH Division of Historical Resources. 8/6/98

(continued from page one)
Our second goal, landscaping of the immediate area around the Gatehouse, has been another type of learning experience (see inside article titled **CHARRETTE**). While people may not see big changes at the site itself, we are moving forward with many exciting ideas. We have learned that proper planning takes time and carrying out plans takes money. The end result, a heritage museum within the Gatehouse, would be a wonderful place of learning for many years to come.

If you have any comments or questions, please do not hesitate to write or call us. Also, if you have any pictures of the Gate house or the waterfall that was once nearby, we would really appreciate it if you would loan it to us for reproduction. Thank you.

The SHPT-
Fairgrounds Junior High School
c/o advisor Ms. Mary Coe
27 Cleveland Street
Nashua, NH 03060
(603) 594-4393
FAX (603) 594-4355

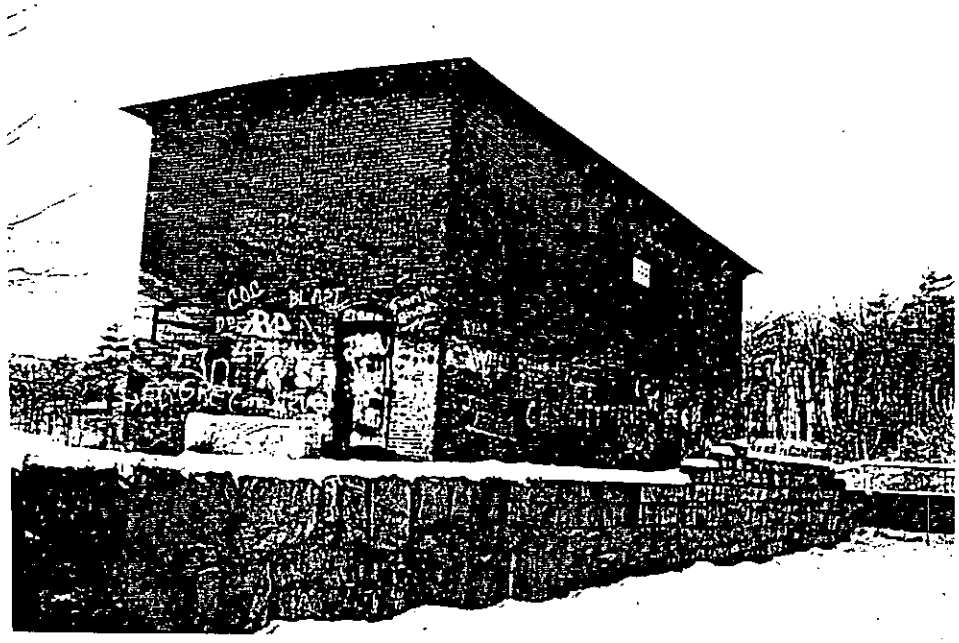


United States Representative Charles Bass and son with Sarah Smith at the Nashua River Harvest Festival.

Accomplishments

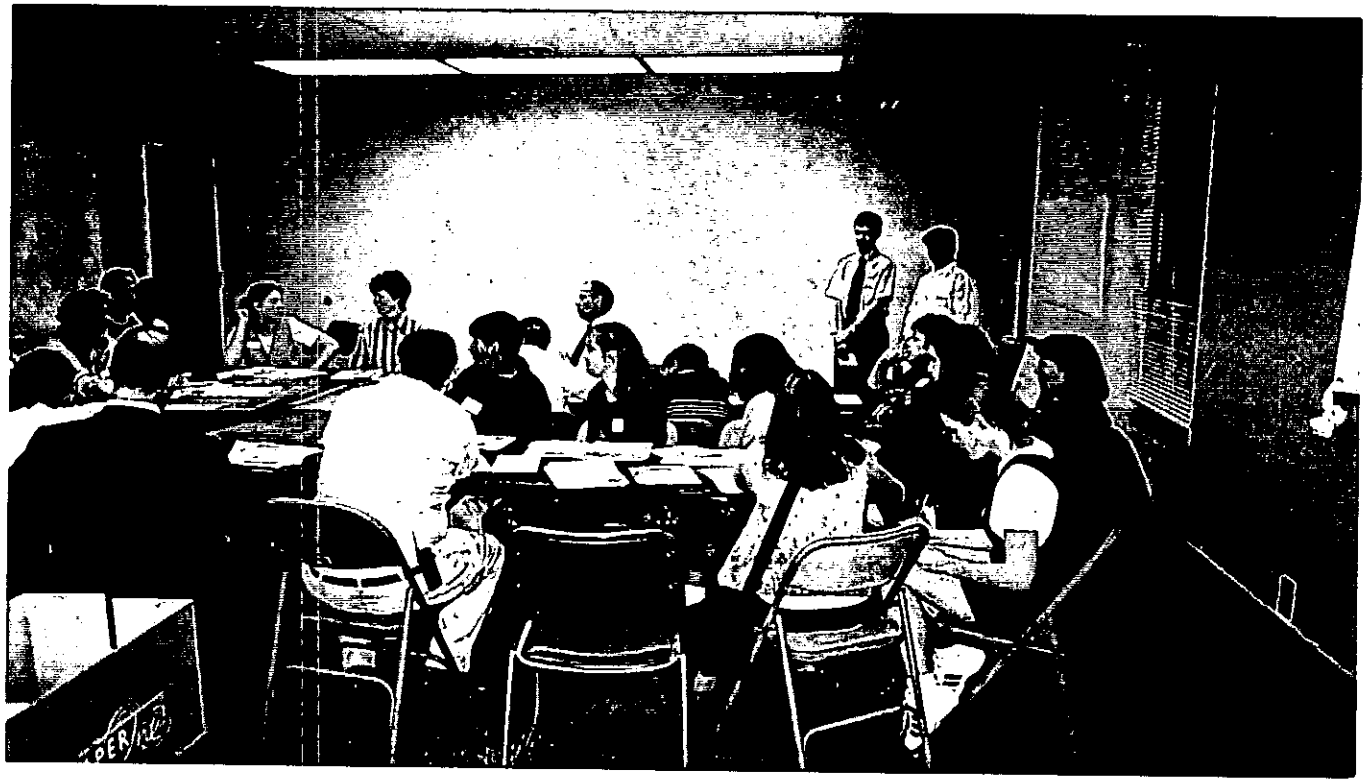
1. Organized the SHPT and met with Mr. Alan Manoian, City of Nashua Downtown Development Specialist
2. Presented ideas to the Mine Falls Park Advisory Committee
3. Research work - Nashua Historical Society
4. Eight days of fieldwork at the Gatehouse, including bagging of trash, and cutting down trees and brush in order to "show off" the Gatehouse. Sponsored by the Kings Daughters Benevolent Association.
5. Tour the Hydroplant - neighboring structure of the Gatehouse
6. Presentation to the Board of Public Works.
7. Kick off fundraising and publicity efforts - a mailing, newspaper coverage, etc.
8. Several meetings with Dr. James Garvin, State Architectural Historian, to learn about preservation approaches, mortar analysis, brick formation and more.
9. Ongoing summer meetings
10. Formation of the after school team this past fall - Officers elections.
11. Nashua River Harvest Festival participation with period costumes
12. Signed on a local architect – Michael Findley of PMR Architects, PC.
13. Additional fundraisers, including the tee shirts that were designed by students
14. Creation of a banner
15. Working on designing a contract for graffiti removal
16. Association with – Kathleen Johnson of Pond View Landscape Designs.
17. Meeting with UNH Cooperative Extension. Discussion topic: How to conduct an inventory of a site.
18. Charrette (design workshop) at City Hall
19. Participation at follow up charrette at Nashua Public library
20. Soil testing with volunteer Tree Stewards and Nashua Park and Rec.
21. Received letter of support from Mr. Jeff Taylor, State Office of Planning
22. National Preservation Week test patch on graffiti
23. "Make a Difference" presentations to elementary schools and non-profit organizations
24. Falcon Fling participation

The term "charrette" is adopted from the stories of *Ecole des Beaux Arts* architectural students in nineteenth century Paris who reputedly could be seen still drawing their projects until the last minute as they were carried on the "cart" or *en charrette* on the way to the design jury. In its modern-day adaptation, charrette refers to an intensive design workshop involving people working together under compressed deadlines.



CHARRETTE

In an effort to work on SHPT's goal #2 (landscaping), a beginning charrette was held at City Hall on Thursday, February 18th, 1999. Approximately 30 people participated and contributed to the process by sharing their visions and concerns for the Gatehouse area in Mine Falls Park. In March the Mine Falls Park Advisory Committee graciously hosted the second part of the charrette which was held at the Nashua Public Library. We plan to continue these sessions in an effort to develop a master plan for the area.



A Piece of the Action...

Officers

President- Lisa Minich
Vice President- Kyle Gilbertson
Secretary- Sarah Smith
Treasurer- Neel Shah
Art Director- Abby Gagne

Members

Amit Anawandala
Jeremy Boire
Monique Dextraze
Aline Dodge
Beth Drolet
Shannon During
Stacy Fierley
Julia Flynn
Elizabeth Klementovitcz
Kevin Koo
Becky LaPlant
Joanna Lubkin
Sunish Oturkar
Katie Philbin
Philip Puliafico

1st Mini-Course During School

Rachel Batista
Jacob Coburn
Nina DiFazio
Amanda Durso
Lauren Enman
Melissa Gouveia
Katra Jewell
Elizabeth Klementovicz
Kevin Lacasse
Dan Marshall
Dan McShea
Danielle Methot
Nikhil Patel
Gina Pageot
Katie Philbin
Ambika Subramony
Tiffany Warrington
Liam Wilson

2nd Mini- Course During School

Rachel Batista
Rony Camille
Dottie Dion
Kathleen Duncan
Stacy Fierley
Marilyn Giracia
Angelica Jimenez
Josh Klein
Ana Lara
Joanna Lubkin
Venessa McNinich
Erin Meehan
Sapna Patel
Jeff Pelletier
Katie Philbin
Matt Scott
Vasanthi Sridhar

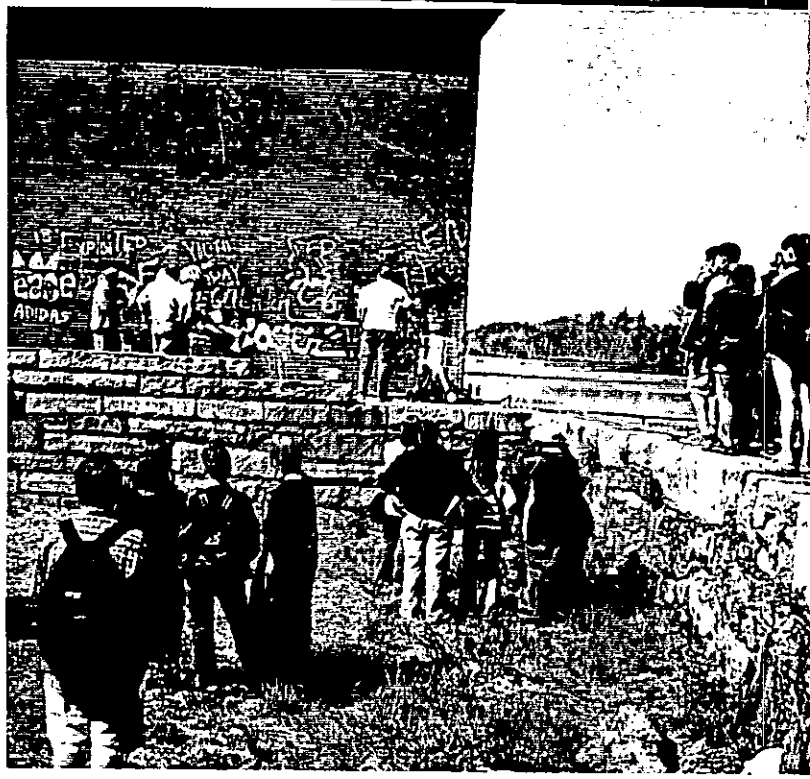
Original Planning Committee

Sarah Andrews
Jeremy Boire
Kevin Crowder
Cedrick Dabney
Craig Dion
Dan Keating
Adam LaFrance
Jonah Lavoie
Mike Marino
Lisa Minich
Tiffany Nowell
Nick Oldford
Neel Shah
Sarah Smith
Nina Wilson

Original Action Committee

Sabryna Acevado
Sarah Andrews
Chris Connelly
Craig Dion
Beth Drolet
Dena Ferry
Abby Gagne
Jenna Haynes
Jessica Hernandez
Selena Klodner
Jonah Lavoie
Jessica Leach
Sara Leger
Kaile Marcoux
Mike Marino
Melanie Morris
Peter Moulton
Tony Pesce
Neel Shah
Sarah Smith
Thi Son

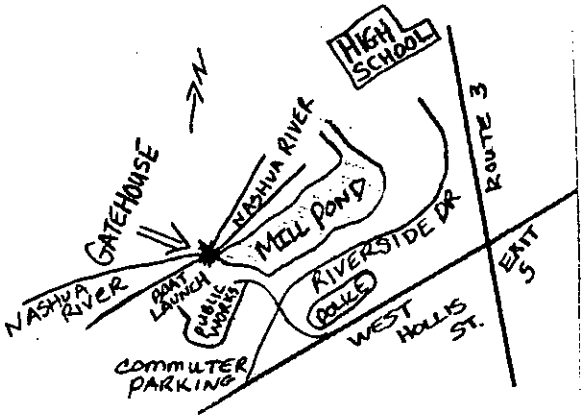




Top Photo: Dr. James Garvin describing mortar test. Bottom Photo: Students observe graffiti removal from the test patch.

Directions to the Gatehouse

Public Works Garage – the westernmost entrance to Mine Falls Park includes a boat launch that provides access to the Nashua River above the dam. The historic Gatehouse is located adjacent to the dam. Parking is limited; however, ample parking is available in the commuter parking lot which is adjacent to the Millpond.



Our Sponsors

Level IV: Capstone sponsors
Nashua Historical Society

Level II: 1886 Brick sponsors
Mary Ricker Coe
Donna-Belle and James L. Garvin
Rising Sun Lodge No. 39
Fairgrounds Jr. High
Dr. David J. Greene

Level I: Helping Hands sponsors
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Monique and Edward A. Fisichelli
Dorothy and Richard Gillespie
Kathleen and Lawrence Hersh
Kalil and Kress General Family Dentistry
Matthew Thornton Chapter DAR
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Nashua School of Gymnastics
Sandhya and Sridhar Raghavan
Kathleen and John Redman, Jr.
Villa Banca
Linda and Victor Belanger
Crosby's Bakery
Brigitte Charbonneau
Brenda and John Grady
The Koo Family
Amy Lee
Edward J. Los
Peter's Auto Center
Beth Raymond
Shop 'n Save/Hannaford

Sponsorship checks may be made out to:

Fairgrounds Junior High School
Attn: Student Historic Preservation Team
c/o Advisor: Mary Coe
27 Cleveland Street, Nashua, NH 03060 - 4482

Please consider a contribution to the Gatehouse Project:

Level I: Helping Hands	$25 - $187
Level II: 1886 Bricks	$188.60 - $499
Level III: Granite Blocks	$500 - $999
Level IV: Capstones	$1000+

Sponsor name: _____
Address: _____
hhigher

_____

Level of Sponsorship:_____ Amount:_____

Sponsorship funds will be dedicated specifically to the physical restoration of the Gatehouse and the surrounding area. Upon completion of Phase One of the project all sponsors will be invited to a special event at the Gatehouse.

Special thanks to two men we admire very much: Dr. James Garvin and Mr. Alan S. Manoian.

Also to our parents who have helped us pursue our goals.

Editor: Joanna Lubkin

Editing Assistance Jean Newcomb

Advisor: Mary S. Coe

Our sincere ***thanks*** to the two companies who donated time and resources for the test patch process:

Associated Concrete Coatings
476 Valley St., Manchester, NH
03103 1-800-367-1219

Dawson-MacDonald Co. Inc
845 Woburn St, Wilmington,
MA 1-800-556-4456

We have relied heavily on the support of Fairgrounds Junior High staff and students. They have participated in fund-raisers and provided encouragement and help. This project could not be accomplished without each of you. Thank you for your patience, efforts and understanding.

Thanks are extended to the Telegraph and The Kings Daughters Benevolent Association for coverage and support of our first clean up days in 1998.

Many wonderful period costumes were created by Mrs. Puliafico. Thank you!

Many professionals and volunteers donated their expertise and time. We appreciate your help. Thank you!

City of Nashua
- Community Development Division
- Fire Department
- Office of the Mayor
- Park and Recreation
- Public Works

Michael Findley, PMR Associates
9-A East Pearl St., Nashua NH 03060

Kathleen Johnson, Pond View Landscape Designs & Horticultural Consult.
19 Pound Rd., Hollis, NH 03049

Mine Falls Park Advisory Committee

Nashua Historical Society

NH Division of Historical Resources

NH Offices of State Planning

ProSoCo

Dr. Susan Schnare

Tree Stewards

#46

April 19, 2000

Committee on Resources, Recreation, and Development
New Hampshire House of Representatives

Dear Members of the House:

Moving to Salem thirty years ago was a magical experience. A small dairy farm was just two streets away. It contained two beautiful pastures separated by a wet land. In springtime, you were awakened by the sounds of hungry baby birds, and lulled to sleep by peeper frogs. The air smelled of fresh hay, and cows mooed as a storm approached.

Further up the street was Spicket Hill. Completely wooded, it had hiking trails, owls, and a ski slope with the longest rope tow in NH.

Today, you won't be awakened by birds, nor lulled to sleep by the peepers. There is no hay, nor mooing. The farm was subdivided, and the wet lands were drained. It's houses now.

The sides of Spicket Hill have houses, too. There are no hiking trails, owls, nor ski slope. The top was clear-cut in preparation for another development.

But, there are no homes on top, yet! With the trees removed, the top offers a breath taking 180-degree view. You can see Salem, its three historic church steeples up Main Street, and all the way out to Mount Monadnock, 50 miles away. Culture and history come alive when you see Lawrence and Haverhill, and realize how close they are to Salem. We lost our small farm and wooded hill, but there still is time to save the view.

Please pass SB 401, the Land and Community Heritage Investment Program. It would help fund the conservation of Spicket Hill, as well as other special places. They are valuable for future generations and us. New Hampshire's openness, natural resources, and history are irreplaceable treasures.

Sincerely yours,

David F. Yetter

Dan Yetter
10 Marsh Ave.
Salem, NH 03079

#48

NEW HAMPSHIRE FARM BUREAU FEDERATION, INC.

295 Sheep Davis Road • Concord, New Hampshire 03301-5747 • (603) 224-1934 • Fax (603) 228-8432

www.fb.com/nhfb

April 19, 2000

New Hampshire House of Representatives
Resources, Recreation and Development Committee

RE: SB 401-FN-A-L

Good Afternoon,

My name is Martha Kierstead. I represent the membership of the New Hampshire Farm Bureau Federation. I am here today to voice our total support and endorsement of SB 401, an act establishing the New Hampshire land and community heritage investment program and making an appropriation therefor. I feel the purpose of this piece of legislation as proposed for New Hampshire RSA Chapter 227-M is the best explanation as to the importance to the people of New Hampshire, and I will quote that purpose in part.

> "In order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development should be balanced with careful protection of the state's most important natural, cultural and historical resources. Permanent protection of these resources, through acquisition of lands, buildings and other physical assets, or interests in theses assets, must be accomplished along with their long-term stewardship."

The New Hampshire Farm Bureau Federation recognizes the importance of this act and strongly urges your positive consideration of this legislation.

Thank you,

Martha Kierstead

Martha Kierstead
Public Affairs and Information Director
New Hampshire Farm Bureau Federation

April 18, 2000

Mr. Charlie Royce
Resources Committee
House of Representatives
296 Mountain Road
Jaffrey, NH 03452

Dear Mr. Royce:

This letter is being written because neither of us will be able to attend tomorrow's hearing on SB401. It's important that your committee recognize how crucial this bill is to towns all over New Hampshire, and particularly to towns in the Southern part of the state.

As a border town within commuting range of Boston and the 128 belt, Newton, and other towns like us, are being consumed by development and sprawl. When surveyed for the recent update of our Master Plan, Newton citizens listed loss of open space as the most serious problem facing our community today. When talking with people as a town official, it's the most often repeated theme. People choose to live here because they like the rural setting and the small town atmosphere. They want to protect that rural atmosphere and are willing to pay the cost of preserving what they view as desirable. The voters of Newton have repeatedly echoed this sentiment at the polls: two years ago the town voted to purchase a 47 acre parcel to preserve it as open space, last year an interim growth management plan was approved, and this year a permanent growth management plan and impact fees for new development were passed. Also, Newton voters overwhelming passed a resolution in favor of funding a Public/Private partnership to protect New Hampshire's Natural, Cultural and Historic Resources.

In Newton, the Conservation Commission has been in the process of inventorying and identifying especially valuable and threatened open space, such as agricultural lands. If SB401 passes and is permanently funded, we will be able to act on our plans and hopefully protect some of these threatened places, thereby maintaining some of what is rural in our town.

When considering action on SB401, please remember that New Hampshire's rural character is our number one asset and identifies who we are. That rural character is being eroded away. If lost, New Hampshire will be an entirely different and poorer place. Please vote in favor of SB401.

Thank you.

Donna J. Cushing – Chairman, Newton Conservation Commission & Elected Planning Board Member
&
Stephen M. Cushing – Chairman, Board of Selectman, Town of Newton

18 Wallace Street, Newton, NH 03858
603-382-7358

New Hampshire
Fish and Game Department

2 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: http://www.wildlife.state.nh.us

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.state.nh.us

Wayne E. Vetter
Executive Director

April 18, 2000

The Honorable Charles H. Royce
Chair, House Resources, Recreation and Development Committee
N.H. State House
Legislative Office Building, Room 305
Concord, N.H. 03301

Dear Representative Royce:

The New Hampshire Fish and Game Department wholeheartedly supports Senate Bill 401, the Land and Community Heritage Investment Program.

With the success of the Land Conservation Investment Program still fresh in our minds, we're pleased that this proposal is moving forward. Like the LCIP, the Land and Community Heritage Investment Program is the kind of public-private partnership that works well in New Hampshire. This will generate grassroots support for important conservation initiatives for many years to come.

The proposed Land and Community Heritage Investment Program fits well with New Hampshire Fish and Game's mission to conserve, manage and protect wildlife resources and their habitats. Wildlife – both game species and nongame – will benefit greatly by having additional lands protected through this program. Also to benefit are the many people who enjoy wildlife, including visitors to New Hampshire.

As New Hampshire continues losing more than 20,000 acres of open space each year to development, we stand today at a crossroads to the future. Down one lane is a New Hampshire that is bursting at the seams with new housing and commerce. Down the other lane is a New Hampshire that has managed to keep what's best – the rural, natural and historic places that make this a wonderful place to live, play and work. That's a state I want to live in – a state that knows what's precious and takes pains to protect it.

On behalf of the New Hampshire Fish and Game Department, I urge you to support SB 401, the Land and Community Heritage Investment Program.

Sincerely,

Wayne E. Vetter

Wayne E. Vetter
Executive Director

CC: Fish and Game Commissioners

Conserving New Hampshire's wildlife and their habitats since 1865.

JUDD GREGG
NEW HAMPSHIRE

CHIEF DEPUTY WHIP

COMMITTEES:
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United States Senate
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(202) 224-3324

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CONCORD, NH 03301
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3 GLEN AVENUE
BERLIN, NH 03570
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99 PEASE BOULEVARD
PORTSMOUTH, NH 03801
(603) 431-2171

April 19, 2000

The Honorable H. Charles Royce
Chair, House Committee on Resources, Recreation and Development
Room 304 Legislative Office Building
Concord, New Hampshire 03301

Dear Chairman Royce:

I regret that my schedule would not permit me to personally attend today's hearing on Senate Bill 401, authorizing and funding the NH Land and Community Heritage Investment Program. This bill, and its far-reaching purposes, is of great interest and importance to me. I would like to offer these brief remarks in enthusiastic support of SB401 as the House begins its deliberations.

Seventeen years ago, as a freshman member of Congress, I vowed to make conservation of New Hampshire's natural resources one of my top priorities. In my first year, I co-sponsored and saw through to passage the NH Wilderness Act, which permanently established 77,000 acres of the White Mountain National Forest as Wilderness.

In 1987, as a second term congressman, I appeared before the General Court to testify in support of Senate Bill 1, state legislation creating the Land Conservation Investment Program. In the 1989 and 1991 budget cycles, then as Governor, I had the privilege and challenge of maintaining funding for this program during the state's worst recession since the Great Depression. Working with this body, we funded the LCIP over 5 years with $45 million in bonding. In my opinion, the LCIP was an unqualified success, permanently conserving over 100,000 acres and leveraging almost two dollars in private and local funds for every one dollar of state investment. Some 130 NH communities received funding for at least one project.

Finally, working with you in the United States Senate, we have shepherded important NH conservation projects through Washington. I am very proud to have been associated with efforts to conserve Lake Tarleton, the Crawford Tract at Bretton Woods, the Pond of Safety forest in Randolph and Jefferson, Lake Umbagog, Bunnell Mountain, and Great Bay. I am also proud to have been an initial Senate cosponsor of the Conservation and Reinvestment Act now under consideration in Congress.

Recently, I joined with four other former NH Governors to sign a joint letter urging support and funding for the new program envisioned in SB401. We think it is time the State of New Hampshire once again stepped to the plate and made an on-going commitment to the conservation and preservation of our priceless natural, cultural and historical heritage.

PRINTED ON RECYCLED PAPER

Since leaving the State House for the Senate, federal funds have been virtually the only source of funding for conservation in the state. Congress cannot, and should not, be relied upon solely to fund such initiatives. Conservation and historic preservation initiatives should start at the community level. Then, where and when appropriate, there should be funding partnerships with the state and with the federal government to accomplish the work. The Land and Community Heritage Investment Program is masterfully structured to facilitate this local-state partnership. Coincidentally the federal Conservation and Reinvestment Act is structured to require state and local matching funds. There is a convergence of thinking and process here that will accomplish our conservation goals by maximizing the leverage of private and local funds. This is the New Hampshire tradition.

New Hampshire has the opportunity - the responsibility -- to look forward and ask, What do we want our state to be, to look like, 50 years from now? We can no longer assume that the natural, cultural and historical heritage that is the fabric of this state will be there for our children and grandchildren.

Now is the time to take action. The people of New Hampshire have shown in the past that, even in difficult fiscal times, we can take action and make decisions that transcend our preoccupation with the present for the benefit of future generations.

I urge the House to support and fund the NH Land and Community Heritage Investment Program, and I thank you for the opportunity to present these remarks.

Sincerely,

Judd Gregg
U.S. Senator

JG/jc



old Ashland Elementary School* today

unused by students for the last 10 years

* One of the First graded school in central NH



The Old Ashland Elementary School Built In 1877-88 is on the National Register of Historic Places. On February 1, 2000 the Ashland School Board voted to demolish this building due to lack of funds to maintain it. At that time the school board gave those that wanted to save the building til 7/00 to present a plan acceptable to the board.

The Land + Community Heritage Investment Program could be a great help to the town of Ashland. The Ashland Historical Society and Conservation Comm can raise enough money to secure and make the building safe but need matching funds to restore it to a useable condition.

The town of Ashland voters voted 3 to 1 in support of LCHIP.

Please pass this bill. Sandra Jones, Ashland

Regional Open Space Plan

Rockingham Planning Commission

MARCH 2000



Prepared by

Rockingham Planning Commission
156 Water Street
Exeter, NH 03833
603.778.0885
Email@rpc-nh.org

Rockingham Planning Commission

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

Rockingham Planning Commission

Regional Open Space Plan

MARCH 2000

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Tom Falk, Transportation/GIS Analyst
Cliff Sinnott, Executive Director



Rockingham Planning Commission



The preparation of this document was funded by the New Hampshire Department of Environmental Services under the Regional Environmental Planning Program (REPP).

Regional Open Space Plan

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Chapter I – Introduction

Since colonial times, the Granite State has been thought of by residents and visitors alike as a place of great natural beauty, abundant resources and compelling history. The natural beauty and scenic character of the Seacoast region have long been a major attraction, drawing visitors as well as those relocating to the area. Like much of southern New Hampshire, the Seacoast region of New Hampshire has seen unprecedented growth over the past several decades. With this regional growth comes the conversion of agricultural, open and other undeveloped land to residential and commercial uses, and the inevitable loss of both the natural and cultural heritage of the region.

Clear evidence shows that the sprawling development predominating this region has accelerated the rate of consumption of undeveloped land for a given level of growth. At current rates of consumption in the RPC region of between 2000 and 3,000 acres per year, it is likely that within 20 years nearly all of the remaining developable open land will be gone.

Through the Regional Environmental Planning Program (REPP), the Rockingham Planning Commission with financial support from the NH Department of Environmental Services, has created this Regional Open Space Plan which we hope will lead to a concerted effort by the planning, conservation and development communities to alter the current development patterns, and preserve the most important open space and conservation land that remains in our region.

Plan Objectives

The objectives of the Regional Open Space Plan are three fold: **first**, to identify large unfragmented areas of undeveloped land ("Open Space") that are important as natural, scenic or cultural resources and a priority for protection; **second**, to identify linkages between Open Space areas that are possible for protection or can be restored to maintain an interconnected network of wildlife corridors; and **third**, to act as both a regional planning tool and a reference document useful to local planning and conservation officials that can assist them in creating local land conservation strategies and plans. In addition, it is hoped that in providing the perspective of a Regional Open Space Plan, communities will be able to coordinate local conservation efforts and take maximum advantage of adjoining conservation properties or potential linkages.

Intended Uses and Limitations

The Regional Open Space Plan will serve as a component of the RPC's regional comprehensive plan, per RSA 36:45. As such it is intended as an advisory document to the towns and cities in the region. The contents (including areas depicted or described as

recommended conservation lands or greenways) do not imply that these areas will be taken by any authority for conservation purposes or that development will be prevented to any greater extent than already limited by existing local, state and federal laws. Rather, these areas show where efforts to conserve land, whether through land acquisition, easement, or other measure, should be concentrated.

The analysis contained in this plan has used the best data available at the time the document was prepared (1998), but, which is nonetheless imperfect. The Plan is not intended to be static; our intention is to update the contents periodically as more accurate and up to date information becomes available.

Contents

The Open Space Plan is divided into six major sections, not including this introduction, which include the following content:

* summary of the natural and cultural values of Open Space;
* a description and analysis of growth trends, land-use changes, and Open Space losses in the region;
* an analysis of existing conditions regarding Open Space, including an inventory of existing undeveloped land, protected conservation lands, land with important natural resource values, and areas identified as having high local priority for conservation;
* an analysis of regional priorities for Open Space and conservation land, and the identification of a generalized greenway network for the region;
* a summary of the strategies and techniques available for developing and implementing local land conservation strategies and plans; and
* general and specific recommendations for the protection of Open Space and conservation lands in the region.

The geographic area covered in this plan is that of the Rockingham Planning Region, which includes the following 27 communities: *Atkinson, Brentwood, Danville, East Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton, Hampton Falls, Kensington, Kingston, New Castle, Newfields, Newington, Newton, North Hampton, Plaistow, Portsmouth, Rye, Salem, Sandown, Seabrook, South Hampton, Stratham, and Windham.*

Chapter II -- The Importance of Open Space

Why should we be concerned about the loss of Open Space? What value does it have? How does it contribute to the health and general welfare of the communities in which we live? These are the initial questions that must be answered before developing and pursuing the formation of a public policy and a plan for the conservation of open space in the region. Both the regulation or limitation of development on such lands, and the acquisition of land for Open Space protection require a clear understanding of the public interest, benefit and need for such policies.

First, a clear definition of "Open Space" is in order.

For the purposes of this plan, Open Space means undeveloped land areas that have important ecological functions, natural resources, or cultural resources that are worthy of conservation and protection. Such areas may contain, but are not limited to, forests, farmland, old fields, floodplains, wetlands, and shorelands. Open Space can also encompass scenic vistas, recreational areas, and historic sites; however, this plan has not attempted to identify such areas that do not also contain significant areas of Open Space.

Economic value

It is difficult to quantify all of the public benefits which open spaces provide, especially in monetary terms. Most public open space areas have a relatively low economic return and a low frequency of use for any one individual. Open space is commonly considered to be a community resource, and often, public action is thought to be the most practical source of preservation and protection efforts. Traditional arguments on the behalf of open space planning have not rested upon economic considerations. Rather, they have been founded upon the need for protecting environmentally sensitive lands, the need for public recreation facilities, and the attractiveness and ecological importance of green spaces. There are, however, several important economic considerations that will be discussed including the reduction of service costs, cost avoidance of the contamination of natural resources, and property value enhancements. The preservation of open space clearly yields a number of economic benefits. Among them are:

* Cost Avoidance: the maintenance of various "natural process" values which, if disrupted, may require the expenditure of public funds to restore, for example, when a public well becomes contaminated due to the lack of sufficient protected land surrounding the wellhead. These values may be considered preventative or "avoided costs", and are described further below.

* Resource-Based Industries: the production of private income through commercial open space uses, including but not limited to agricultural business, timber harvesting, use access fees;

* Tourism: the production of private income through individual uses or value of open space, especially tourism;

* Enhanced Property Values: producing additional property value adjacent to open space or permanently protected properties as well as retaining community character.[1]

In some instances, it is possible to express the "natural process values" of open space in the dollars terms of traditional economic analysis. For example, the value of fish production from a given waterbody can be calculated. After a flood, the cost (negative value) of having destroyed floodplains, wetlands, and the flood water storage lands can be determined by assessing the flood damage. The value of an aquifer can be calculated by determining the replacement cost (the cost of obtaining alternative water supplies) when the existing water supply has been polluted or the recharge rate diminished.

In addition, communities in New Hampshire increasingly consider the "opportunity cost" of losing Open Space to development, especially residential development. As is explained in greater detail in the 1996 UNH/Cooperative Extension report Does Open Space Pay? (Auger, 1996) an acre of open space in the southern New Hampshire towns that were studied, generated on average three times more revenue to the town than it "consumes" in town services, while an acre of residential development consumed about 15% more than it generated in taxes.

Therefore, in most communities the consumption of new housing, assuming it is of average assessed value, will result in a significant net loss of revenue each year – one that will need to be offset either by higher taxes or other development that produces a net gain in revenue – for example commercial or industrial development.

Such opportunity costs of not protecting Open Space can be very large, but only apply if the land is lost to development and if that development indeed contributes less in taxes than it generates in municipal and school costs. This creates a "Catch-22" in land protection: it is difficult to demonstrate the financial benefit for protecting undeveloped land for which no specific development plans exist; once those plans exist it may be too late or too costly to protect the land.

In addition, a recent analysis completed for the Society for the Protection of New Hampshire Forests showed that open space based economic activities contributed $8.2 billion dollars to the New Hampshire economy each year (for 1996/1997). The report found that the gross direct income from agriculture related activities was $413 million, income from forest related activities was $1.2 billion, and the income from tourism and recreation spending at almost $3.2 billion (Resource Systems Group, Inc., 1999).

[1] An example of a less direct but measurable economic benefit is what has been termed "location rent", which is the added value of a house or lot situated in close proximity to protected Open Space. According to the National Association of Home Builders (in the Business NH Magazine, October 1998), it is not uncommon for the value of building sites to be enhanced by 15 to 20% in the vicinity of park and recreation areas. The increased value to the landowner is also shared by the municipality, because as relative property values are higher, then assessed valuations and tax revenues will also be higher.

Natural and Cultural Resource Values

The Seacoast region of New Hampshire possesses a rich legacy of natural resources. The character ***and*** uniqueness of the landscape provide tourists and area residents with a variety of aesthetic qualities and recreational opportunities. The remaining undeveloped landscape, though diminished in size and extent, provides for important wildlife habitat and helps to maintain a diverse and healthy environment.

The multiple resource values of open space lands are often overlooked. The key traditional open space values may be categorized as follows:

* general environmental protection (e.g. erosion control, flood water retention, groundwater recharge, water shed protection);
* production of forestry and agricultural products;
* recreation opportunities (both active and passive);
* ecological functions: habitat for plant and animal life; bio-diversity; bio-regulation;
* scenic; aesthetic enjoyment (i.e. scenic vistas, visual relief, maintenance of rural or community character, support for tourism);
* education and research opportunities (outdoor classroom, field research); and
* historical and archeological preservation.

The following paragraphs summarize the values and benefits attributed to various forms of open space that exist in the region. Although there may appear to be repetition among the description of the different natural resources, it is important to understand the complexity of values of each of these types of natural resources. In addition, understanding their worth, both in monetary and non-monetary terms can lead to a more complete accounting for the societal costs of losing open space – and perhaps a greater willingness to invest public resources to limit the loss.

Agricultural Lands

Agricultural lands are areas that are capable of producing crops or that can be used for pasturing animals. These areas include hayland, pasture, cropland, orchards and nurseries. Agricultural lands contain some of the best soils in a community for the production of crops. These so called "prime farmland" soils and soils of "statewide importance" are recognized by the US Natural Resource Conservation Service (formerly the Soil Conservation Service) as a scarce resource in New Hampshire and the seacoast region. Some of the soils found in the region are not suitable for crop production because of limitations such as stoniness, slope, poor drainage, and excessively high water tables. It should also be noted that agricultural related activities for the entire state have annual gross revenues of over $413 million (Resource Systems Group, Inc. 1999).

Farmland of Statewide Importance

Recreation and Scenic Values: Farmlands in this region are typically large, open areas of rolling fields and pastures. Agricultural areas provide pleasant scenery and are an important component of a community's rural character. In addition, agricultural lands are also well suited for many types of recreational activities, including hunting, cross-country skiing, hiking, and bird watching.

Wildlife: Agricultural lands are very important for wildlife habitat, and to allow interconnections between different habitats. The habitat requirements of many wildlife species (e.g., songbirds, mice, rabbits, woodchucks, deer, etc.) include open fields and the edges between fields and woodlands. Many species in decline or now rare in New Hampshire depend on farmland habitat. Thus, the loss of farmland thereby restricts the habitat and the range of native wildlife populations.

Aquifer Recharge: Groundwater supplies are replenished by the infiltration of rainwater through the ground. Infiltration cannot occur if the earth's surface is covered with impervious material such as buildings, roofs, driveways, and pavement. Agricultural is a desirable land-use within an aquifer recharge zone, as it permits the unimpeded flow of water into the ground. Moreover, the soils which are most suited for agricultural (those which retain moisture for plants) function as water filters, thus providing ideal groundwater recharge conditions. When development replaces farmland it can create additional erosion problems. Additionally, the loss of farmland to development means both the loss of critical recharge surface area and the loss of water volume, as run-off is artificially directed away from the development.

Economic and Social Benefits: The local production of foodstuffs reduces the costs of transporting the goods to the markets, while delivering fresher products to the consumer. With local businesses as the marketplace, the retail trade income is enhanced, while consumer prices are kept low. Finally, the operation of a farm requires support industries such as farm equipment sales and service, and the sale of feed, fertilizer, and other supplies. The indirect economic benefits of farming relate to the real estate value of the farmland itself compared to the cost of providing public services to residents. When residential subdivisions consume farmland, the cost to communities to provide municipal services for additional residents is typically greater than the increased property tax revenue. Additional information on costs of community services for various development types is provided in greater detail further in the plan. It is important to remember that farmland conversion is a permanent loss. Although agricultural lands may be less viable economically than in the past, the farmlands within our region will be needed in the future. In addition, farms are often identified as a key component of community character, especially in communities undergoing rapid growth. The remaining farms in such communities take on added importance in defining community "place".

Forest Resources

Forestland is a major renewable resource providing both commodities (e.g., wood products and maple syrup), and non-commodity benefits (e.g., water resource protection, air quality and energy conservation, wildlife habitats, recreation and scenic quality). Forest resources serve a dual role, contributing both economically and environmentally.

They may be managed for financial gain from the sale of forest products. In addition, they provide reliable, clean sources of water, absorb carbon monoxide from the air, serve as wildlife habitats, and help to prevent soil erosion.

Economic: Most woodlots in the seacoast region are privately-owned, and many are managed for financial gain from the sale of timber products. Throughout the region, there are numerous publicly-owned woodlots as well. The sale of timber from public lands can provide a community with money to cover the cost of managing their timber stand, while helping to increase the future yield of the forest through proper maintenance efforts. In addition, communities do use proceeds from the timber harvest of public lands for a conservation fund. At a statewide level in 1996/1997, the direct income value of forest-related products was $1.2 billion, all of which is open space based (Resource Systems Group, Inc. 1999).

Water Resource Protection: The broad category of water resource protection includes water conservation, flood control, erosion control, and water quality protection. Forests have a significant effect on the rate at which water will reach the ground, run off into surface waters, and infiltrate the earth's surface. By slowing the rate of run-off, forests serve to reduce flood levels, prevent excessive soil erosion, and filter pollutants from surface waters.

Air Quality and Energy Conservation: Forests act to moderate temperatures in their immediate vicinity and can provide nearby houses with cooling shade in the summer and can decrease the cold winds in the winter. Hence, forests can reduce home heating and cooling costs to some degree. In addition, forests act as filters by removing particulates and absorbing carbon dioxide from the air.

Wildlife Habitat: A rich forest wildlife habitat has a variety of vegetative cover types for browsing, resting, nesting and hiding. Most animals inhabit several different landscape types, including meadows, dense underbrush, and open woods, which provide food and shelter. The greater the number of interfaces between landscape types, the greater abundance of wildlife habitat. For habitats that consist primarily of densely canopied forests, where deep shade inhibits the growth of understory plants, the variety of animal species is quite different from habitats which contain an assortment of vegetative cover types. Thus, a forest management program designed to improve wildlife habitat will undoubtedly result in an increase in the number of vegetative cover types and landscape types, while retaining adequate areas of old growth forests.

Recreation and Scenic Quality: Throughout much of this region, patterns of forested land alternate with developed land, and gives the overall region its rural character. Additional patterns exist throughout the region as well, and include forest lands, cleared lands, villages, farms, and waterbodies. The complexity and diversity that determines the wildlife value of forests can also help to determine the scenic and recreational value of forests. Passive recreational uses of forests often include bird watching, hiking, cross-country skiing, viewing foliage, etc. Active recreational uses, such as hunting, fishing, mountain biking and snowmobiling are also common.

Old Fields

Old fields are abandoned agricultural lands in transition from open grassland condition to a forested condition. These provide excellent habitat for numerous upland plants and

animal species that might otherwise be far more scarce in the region. Old fields support many of our least common songbird species and many declining mammals - this habitat is much scarcer than farmlands and largely misunderstood. Old fields require diligent and timely management as they are very important habitat. They also provide open views and contribute to the scenic quality of the area. Old fields provide similar benefits to aquifer recharge, scenic quality, and habitat that agricultural lands provide.

Wetlands

Wetlands are transitional zones between surface water and upland sites and are commonly the sites of very productive ecosystems. Wetlands provide a variety of ecological benefits and functions. The Method for the Comparative Evaluation of Nontidal Wetlands in New Hampshire (NH DES, 1991) lists fourteen values associated with wetlands. These include values such as wildlife habitat, flood control, groundwater recharge, absorption, and filtering of pollutants and sediments, and contributing to scenic value.

Historically, wetlands were considered wastelands of little value to society, and were often subject to waste dumping, filling, and draining with little thought given to the consequences. However, in more recent times, scientific inquiry has lead to the understanding of the importance of wetlands in maintaining and improving environmental quality. Wetland complexes have been found to provide critical ecological and hydrological socially valuable functions, as elaborated below:

* Flood Control: Wetlands are natural flood storage areas which reduce peak flood levels and the likelihood of flash flooding by storing and slowly releasing flood waters. For example, when a stream overflows its banks, flood waters spread horizontally into surrounding wetlands where the vegetation acts to temporarily detain water. At this point, hydric soils hold the water in a sponge-like manner, to be released slowly over a period of time. Wetland soils and vegetation help to maintain the balance of age-old flood and drought cycles. Wetland protection efforts in predominantly rural communities wisely anticipate future development that may cause increased run-off, higher flood levels, and a greater likelihood of flooding.

* Water Quality: Wetlands have a natural "self-cleaning" ability which, if not overtaxed, can filter or absorb pollutants from run-off before they enter a watercourse or waterbody. In many respects, wetlands function much like a sophisticated, man-made sewage treatment plant by removing nutrients and other pollutants prior to water resource discharge. This is done virtually at no cost to the tax-paying public. In addition, wetland complexes act as buffer zones to trap sediments resulting from natural and/or man-made erosion.

* Water Supply: The flood storage function of wetlands also serves to collect surface water run-off and route it into the ground, thereby recharging groundwater resources. During periods of low flow, this stored groundwater can then replenish nearby surface water resources.

* Habitat: Wetlands represent a critical link in the life cycles and food webs of fish and wildlife. Wetlands are nutrient-rich habitats that supply food, shelter, and spawning grounds for a variety of fish and wildlife. Coastal wetlands, which are

abundant in the seacoast region, provide critical habitat for shellfish and wading birds (i.e., herons, and sandpipers). Both freshwater and saltwater wetlands serve as important breeding grounds for waterfowl, and they also serve as critical resting and feeding areas for many types of waterfowl during both spring and fall migrations.

* Recreation and Education: Wetlands offer unspoiled, Open Space for the aesthetic enjoyment of nature, as well as other recreational activities such as bird watching, hiking, fishing, hunting, photography, and environmental education. High quality wetlands can also be used for biological research and as outdoor classrooms for students of all ages.

* Aesthetics: Wetlands are a vital component of the region's scenic landscape. The relatively flat landform and diversified vegetation of wetlands create a distinctive visual character. Wetland vegetation also provides unique seasonal variations in color.

Shorelands

Shorelands are areas located adjacent to the edges of streams, rivers, and waterbodies. River corridors and shoreline/coastal areas serve a number of functions. Undeveloped shorelines on high order streams, ponds, and lakes is now rather rare to find in this region. The most significant are the following: floodwater storage in low-lying areas, wildlife habitat, aesthetic quality, recreation, pollution abatement and filtration, and unique natural features. Because of their scenic quality, these sensitive areas are in very high demand for residential development. Values traditionally associated with shorelands are described in more detail below.

* Wildlife: Of all bodies of water, river corridors provide one of the richest habitats for fish, wildlife, and plant life. Many wildlife populations need large tracts of land to maintain a viable population. Within river corridors, fish obviously need clean, unblocked and passable water as their habitat. Most wildlife species cannot survive in very limited habitat areas, as wildlife must have travel within their range, and waterfowl and other birds need ground-level nesting habitat. Protection of these linear river corridors is essential to the stability of wildlife populations. This concept is in contrast with what is commonly known as "habitat islands", where wildlife refuge areas are separated by development, with no way for animals to travel from one area to another.

* Floodwater Storage: The flood absorption function of shorelands and floodplains has been described above.

* Pollution Abatement and Filtration: Natural corridors along riverbanks can be considered as "pollution filter strips" because the shoreland vegetation acts to filter out sediment and pollutants from surface water run-off. Many scientific studies have repeatedly confirmed the need to retain a naturally vegetated buffer strip adjacent to the water line (river or stream bed), to filter out pollutants from lawn fertilizers, agricultural pesticides, and run-off from roads. A minimum of fifty feet (preferably 75 feet or more) is needed to protect surface waters from such substances. Protection of surface waters is of vital importance for maintaining the quality and quantity of watercourses. For the past thirty years, too much money

has been spent on cleaning up polluted rivers. River corridors are often highly environmentally sensitive. In many instances, these areas consist of coarse-grained soils that have a limited ability to trap and hold contaminants. This can lead to water quality problems, especially when septic systems are constructed too close to shorelands. During periods of low water flow (such as the summer months), contaminated groundwater can seep into the watercourse. These are all reasons for highlighting the importance of protecting both surface and groundwater resources.

Floodplains and River Corridors

Floodplains are depositional landforms produced by streams and rivers of many different sizes. The floodplain is generally a relatively flat tract of land, usually bordering a river that results from the accumulation of sediment deposited by the river during flood periods.

Flooding is a natural process of the riverine system and adjacent surface water network. Periodic flooding helps to fertilize soils, and helps to maintain their productivity and that of the river corridor. Floodplains are located along sensitive shoreline areas that provide habitat for a wide variety of animals and plants.

During periods of flooding, enormous quantities of water are stored temporarily within floodplain soils, and within tributary wetlands. By storing and slowing floodwaters, the floodplain acts to reduce damage from floodwater likely to occur downstream. During such periods, groundwater reservoirs are also recharged by excess surface water. As the floor levels decline, the water stored is slowly released back into the stream or river. Natural vegetation and wetland soils slow the water flow during the flood and help prevent soil erosion. In this manner, wetlands and floodplains naturally moderate the extremes of flooding.

Large floods occur relatively frequently. The "100-year flood level" is that level of flooding that has a 1 in 100 chance of happening in any given year. Floodplain areas were identified by the Federal Emergency Management Agency (FEMA), and delineated on a Flood Insurance Rate Map (FIRM) map. These map were subsequently digitized, and are now available using Geographic Information System.

A floodplain in its natural state is the most cost-effective method to reduce flood damage. They also help to reduce water pollution, as floodplains trap sediments and thereby reduce erosion. Values traditionally associated with floodplains and river corridors include:

* River Bank Stabilization/Water Quality: River banks stripped of vegetation can be vulnerable to erosion. The roots of trees and other plant life along a natural shoreline help to stabilize the river banks from the erosive forces of wave action, flood flows, and overall surface water run-off. Removal of shoreline vegetation can raise water temperatures, and in turn lead to the deterioration of fisheries. In addition, bank erosion can cause sedimentation, which eliminates fish spawning and nursery areas, as well as depletes oxygen needed for adult fish.

* Recreation: River corridors can provide ample recreational opportunities. Examples include: boat docks for power boating, rowing and canoeing, fishing,

swimming, hiking trails within the corridor, horse trails, cross-country skiing, bird watching, and picnicking.

* Aesthetics: The changes in flow levels, the diversity and color changes of shoreline vegetation, and the associated variety of wildlife, all contribute to the visual quality and scenic beauty of a river corridor. Such corridors present prime opportunities for interacting with the natural environment.

* Unique Natural Features: Examples of unique natural features along river corridors include: waterfalls, rapids, meanders, and oxbows. In addition, rare and endangered plant species are often located along riverbanks.

Salt Marshes & Estuaries

In New Hampshire, salt marshes are found along the state's 18-mile Atlantic coast, along many of the rivers and their tributaries, including the Piscataqua, Winnicutt, Little River, Taylor, Squamscott and the Lamprey River draining into the Great/Little Bay estuary. These marshes and estuaries are in fact, complex ecosystems delicately balanced between marine and terrestrial environments and are the primary grassland ecosystem in the Northeast. They have adapted to a part of the landscape that regularly undergoes dramatic changes in salinity, water level, and temperature.

There are numerous salt marshes along the seacoast region, including some in Seabrook, Hampton Falls, Hampton, Rye, North Hampton, and include Great/Little Bay Estuary and many of the tributaries are called estuarine marshes. A major source of sediment for marsh development in estuarine marshes is soil particles from upland or shoreline erosion. In addition, organic sediment is produced by the marsh itself.

Many of New Hampshire's salt marshes have been damaged by human activity, some to the point where they no longer provide the myriad of beneficial functions and values with which they have long been associated. Negative impacts to salt marshes include, but are not necessarily limited to, the following:

- restrictions to tidal flow
- filling
- draining
- increased nutrient or pollution inputs
- increased and, in some cases, decreased sediment inputs
- introduction of invasive plant species
- excess freshwater runoff

Salt marshes occupy only about 0.1 percent of the entire area of New Hampshire. For their rarity alone they are a valuable natural resource, but the benefits derived from these wetlands go well beyond their scarcity. Salt marshes and estuaries are among the most productive ecosystems in the world and play a vital role in ocean ecology. Community residents benefit from the wildlife habitat, aesthetic quality, shoreline anchoring, and other functions which salt marshes provide.

One report discussed the evaluation of restorable salt marshes in New Hampshire, and also indicated the relationship between the destruction of wetlands and the declining level of the Nation's fish production. (Dorobek, 1994)

In New England, there is also a documented link between years of abundant freshwater flows from wetland areas into inshore habitats and good lobster harvests. Other wetland studies have estimated that, nationwide, 71 percent of the commercial fish value is derived from species dependent to some degree on coastal wetlands. (US EPA, 1991)

The importance of salt marshes to fisheries in the Gulf of Maine, which extends roughly from Cape Cod to the Bay of Fundy and includes the Georges Bank is not well understood. It is believed, however, that salt marshes are very important to local, near shore fisheries, for at least three reasons. First, salt marshes export organic matter which may be an important microbial food source in estuarine and near shore marine ecosystems. Second, salt marshes harbor several species of "minnows" and Atlantic silversides that are food sources for larger fish. Third, salt marshes serve as nurseries/refuges for such important fish as winter flounder and alewife.

Chapter III - Land Use and Open Space

To gain a clear understanding of the problem of open space loss in the region, it is necessary to understand the current trends and underlying causes of land-use change. With that understanding, reasonable projections of future changes can be made and the need to address further losses of Open Space will be more clear. In this chapter, recent trends in population and housing growth, and the related trends in agricultural, forestry, transportation and overall development patterns are examined. The impact of the New Hampshire Current Use Program, which helps to temporarily preserve open land by providing landowners with reduced tax assessments on undeveloped land, is also examined.

Population Trends and Projections

The growth in population in southern New Hampshire over the past half century has had profound effects on the land-use and landscape of the region. With population growth comes new development for housing, commercial, industrial and service land-uses. The additional population and demand for development has generated constant and increasing pressure to covert open land, including existing agricultural and forestry lands in the region into developed land. Population growth, then, is a simple gauge and convenient indicator of the magnitude of change that has impacted the region.

The historical view of population growth in the region (Table III-1 and Figure III-1) reveals a relatively stable population (slowly growing for some communities and slowly declining for others) until shortly after World War II. The post-war Baby Boom generated a peak of demand that created a surge in housing development, both in New Hampshire and across the nation. Since then, a relatively high rate of population growth and accompanying development, with fluctuations tied to the economy, has continued.

The magnitude of this growth is remarkable: In 1940, the total population of the 27 communities in the Rockingham Planning Commission region was 42,769; 57 years later, in 1997, the population had nearly quadrupled to 169,960. This equates to an average annual rate of growth of 2.5% – a very high sustained rate of population growth. As the region has grown, the rate of growth has declined due to the larger population base. Yet, in the four decades preceding 1990, the amount of growth has been reasonably steady, with each decade seeing an additional 25,000 to 28,000 people in the region. Based on the Office of State Planning population projections for the year 2000, another 24,000 people will be added to the population in this region in the current decade. In comparison, the population of the State of New Hampshire in 1940 was 491,524; and 57 years later, in 1997, the population of the State was 1,173,000, as the population of the entire State just past the doubling mark.

Figure III-1
Population History -- RPC Region
1900 to 1990

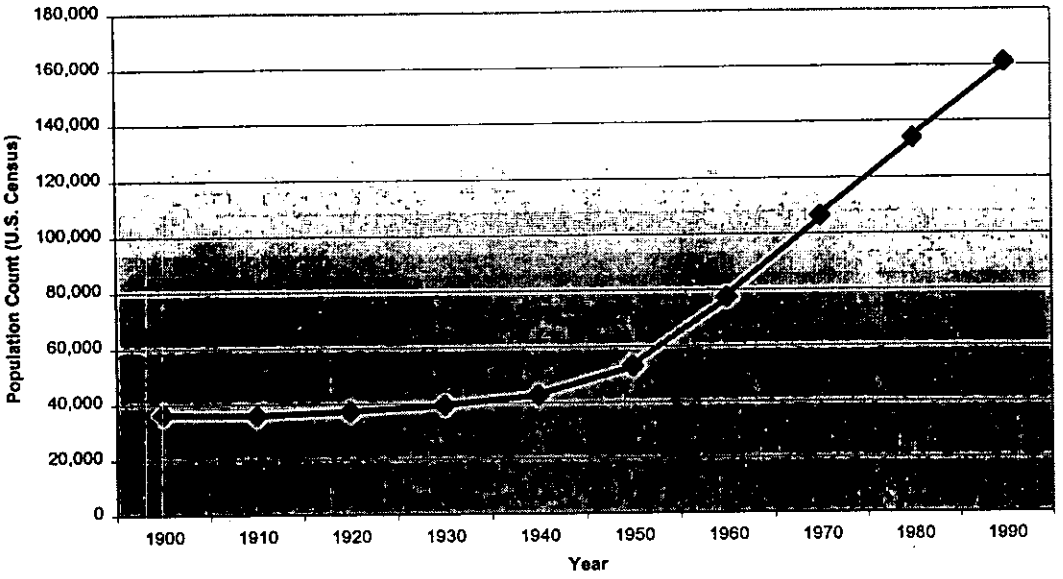


Table III-1
Population History, 1900-1990; 1998

TOWN/AREA	U. S. Census Population					OSP Est. Population	Average Annual Percent Change			
	1910	1930	1950	1970	1990	1998	1900-40	1950-90	1970-90	1900-90
Atkinson	440	407	492	2,291	5,188	6,071	-0.05%	6.1%	4.2%	2.8%
Brentwood	759	725	819	1,468	2,590	3,003	-0.71%	2.9%	2.9%	1.1%
Danville	517	406	508	924	2,534	3,622	-0.74%	4.1%	5.2%	1.6%
East Kingston	413	347	449	838	1,352	1,647	-0.39%	2.8%	2.4%	1.1%
Epping	1,649	1,672	1,796	2,356	5,162	5,572	-0.04%	2.7%	4.0%	1.3%
Exeter	4,897	4,872	5,664	8,892	12,481	13,409	0.23%	2.0%	1.7%	1.0%
Fremont	622	571	698	993	2,576	3,166	-0.42%	3.3%	4.9%	1.4%
Greenland	575	577	719	1,784	2,768	3,083	0.34%	3.4%	2.2%	1.7%
Hampstead	796	775	902	2,401	6,732	7,618	0.00%	5.2%	5.3%	2.4%
Hampton	1,215	1,507	2,847	8,011	12,278	13,342	1.43%	3.7%	2.2%	2.6%
Hampton Falls	552	481	629	1,254	1,503	1,755	-0.32%	2.2%	0.9%	1.1%
Kensington	417	438	542	1,044	1,631	1,787	-0.34%	2.8%	2.3%	1.3%
Kingston	1,015	1,017	1,283	2,882	5,591	5,838	-0.30%	3.7%	3.4%	1.8%
New Castle	624	378	583	975	840	831	-0.17%	0.9%	-0.7%	0.4%
Newfields	503	376	469	843	888	1,332	-1.09%	1.6%	0.3%	0.4%
Newington	296	381	494	798	990	777	0.17%	1.8%	1.1%	1.0%
Newton	962	848	1,173	1,920	3,473	3,915	-0.07%	2.8%	3.0%	1.5%
North Hampton	783	695	1,104	3,259	3,637	3,984	0.02%	3.0%	0.6%	1.7%
Plaistow	1,173	1,366	2,082	4,712	7,316	7,873	0.80%	3.2%	2.2%	2.2%
Portsmouth	11,269	14,495	18,830	25,717	25,925	23,100	0.83%	0.8%	0.0%	1.0%
Rye	1,014	1,081	1,982	4,083	4,612	4,738	0.22%	2.1%	0.6%	1.6%
Salem	2,117	2,751	4,805	20,142	25,746	27,525	1.18%	4.3%	1.2%	2.9%
Sandown	380	229	315	741	4,060	4,785	-0.78%	6.6%	8.9%	2.6%
Seabrook	1,425	1,666	1,788	3,053	6,503	6,944	0.44%	3.3%	3.9%	1.6%
South Hampton	279	261	314	558	740	790	-0.03%	2.2%	1.4%	1.0%
Stratham	602	552	759	1,512	4,955	5,810	-0.31%	4.8%	6.1%	2.2%
Windham	656	538	964	3,008	9,000	9,978	-0.04%	5.7%	5.6%	3.0%
RPC Region	**35,950**	**39,412**	**53,010**	**106,459**	**161,071**	**172,295**	0.40%	2.8%	2.1%	1.7%
Rock. County	**52,188**	**53,750**	**70,059**	**138,951**	**245,845**	**264,871**	0.32%	3.2%	2.9%	1.8%
New Hampshire	**430,572**	**465,293**	**529,880**	**737,681**	**1,109,252**	**1,185,000**	0.44%	1.9%	2.1%	1.1%

Source: U.S. Census 1900 through 1990; 1991-1998 OSP Population Estimates of NH Cities and Towns.

TABLE III-2
Average Annual Growth in Population in the Region

History from 1940 to 1990

Time Period	Population Added Per Decade	Average Annual Growth
1941-1950	10,241	2.2%
1951-1960	25,359	4.0%
1961-1970	28,100	3.1%
1971-1980	27,666	2.3%
1981-1990	26,926	1.8%

Projections to 2020

	High		*Moderate***	
1991-2000	*24,200*	*1.4%*	*18,000*	*1.0%*
2001-2010	*32,300*	*1.6%*	*27,000*	*1.4%*
2011-2020	*42,670*	*1.8%*	*27,000*	*1.2%*

Resultant Population

	*High**	*Moderate***
2000	*185,271*	*178,295*
2010	*217,571*	*205,295*
2020	*260,243*	*232,295*

* *Based on NH OSP Population Projections*

** *Projection developed for the Open Space Plan; 1991-2000 figures are based on OSP estimates through 1998; 2001-2020 based on average annual numerical increase in population in the region since 1950*

According to the most recent population projections available from the NH Office of State Planning ("NH Population Projections, Total Population for Cities and Towns, 2000 to 2020", NH OSP, October 1997), the RPC Region will grow from 161,071 in 1990 to 260,243 by the year 2020. This equates to an average annual growth rate of just over 1.6% per year. This projection assumes that the typical numerical growth experienced since 1950 (of about 2700 residents added per year) will increase substantially to nearly 4,300 per year. While this projection may prove to be too high, even growth at the post-1950 historical rate will result in a population of about 232,000 in 2020 – an increase of 60,000 from the number of people living in the region today (see Table III-2). Additional growth of this magnitude will put still more pressure on open space as land continues to be consumed for development.

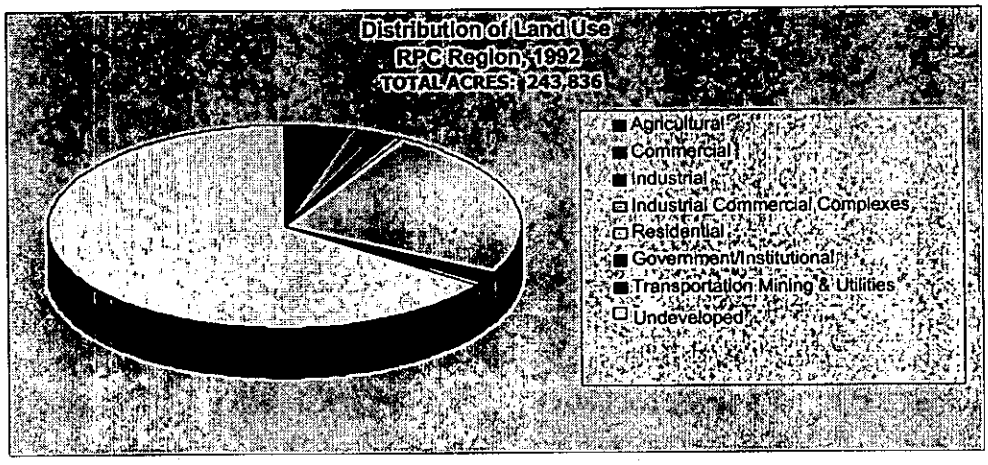
Existing Land Use

Geographic information concerning the extent and distribution of specific land uses, (including developed, open, agricultural, etc.), exists for the region in several sources. The most detailed is the Geographical Information System (GIS) existing land-use coverage developed by the Rockingham Planning Commission in 1996 and 1997, based on 1992 United States Geological Service (USGS) Aerial Photography (NAPP). The results of this inventory are shown in the accompanying map (1992 Generalized Land Use, Rockingham Planning Commission) and in Table III-3 and Figure III–2.

The land-use coverage shows that as of 1992 the largest single category (about 64% or 158,000 acres of the region) is classified as "undeveloped" or vacant land. This land consists primarily of forested areas, old fields (non-active pasture), or wetlands. Within the 158,000 acres over 65,000 acres are wetlands and water sources greater than 10 acres. The second largest category of land is residential use, accounting for about 25% or 60,000 acres of the land area. Active agricultural land is next, with only 11,000 acres or 4.6% of the land remaining. The last 6% is divided among other developed lands including commercial, industrial, transportation and utilities.

TABLE III-3 & FIGURE III -2
Distribution of Land Use in the RPC Region
(derived from Regional Land Use GIS Coverage based on 1992 aerial photography)

Land Use	Instances	Square Feet	Acres	%
Agricultural	786	488,256,740	11,209	4.6%
Commercial	782	212,496,110	4,878	2.0%
Industrial	173	139,251,727	3,197	1.3%
Industrial Commercial Complexes	50	34,723,433	797	0.3%
Residential	4213	2,617,856,937	60,098	24.6%
Government/Institutional	297	86,573,248	1,987	0.8%
Transportation, Mining & Utilities	277	136,957,022	3144	1.4%
Undeveloped	2674	6,905,361,430	158,525	65.0%
Total	6578	3,716,115,216	243,836	100.0%



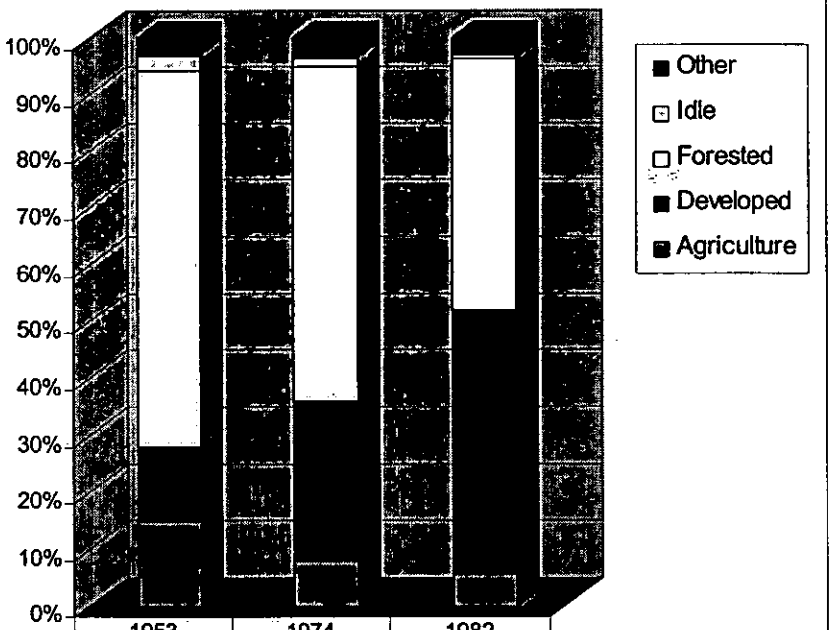
To establish the relationship between population change and land-use change, we would ideally compare similar land-use inventories over time. Unfortunately, no inventories that are directly comparable to the 1992 RPC inventory exist. However, we are fortunate in that two prior land cover studies, conducted by researchers at the University of New Hampshire (UNH), do exist which detail the amount of developed vs. undeveloped land over time.

The first of these studies (Agriculture, Forest and Related Land-use in New Hampshire) composed land cover from 1952 to 1975. The second study (Land Use Change: Rockingham County New Hampshire 1953-1982) added 1982 to this comparison (Coppleman, Pilgrim and Peschel, 1978 and Befort, Lufoff and Morrone, 1987). These studies categorized and classified

land differently and employed different wetlands than the RPC study, therefore the results are not directly comparable on an acreage basis. However, the UNH studies do provide some information about the change in developed and non-developed land in the critical period between the 1950's and the 1980's.

The results of these studies have been compiled for each of the towns in the RPC region. This information is presented in Figure III-3 below.

Figure III-3
Distribution of Land Use in the RPC Region
1953, 1974 and 1982



	1953	1974	1982
Other	7355	8560	7480
Idle	6485	3210	1320
Forested	157980	140905	106115
Developed	31425	67440	110410
Agriculture	35390	18565	13325

Acres

The UNH land use change data (Table III-4) shows the number of developed acres in the region increasing from 31,425 acres in 1953, which equals about 13% of the region's land area, to 110,410 acres in 1982, or about 46% of the land area. This latter number appears to be too high in comparison to the RPC's land-use GIS coverage, which in 1992, indicated that only about 36% of the total land area was developed. The difference may likely be explained by the greater accuracy and resolution of the developed land mapping in the RPC data. Although these differences prevent direct comparisons, the UNH data does provide a mechanism for quantifying the rate at which Open Space land is being lost.

Table III-4

Land Use Change - Rockingham County, 1953, 1974 & 1982

	Agriculture in Acres				Forested in Acres				Developed in Acres				Idle in Acres				Other				Water	Land	Total
TOWN/AREA	1953	1974	1982	Gain or Loss	1953	1974	1982	Gain or Loss	1953	1974	1982	Gain or Loss	1953	1974	1982	Gain or Loss	1953	1974	1982	Gain or Loss	Area	Area	Area
Atkinson	1125	305	0	-1125	5790	4920	3225	-2565	420	2040	4210	3790	85	130	0	-85	15	40	0	-15	55	7435	7490
Brentwood	2035	1510	1070	-965	7760	7750	5065	-2695	975	1740	4955	3980	405	165	100	-305	65	75	50	-15	0	11240	11240
Danville	270	55	15	-255	6290	5990	5035	-1255	640	1150	2175	1535	50	5	0	-50	70	120	95	-25	140	7320	7460
East Kingston	1020	1060	1195	175	4425	4360	3590	-835	550	780	1575	1025	385	155	15	-370	115	140	120	5	20	6495	6515
Epping	1795	1320	1180	-615	12990	12540	9555	-3435	1325	2190	5495	4170	380	320	185	-195	75	195	150	-75	55	16565	16620
Exeter	1380	470	195	-1185	8525	7805	5885	-2640	1970	3690	5965	3995	185	55	55	-130	135	175	95	-40	150	12195	12345
Fremont	920	690	630	-290	9455	8915	7990	-1465	430	1030	2045	1615	50	30	25	-25	250	440	415	165	70	11105	11175
Greenland	2540	1245	1040	-1500	3065	2720	2150	-915	670	2465	3370	2700	130	145	75	-55	190	100	40	-150	1885	6675	8560
Hampstead	865	280	180	-685	6415	5615	4610	-1805	790	2220	3445	2655	130	75	0	-130	35	45	0	-35	535	8235	8770
Hampton	620	135	75	-545	3350	2705	1580	-1770	2445	3680	5330	2885	370	170	0	-370	1755	1850	1555	-200	365	8540	8905
Hampton Falls	1975	1385	1125	-850	3975	3855	2825	-1150	615	1315	2705	2090	360	110	40	-320	1050	1295	1265	215	230	7960	8190
Kensington	2115	1640	1140	-975	4815	4690	3825	-990	570	1350	2710	2140	395	95	95	-300	45	165	170	125	0	7940	7940
Kingston	765	310	85	-680	9375	8070	5175	-4200	1630	3285	6475	4845	185	75	55	-130	340	555	505	165	770	12295	13065
New Castle	0	0	0	0	275	95	85	-190	255	435	445	190	0	0	0	0	0	0	0	0	795	530	1325
Newfields	570	380	125	-445	3745	3685	3115	-630	415	700	1670	1255	240	130	0	-240	85	160	145	60	100	5055	5155
Newington	1835	670	430	-1405	2095	1560	1030	-1065	790	2720	3700	2910	440	230	45	-395	65	25	0	-65	2455	5205	7660
Newton	490	330	285	-205	4910	4485	2875	-2035	1135	1775	3475	2340	195	30	5	-190	0	95	90	90	95	6730	6825
North Hampton	2005	685	355	-1650	4940	4420	3315	-1625	1505	3275	4945	3440	145	340	20	-125	200	75	160	-40	0	8795	8795
Plaistow	520	200	140	-380	4710	3680	2440	-2270	1745	3220	4455	2710	160	35	60	-100	0	0	0	0	0	7135	7135
Portsmouth	1545	110	0	-1545	4290	2535	1945	-2345	3580	7190	8080	4500	590	235	30	-560	195	130	145	-50	720	10200	10920
Rye	650	45	65	-585	4225	3155	2480	-1745	2455	4390	5145	2690	305	30	25	-280	610	625	530	-80	440	8245	8685
Salem	2765	955	520	-2245	9790	6910	3985	-5805	3380	7920	11445	8065	180	310	240	60	80	115	25	-55	775	16215	16990
Sandown	1050	545	500	-550	7285	7040	6430	-855	285	1065	1715	1430	130	0	20	-110	155	255	240	85	350	8905	9255
Seabrook	460	115	30	-430	2580	1870	905	-1675	1280	2270	3470	2190	45	70	55	10	1310	1350	1215	-95	480	5675	6155
South Hampton	920	625	575	-345	3455	3380	2955	-500	405	970	1420	1015	205	45	35	-170	145	110	145	0	10	5130	5140
Stratham	3490	2650	1670	-1820	5025	5085	3750	-1275	415	1575	3925	3510	465	115	95	-370	240	210	185	-55	320	9635	9955
Windham	1665	850	700	-965	14425	13070	10295	-4130	750	3000	6065	5315	275	110	45	-230	130	215	140	10	670	17245	17915
RPC Region	35390	18565	13325	-22065	157980	140905	106115	-51865	31425	67440	110410	78985	6485	3210	1320	-5165	7355	8560	7480	125	11485	238700	250185
Rock. County	55505	29695	23515	-31990	329400	305235	244040	-85360	43850	96940	167810	123960	10125	5025	3245	-6880	10395	12390	10660	265	18880	449275	468155

Build out

As previously explained, differences in the type of data collection methodologies prevent direct analysis, yet, the UNH data still provides a device for estimating the rate at which Open Space land is being lost. As shown in Table III-5 below, about 13% of the region was classified as "developed" or urban land in 1953. By 1974 developed land more than doubled in acreage to 28%, and by 1982 it reached 46%. During this period, when a total of about 79,000 acres became developed nearly the same amount of acres 74,000 were lost in agricultural and forested land.

More importantly when the growth in developed land is compared to growth in population over the same period, a significant increase in the rate at which undeveloped land is being consumed is observed – a trend which almost certainly has its roots in sprawl.

TABLE III-5
Land Use Changes
Acres in Development, Per Capita

CUMULATIVE

	Dev. Acres	% Developed	Population	Acres per Capita
1953	31,425	13%	70,000	0.45
1974	67,440	28%	118,000	0.57
1982	110,410	46%	145,000	0.76

INCREMENTAL

	Dev. Acres	% Developed	Population	Acres per Capita
From 1953 to 1974	36,015	15%	48,000	0.75
From 1974 to 1982	42,970	18%	27,000	1.59

The top half of Table III-5, labeled "Cumulative" shows the aggregate number of acres in development per capita for 1953, 1974, and 1982, which increased from about one-half acre (.45) per person in 1953 to about three-quarters (.76) of an acre per person in 1982. More interesting – and more alarming – are the figures for the bottom half, labeled "Incremental". This section looks only at incremental development and population growth that occurred after 1953, during the periods between 1953-1974 and 1974-1982. The results show that for the most recent period, 1974-1982, the rate of land consumption or each person added to the population had reached nearly 1.6 acres. If this rate has been sustained since 1982, it means that an additional 40,000 acres may have been converted to development since 1982. It also suggests that the way in which land is being developed is far more wasteful of land, and perhaps far less sustainable, than was historic development.

The effect of sprawl, which we define as predominately low density, automobile dependent development patterns, spread out more or less uniformly across a previously undeveloped landscape, is to consume comparatively large areas of land per "unit" (a dwelling unit, commercial unit, etc.) of development. This effect can be observed in these land-use change statistics.

Agricultural Land

The UNH Land Use Change data shows precipitous declines in both agricultural (-62%) and forested land (-33%) losses between 1953 and 1982, and a corresponding rise in the "developed" land category. Data from the U.S. Agricultural Census for Rockingham County clearly shows the same trend with respect to both total acres and total number of farms. The rapid loss of agricultural is a local, state and national phenomenon caused by a combination of factors, including the increase in land values and development pressure in rapidly growing areas, increases in agricultural production and transportation efficiencies, and general decline in the economic viability of smaller farms in commodity agricultural sectors.

As shown in Figure III-4, in 1945, agricultural land accounted for 235,187 acres or almost 50% of the total land area of the County (499,000); today that number is about 7% for the County, and about 5% for the RPC region.

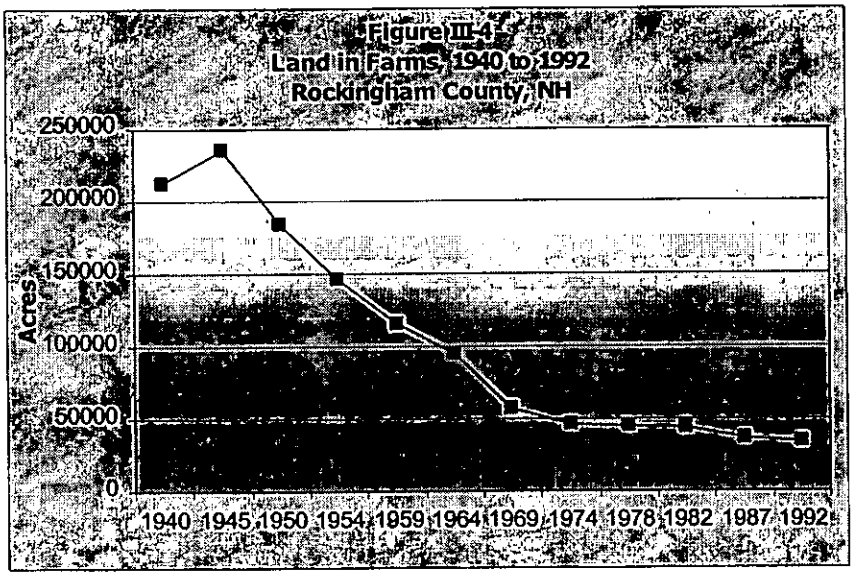
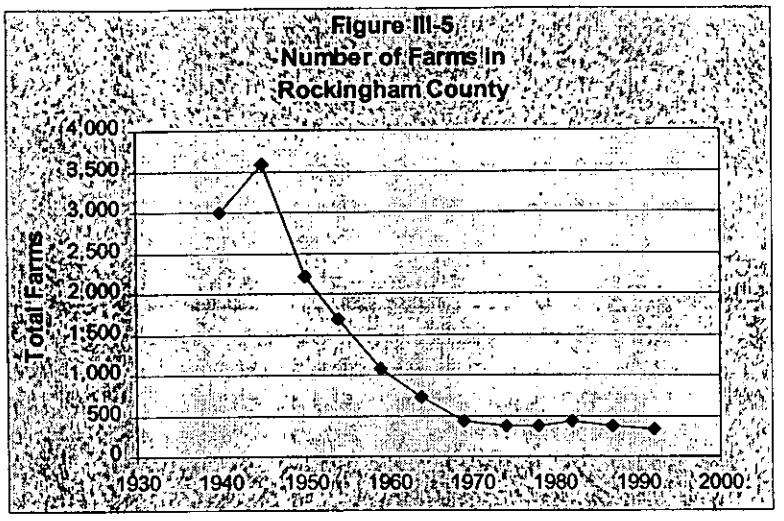
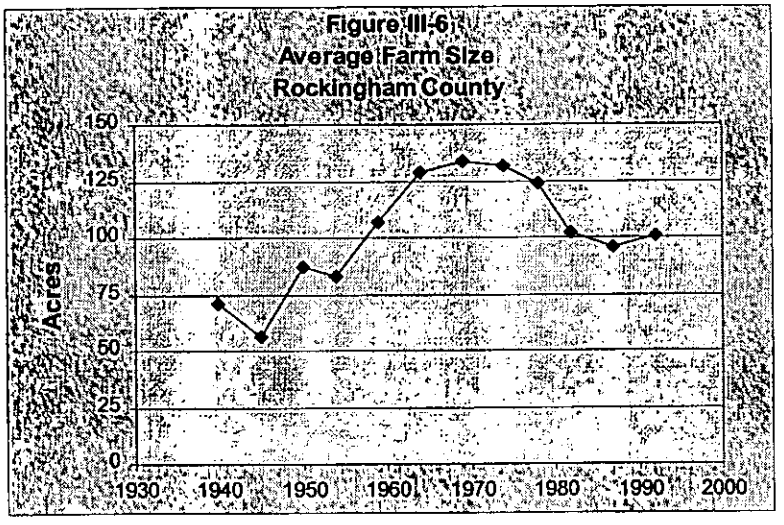


Figure III-5 show the total number of farms in Rockingham County dropping quite rapidly from 1945 to 1990, from a high slightly less than 19,000 farms to just under 2500 farms in 1992. Figure III-6 displays the average farm size in Rockingham County, and shows that as of the 1930's, the average farm size has increased. Review of Figure III-6 also points out that in 1969 there was a high average farm size of 134 acres, and as of 1992, a somewhat lower average farm size of 101 acres.





In the most recent Agricultural Census for New Hampshire (1997), both the number of farm acres and number of farms has increased slightly. This may be due to both increased demand and marketing outlets for local produce farming, and with the production and marketing of specialty crops and livestock. Agriculture in the region is responding to the changing economic realities by specializing in certain products, however this will probably never result in large increases in the number of acres under cultivation.

Conservation Lands

Table III-6 shows the number of acres in conservation land as of 1996 as reported by the NH Department of Revenue Administration. The table separates the amount of federal, state and local land that is set aside as conservation land. As a region only 5 percent of the total land area is designated as conservation land. Furthermore, only a handful of towns—Newington, Newton, Rye, Hampstead, and New Castle have over 10 percent of

their land designated as conservation land. Out of these towns only Newington has over 20 percent (22%) of its land protected from future development (over 1000 acres), largely due to the Great Bay Wildlife Research Reserve.

Table III-6
Inventory of Conservation Lands
Rockingham Planning Commission Region

REGIONAL	*****CONSERVATION LAND IN ACRES *****					
MUNICIPALITY	FEDERAL	STATE	MUNICIPAL	TOTAL	Total Land Acres	% of total in conservation land
ATKINSON	0	0	441	441	7,155	6.17%
BRENTWOOD	0	44	103	147	10,861	1.36%
DANVILLE	0	6	407	413	7,454	5.54%
EAST KINGSTON	0	41	93	134	6,345	2.11%
EPPING	0	133	34	167	16,690	1.00%
EXETER	0	0	825	825	12,645	6.52%
FREMONT	0	48	161	209	11,043	1.89%
GREENLAND	0	57	185	242	6,746	3.58%
HAMPSTEAD	0	20	960	980	8,580	11.42%
HAMPTON	0	200	180	380	8,805	4.31%
HAMPTON FALLS	0	3	233	235	7,926	2.97%
KENSINGTON	0	0	282	282	7,668	3.67%
KINGSTON	0	97	492	589	12,704	4.64%
NEW CASTLE	0	51	36	87	521	16.69%
NEWFIELDS	0	31	77	108	4,540	2.37%
NEWINGTON	1,057	0	147	1,204	5,274	22.84%
NEWTON	0	368	293	661	6,294	10.50%
NORTH HAMPTON	0	3	228	232	8,914	2.60%
PLAISTOW	0	0	376	376	6,790	5.54%
PORTSMOUTH	0	213	511	724	10,034	7.22%
RYE	0	434	660	1,093	8,091	13.51%
SALEM	0	14	590	604	15,877	3.81%
SANDOWN	0	51	254	305	8,952	3.41%
SEABROOK	0	21	255	275	5,760	4.78%
SOUTH HAMPTON	0	51	10	61	5,063	1.21%
STRATHAM	0	55	240	295	9,679	3.05%
WINDHAM	0	101	598	699	17,102	4.09%
TOTAL	1,057	2,041	8,670	11,768	237,512	4.95%

It may be interesting to compare this table to the conservation lands map, GIS Map IV- 2, Existing Protected Lands, as well as to review Appendix B that indicates the primary protection agency, acreage, property name and protection type of protected lands (through September, 1998).

Current-Use Lands

New Hampshire's Current Use law (RSA 79-A) provides a key mechanism to relieve some of the pressure on landowners to covert their property from undeveloped to developed uses. It does so by allowing qualifying land to be taxed according to the value of its current, rather than its potential, use. It is very likely that the majority of the remaining open space in the region is held in parcels enrolled in the Current Use program

(review Table III-7).[1] Without it, these open lands would be assessed and taxed at market value, regardless of the landowner's intent for future use. The resulting tax burden would induce many landowners to sell the land, and much of it would eventually be used for development purposes.

Because the Current Use program, which has been in operation since 1973, gives landowners an opportunity to hold onto large parcels, it is a key factor in the preservation and conservation of open space and its accompanying agricultural, forest, water and wildlife resources.

Although the Current Use program is vital for keeping open land open, it does **not** provide any long term protection from future development of land. When land is developed, or a landowner otherwise changes the land-use to one that does not qualify for current use, a "land-use change" tax is assessed by the community. The land-use tax change is 10% of the assessed full market value of the land once removed from the current use program. In order to ensure permanent protection several different tools are available, including purchase or donation of development rights or purchase of the land itself, and several varieties of preservation easements are possible. These more permanent preservation tools are discussed in greater detail in Chapter V of this document.

In 1988, the Current Use law was amended (RSA 79-A: and 79-B) to allow communities that collect land use change taxes to establish and fund special non-lapsing accounts that can be used to fund land conservation efforts. Many communities in the RPC region have set up a fund separate from the general fund for the land use tax to acquire important conservation lands. Many communities have not taken advantage of this amendment, and should use the process set out in RSA 79-A to allocate the use change tax to a local conservation fund.

Current Use Statistics

The following information includes statistics on the current use program provided by the New Hampshire Department of Revenue Administration, as well as Conservation Commissions within the region currently utilizing the current use penalty tax.[2] Tables III-7 and III-8 show the community summary data for current use land for 1997 and Table III-9 shows the county and state comparisons.

Table III-7 shows that as of 1997 nearly 80,000 of the 237,512 acres in the region are enrolled in current-use, representing about 34 percent of the total land area. Eight of the twenty-seven communities in the region have at least half of their total acres in current-use. Fremont has the highest percentage of land in current-use at over 64 percent. Not surprisingly, New Castle only 521 acres in size and with very few remaining privately held parcels over 10 acres, has the lowest percentage of land enrolled in current-use – just 2 percent. Over $700,000 in land use change penalties were collected in 1997. As of 1997, fifteen of the twenty-seven communities in the region have established the required authorization and non-lapsing accounts to collect at least a portion of these penalties for

[1] A recent report entitled "*A Layperson's Guide to New Hampshire Current Use*", completed by SPACE, relates that approximately 60% of New Hampshire's taxable private land is currently enrolled in the current use program. New Hampshire's program has been touted as one of the nation's simplest and most effective Open Space taxation programs.

[2] From the *1997 Current Use Report*, NH Department of Revenue Administration.

future conservation land acquisitions and maintenance costs. Region-wide, a large majority of current use lands are classified as forestland (63%); farmland accounts for 19%; wetlands and miscellaneous categories account for 9% each. In nearly all the Communities' in the region, forestland accounts for 50 percent or more of their total current-use land.

Table III-7
Current Use Summary
Rockingham Planning Commission Region

MUNICIPALITY footnote-->	Total Land Acres (1)	Acres In Current Use (2)	% Total Acres In C.U.	# Of Current Use Owners	# Of Current Use Parcels	Land Use Change Taxes (3)
Atkinson	7,155	1,532	21.41%	49	82	$ 52,000
Brentwood	10,861	5,793	53.34%	4	257	$ 40,000
Danville	7,454	2,496	33.49%	NA	NA	$ -
East Kingston	6,345	3,448	54.35%	81	114	$ 7,648
Epping	16,690	9,664	57.90%	261	308	$ 55,000
Exeter	12,645	4,787	37.86%	124	NA	$ 58,947
Fremont	11,043	7,087	64.17%	145	253	$ 38,000
Greenland	6,746	3,419	50.69%	65	184	$ 50,000
Hampstead	8,580	1,466	17.08%	NA	86	$ 75,000
Hampton	8,805	720	8.18%	26	52	$ 6,500
Hampton Falls	7,926	3,576	45.11%	98	305	$ 25,400
Kensington	7,668	4,469	58.28%	NA	NA	$ 80,000
Kingston	12,704	5,069	39.90%	114	212	$ -
New Castle	521	11	2.01%	1	NA	$ -
Newfields	4,540	2,265	49.88%	NA	NA	$ 14,000
Newington	5,274	535	10.14%	21	26	$ -
Newton	6,294	2,129	33.83%	63	94	$ 71,602
North Hampton	8,914	2,824	31.68%	81	119	$ -
Plaistow	6,790	916	13.50%	34	40	$ -
Portsmouth	10,034	868	8.65%	27	80	$ -
Rye	8,091	1,468	18.14%	5	119	$ 11,565
Salem	15,877	2,153	13.56%	72	140	$ 10,000
Sandown	8,952	4,335	48.42%	113	261	$ 32,000
Seabrook	5,760	429	7.44%	16	36	$ -
South Hampton	5,063	2,505	49.48%	71	100	$ 7,000
Stratham	9,679	3,111	32.14%	64	NA	$ 40,000
Windham	17,102	2,622	15.33%	54	76	$ 48,000
RPC Total	237,512	79,696	33.55%	1,589	2,944	$ 722,662
Rockingham County	446,221	172,108	38.57%	2,741	5,569	$ 801,611
State of New Hampshire	5,742,660	2,947,833	51.33%	23,501	70,563	$ 2,249,657

Footnotes:
1. LAND ACREAGE FIGURES PER STATE PLANNING (REVISED 1995)
   ACREAGE FIGURES ARE FOR LAND ONLY--NO WATER AREA INCL.
2. CURRENT USE ACREAGE FIGURES AS REPORTED BY TOWNS ON MS-1 FORMS
3. ESTIMATED 1998 LAND USE CHANGE TAXES REPORTED ON 1997 MS-4

SOURCE: NH Department of Revenue Administration, 1997

Table III-8
Current Use Distribution by Land Classification
Rockingham Planning Commission Region

MUNICIPALITY	Acres by Land Classification				Percentage by Land Classification			
	Farm Land	Forest Land	Wetland	Unpro-ductive	Farm Land	Forest Land	Wetland	Unpro-ductive
Atkinson	458	824	235	15	30%	54%	15%	1%
Brentwood	1,317	4,179	297	0	23%	72%	5%	0%
Danville	280	1,849	329	38	11%	74%	13%	2%
East Kingston	856	1,686	690	216	25%	49%	20%	6%
Epping	1,404	7,004	0	1,256	15%	72%	0%	13%
Exeter	519	2,878	0	1,390	11%	60%	0%	29%
Fremont	604	5,253	1,205	24	9%	74%	17%	0%
Greenland	1,035	2,118	188	78	30%	62%	6%	2%
Hampstead	132	1,203	60	71	9%	82%	4%	5%
Hampton	237	393	72	19	33%	55%	10%	3%
Hampton Falls	1,605	1,261	529	181	45%	35%	15%	5%
Kensington	1,573	2,482	396	18	35%	56%	9%	0%
Kingston	360	3,326	0	1,383	7%	66%	0%	27%
New Castle	0	0	0	11	0%	0%	0%	100%
Newfields	370	1,137	198	560	16%	50%	9%	25%
Newington	215	140	41	139	40%	26%	8%	26%
Newton	126	1,717	181	106	6%	81%	8%	5%
North Hampton	673	1,450	598	103	24%	51%	21%	4%
Plaistow	71	630	101	115	8%	69%	11%	13%
Portsmouth	215	430	106	116	25%	50%	12%	13%
Rye	251	668	454	94	17%	46%	31%	6%
Salem	373	1,488	292	0	17%	69%	14%	0%
Sandown	433	2,773	368	760	10%	64%	8%	18%
Seabrook	129	135	37	128	30%	31%	9%	30%
South Hampton	580	1,693	227	5	23%	68%	9%	0%
Stratham	1,325	1,409	231	145	43%	45%	7%	5%
Windham	201	2,244	85	93	8%	86%	3%	4%
TOTAL	15,344	50,368	6,920	7,063.10	19%	63%	9%	9%

SOURCE: NH Department of Revenue Administration, 1997

Table III-9

NEW HAMPSHIRE STATE SUMMARY OF CURRENT USE, 1997

COUNTY	TOTAL LAND ACRES (1)	ACRES IN CURRENT USE (2)	% TOTAL ACRES IN C.U.	TOTAL C.U. OWNERS	# OF CURRENT USE PARCELS	LAND USE CHANGE TAXES (4)
BELKNAP	257,726	130,237	50.53%	1723	3,414	83,461
CARROLL	598,387	204,768	34.22%	1143	1,806	50,940
CHESHIRE	452,911	279,207	61.65%	2658	6,451	77,131
COOS	1,152,947	757,776	65.73%	1759	3,761	33,900
GRAFTON	1,096,324	465,473	42.46%	4037	24,006	119,246
HILLSBORO	561,351	275,142	49.01%	3032	9,301	812,520
MERRIMACK	597,481	335,701	56.19%	3548	8,018	159,039
ROCKINGHAM	446,221	172,108	38.57%	2741	5,569	801,611
STRAFFORD	235,093	117,975	50.18%	1264	4,023	84,435
SULLIVAN	344,219	209,446	60.85%	1596	4,214	27,374
TOTALS	5,742,660	2,947,833	51.33%	23501	70,563	2,249,657

1. LAND ACREAGE FIGURES PER STATE PLANNING (REVISED 1995)
   ACREAGE FIGURES ARE FOR LAND ONLY--NO WATER AREA INCL.
2. CURRENT USE ACREAGE FIGURES AS REPORTED BY TOWNS ON MS-1 FORMS
3. ESTIMATED 1998 LAND USE CHANGE TAXES REPORTED ON 1997 MS-4

SOURCE: NH Dept. of Revenue Admin, 1997

Interestingly, Table III-9 shows that only one other county (Carroll) has a lower percentage of total land designated as current-use mainly due to National Forest land. Rockingham County has about 38 percent of total land in current-use—slightly higher than for the region. Another concerning note is the amount of land-use change tax in Rockingham County. This is the penalty assessed to landowners for taking their land out of the current-use program. Only Hillsboro County has a higher total in this category, and only by approximately $10,000. Every other county in the state reported considerably less for land-use change taxes in 1997. In fact, over 35 percent of the revenue generated from the land-use change tax penalty was from lands taken out of current-use in Rockingham County and, in comparison to 32 percent from the region (see Table III-7 and Table III-8).

Communities' use of Current Use Penalty Tax

There has been an enormous amount of land that has been taken out of the current use program during the past several years. Through a vote taken at Town Meeting, several communities (see Table III-10), have designated all or a portion of the land use change tax to be deposited in a Conservation Fund established under RSA 36-A:5. This fund may be used for land or easement acquisition, or for any other purpose for which the Conservation Commission is established under RSA 36-A, such as resource inventories, management of Town lands, etc.

It is important to remember that this source of income is very helpful to communities interested in land protection, but it is not a consistent source of money. The Current Use penalty tax will fluctuate from year to year, and is clearly the largest when land prices and

subdivision pressures are high. In addition, the penalty tax money is not nearly enough to actively purchase properties (particularly large parcels), and it is generally only a large source of money during times when land is highly priced.

Given the high percentage of lands currently held in the current use program, there is a significant and important opportunity for communities and local or regional land protection groups to implement. These groups should be actively pursuing any interested individuals that are enrolled in the current use program, to permanently protect portions of or all of their land in perpetuity. The Current Use program has played an important role in encouraging the conservation of open space, well-managed forests, and agricultural lands from development. It is critical that communities and local or regional conservation groups strive to permanently protect those lands.

Table III-10

Use Change Tax Allocations to the Conservation Fund

Municipality	%	Cap
Atkinson	100	
Danville	100	
East Kingston	50	
Epping	10	$10,000
Hampton Falls	25	
Kensington	5	
Newfields	25	
Newton	100	
North Hampton	100	
Portsmouth	50	
Rye	50	$10,000
Salem	20	$100,000
Sandown	50	
South Hampton	50	
Windham	100	

Growth and Sprawl

The information presented here helps to quantify the changes that any long-time resident of the region already knows: that there has been a large increase in acreage of developed land, and an equally large loss of agricultural and forested land.

Given the region's growth history, it is not surprising that we have experienced major land-use changes. Yet the overall population growth reveals only part of the story. From the standpoint of land-use impact, it is equally important to know where and how this growth has occurred. Unlike pre-1950s development that tended to be concentrated in urban or semi-urban areas, this new growth has occurred disproportionately in the most rural, least developed communities in the region. This phenomenon is clearly evident in population statistics, as shown in Table III-11. The region's "urban" communities, (which we have liberally defined as those with more than 2,000 people in 1950: Exeter, Hampton, Plaistow, Portsmouth and Salem) accounted for about 65% of the regions population. The remaining 35% of the population in 1950 lived in the other 22 communities, whose average population was less than 1,000. Today, the situation has changed radically: a slight majority of the region's population now lives in the historically rural towns, which now have an average population of just under 4,000. Of the nearly

120,000 people added to the region between 1950 and 1998, about 60% moved into the rural communities while 40% moved to urban communities. (Note: if Salem were defined as rural in 1950 rather than urban, then 77% of the regions growth would be attributed to the rural communities.)

TABLE III-11
Urban vs. Rural Population Growth in the RPC Region
1950-1998

	Population			% Increase
	1950	1998	Added	1950-1998
Urban Communities (5)*	34,228	85,249	51,021	149%
Rural Communities (22)	18,782	87,046	68,264	363%
RPC Total	53,010	172,295	119,285	225%

*The region's communities which are defined as urban in 1950 are Exeter, Hampton, Plaistow, Portsmouth and Salem; all others are defined as rural.

These statistics underscore the fact that more than population growth alone has caused the loss of open space and related changes in the character of the region. These easily observed changes in the region have been the combination of population growth and development sprawl. Because most of this growth occurred in our more rural communities, usually outside any existing town or village center, the impact on open space and on the loss of agricultural and forest land has been especially large. As explained below, available land-use change data for the region shows the *rate of land consumed per unit of growth more than tripled between the 1950's and the 1980's.*

Regional Buildout

Although no full regional buildout analysis has been conducted as part of this study, it is evident from the numbers presented that, at current rates of population growth and land consumption, we will run out of undeveloped land in the relatively near future. At the average rate of land consumption of 1.6 acres per capita of new population, and assuming that there are about 154,000 undeveloped acres remaining, the region could approach a buildout point by adding a little less than 100,000 to the population. If the Office of State Planning's population projections are correct, the RPC region would reach that point in just 20 years. Even using the more conservative (and from the present perspective, more realistic) population growth projections as discussed earlier, (2,500 persons/year) would mean reaching buildout in less than forty years. In reality it could be much less, considering that much of the land shown as "undeveloped" is also *undevelopable* due to wetlands or other site conditions, or because it is publicly or privately protected conservation land.

We have presented these land-use statistics to emphasize two important points regarding open space protection: first, the manner in which development is occurring (i.e. sprawl) is using up our remaining undeveloped land at a much faster rate than is necessary; second, the speed at which Open Space and undeveloped land is being lost means that communities must act quickly and aggressively to ensure that important open space and conservation lands are permanently protected from development.

The next chapter in this Plan will examine the existing natural resources and Open Space assets in the region to help define where the most important undeveloped lands are located.

Chapter IV – Open Space Inventory and Analysis

Overview

Having established (we hope) in the two previous chapters the importance of open space and the alarming rate at which it continues to be lost, the purpose of this Chapter is to examine the open space that remains in the region. The intent is to both inventory existing open space, and provide an understanding of how it correlates geographically to resource values. By doing so we will begin to establish a rational basis for prioritizing the open space areas that are most important to maintain.

The regional maps developed for this inventory were designed to identify the following:

1. Large **unfragmented blocks of undeveloped land** (i.e. open space): **Map IV-1A** presents areas of unfragmented land with a contiguous area of over 500 acres, derived from various sources of land use and land cover information; **Map IV-1B** synthesizes this data into two size classes: parcels over 500 acres and parcels over 1000 acres.

2. Location and extent of existing **conservation and other protected land**: **Map IV-2** shows the existing conservation lands throughout the region and classifies ownership as Town , State or Federal agency, Private entity/individual, or Other public entities.

3. **Co-occurrence** of natural resources: **Maps IV-3A, 3B, 3C** present water-related natural resource features, and **Map IV-3D** shows land related resources, both are important for the identification of possible future open space protection efforts. **Map IV-3E** combines these features to show degrees of co-occurrence.

4. Location and distribution of **locally identified natural resource areas** worthy of protection from development: **Map IV-4** depicts the point locations of numerous sites identified through the REPP program as having local importance future conservation land.

In addition to these analysis maps (and Map IV-3E), two additional synthesis maps have been created to depict generalized areas that, based on the co-occurrence of resources, unfragmented land and local priorities, can form the framework of an open space network for the region. These maps are:

* **Map IV-5A - Unfragented Parcels, Co-occurring Natural Features and Existing Conservation Lands**. General areas encompassing lands characterized by a preponderance of unfragmented undeveloped areas and high co-occurrence of natural resource features were overlaid and potential greenway areas added based on input from natural resource and conservation professionals.

* **Map IV-5B – Regional Greenways and Existing Corridors Identified for Possible Open Space Conservation.** Natural and man made corridors that already exist in the region, including pipeline and powerline rights-of-way, and major river corridors are combined with the preliminary greenways from map IV-5A.

A more detailed description of the maps including an account of the data used in producing each map follows.[1]

Open Space Inventory

Unfragmented Open Spaces: Maps IV-1A and IV-1B

Map Sources

For the purposes of this Plan, we define "open space" as synonymous with "unfragmented" or "undeveloped" land. While clearly not all undeveloped land serves a recognized purpose as open space, it is a convenient starting point in our analysis because we have existing GIS map coverages that define "developed" land. Therefore, RPC's regional existing land use coverage, combined with regional roads was used to identify large areas of unfragmented open space.

The land use coverage was derived from a visual interpretation of air photos at a scale of 1:4800 (1" = 400'). The air photos were taken in 1992, as part of a national effort by the USDA Soil Conservation Service (now the Natural Resources Conservation Service). For the purposes of the Regional Open Space Plan, the detailed land use classifications were collapsed into two categories, open space and developed lands. For this purpose, open space was defined by collapsing the following groups as non-urban, non-built up land: agricultural, forested, wetlands, barren lands, open water as well as land in transition to open space. All urban and built up land was considered developed, including residential, commercial, industrial, institutional and recreational.

The road features were derived from USGS 7.5 minute series (1:24000 scale) topographic maps. They were automated for the USGS into a digital line graph format, and recoded for distribution by New Hampshire GRANIT at Complex Systems Research Center at the University of New Hampshire. GRANIT road attribute classifications 1 through 4, including primary and secondary roads and streets, but not including trails, were used to represent the regional road network. The roads were buffered at 50 feet per side, primarily for the purpose of recognizing an area for a linear feature.

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[1] With the exception of the land use coverage used for determining unfragmented areas and the locally defined resources worthy, all digital data used in this analysis was obtained from the New Hampshire GRANIT database. Digital data in NH GRANIT represents the efforts of the contributing agencies to record information from the cited source materials. Complex Systems Research Center (CSRC), under contract to the NH Office of State Planning (OSP), and in cooperation with consulting agencies, maintains a continuing effort to identify and correct errors in these data. Neither OSP nor CSRC make any claim as to the validity or reliability or to any implied uses of these data.

The existing open space as defined by land use was combined with the buffered roads, resulted in a new data set of unfragmented open space. These unfragmented open areas were then grouped by size (acres).

Similar open space analysis has been done within sub-areas of the Rockingham Planning Commission's planning region by NH GRANIT at UNH. The sub areas include the Great Bay area and the Exeter River Watershed. The method that has been used by UNH GRANIT for other studies was slightly different than the method used for this Regional Open Space Plan, particularly in regard to determining unfragmented open space. As a component of the Regional Open Space Plan, a comparison of methods used to determine unfragmented lands was completed. Data was processed by Complex Systems Research Center at UNH using land cover from satellite, and by the Rockingham Planning Commission using land use from aerial photographs. A visual comparison of results was completed and has been illustrated on Map IV-1A.

The two methods used for defining unfragmented open spaces differed primarily in the choice of data used to define the land use. For both the Great Bay and Exeter River GIS projects, land cover used to define open spaces was derived from satellite imagery. This satellite data, Landsat TM data, is represented in 30 meter blocks (approx. ¼ acre) where each block is classified as a feature type. This results in a somewhat coarser data set than the existing land use coverage. However, the classification scheme for the Landsat TM data is similar enough to the collapsed classification scheme for the land use to be able to provide comparable groupings of data.

UNH GRANIT provided unfragmented open space data for all of the Rockingham Planning Commission, based on Landsat TM land cover data. Data was provided in 50 acre, 250 acre and 500 acre parcels. The comparison of 500 acre parcels produced by UNH GRANIT, with 500 acre parcels produced by the Rockingham Planning Commission for the Regional Open Space Plan displayed a similar distribution pattern of unfragmented open spaces, with only minor discrepancies apparent. Many of the differences appeared to be a result of the classifications of the land cover/land use data layers used. Generally, land use identified from 1:4800 scale air photos (and therefore used for this plan) provided more accurate detail than the land cover derived from satellite, with a resolution of 30 square meters per pixel. Conversely, the larger extent of the satellite derived data enabled large parcels outside the region (approximately one mile outside of the study) to be included when identifying 500 acre unfragmented parcels. As a result, more 500 acre unfragmented parcels were identified along the perimeter of the region with the satellite imagery. For this reason the results of both methods are shown in Map IV-1A. Comparisons of parcels at 250 acres and 50 acres showed an overwhelming abundance of parcels, and are generally not useful in the context of this study.

Map IV-1B uses the land-use classification method only (derived from the aerial photographs) to display unfragmented area, but presents them in two size classes: undeveloped land that is over 500 acres, and over 1000 acres in contiguous area.

Analysis

Given the degree of the development in the region it is surprising to see the extensive unfragmented areas that remain. Approximately 107,000 acres or 44% of the region's

total land area falls within the 500+ acre category and about 62,000 acres, or 25% of the region falls within the 1000+ acre category. It is also evident that, outside of town centers and other areas of dense development, the factor that contributes the most to fragmentation is the existence of roads. Thus the impression one gets from travelling the region's roadways is quite different from the aerial view. From above it becomes evident that numerous large areas of unfragmented open space remain interior of the road network.

Unfragmented blocks of land can be found in virtually every town in the region, with the greatest amount appearing in Fremont, Danville, Kingston, Epping, Exeter and Greenland. In addition large unfragmented systems are seen in and around the Hampton-Seabrook salt marsh, the Powwow River corridor in East Kingston, Newton and South Hampton, and the head water area of the Taylor River and Great Marsh in Exeter, Kensington, Hampton Falls and Hampton.

Existing Protected Lands: Map IV-2

Map Sources

The Conservation Lands data includes parcels that are protected from development. Information was originally gathered from a variety of state, regional and local sources. The compilation of the information was completed primarily under the direction of The Society for the Protection of New Hampshire Forests, as a result of multiple efforts and projects. The digital archive of this information was completed by NH GRANIT at Complex Systems Research Center, UNH, and is available to the public through the GRANIT system.

The most current digital release of information is dated September 1998. This reflects the gathering of information from the previous two years. As a result, it is possible that parcels of land may have been placed under conservation easement prior to 1998, but after the inventory process was completed for that area.

From the many attributes available in this database, the classification chosen for display for the Regional Open Space Plan is the primary protecting agency or organization. As the name implies, this is a description of the agency responsible for assuring that the parcel is under protection. However, this may or may not be the owner of the parcel. There are a variety of other attributes available for each parcel contained in the database, including the type of easement or protection in place, the level of protection and the degree of public access available for this parcel.[2]

The categories chosen for the display of primary protecting agency are:

1) Town government
2) State agencies
3) Federal agencies
3) Private entities/individuals

[2] **Appendix B** lists all of the protected parcels by name, and grouped by Town.

4) Other public/quasi-public entities including organizations such as school or water districts, historical societies, and in a couple of instances, there are parcels along the state line protected by adjacent towns.

Analysis

There are 751 separate parcels in the RPC region identified in the protected lands inventory. The majority (545) are in Town ownership; 97 are owned by the State and 2 by the Federal government. The remainder (107) are owned by private and other public or quasi-public entities. The largest single holding is the Great Bay Wildlife Refuge at over 1000 acres. The total land area in the region under protection is approximately 17,000 acres, equivalent to about 7% of the region's land area.

Natural Resources: Maps IV – 3A, 3B, 3C, 3D

Map Sources

Nine data layers were selected for use in the identification of significant regional natural resources. The natural resources were split into 3 groups, water related natural resources, non-water related natural resources, and a summary of co-occurring resources. The water related data were displayed over 3 maps, while the non-water related features were displayed on one map.

Water Related Resources

Aquifers: The Rockingham Planning Commission Region falls within parts of two study areas, the Lower Merrimack and the Lamprey Exeter. The delineation of the aquifer boundary was completed by the USGS and mapped at a scale of 1:24000. The mapping was subsequently automated into digital data. The overlap of the two study areas has not yet been edited to reconcile minor discrepancies in mapping interpretation. For the purposes of this project, each study area was truncated at the drainage divide and is presented as is. (Map IV-3A)

Floodplains: This digital data was provided by the Federal Emergency Management Agency (FEMA). This is a digital version of the town based sectional flood maps distributed by FEMA known as the Q3 Flood Data. This information has been compiled into a regional data layer. Alignment with other data used in this plan (hydrology) is only generalized. All areas classified as being within the Special Flood Hazard Area (SFHA) have been included. (Map IV-3A)

Surface Water: Surface waters were selected from the available hydrology data layer. The surface water consists of all lakes and ponds, as well as wide streams represented with double lines. The hydrology data layer is derived from USGS 7.5 minute series (1:24000 scale) maps, and was recoded and distributed by NH GRANIT at UNH. (Map IV-3B)

100 foot open water buffer: All surface waters were buffered 100 feet to represent an appropriate setback for conservation purposes (Map IV-3B).

Wetlands over ½ acre: The regional wetlands were classified from Thematic Mapper satellite imagery by NH GRANIT at UNH. The imagery was recorded by satellite between 1988 and 1990. Data is represented like a checkerboard, each block representing 30 square meters or about ¼ acre on the ground. Each block is assigned a classification as a result of its spectral signature during the classification process, and a statistical sample is field checked for accuracy. This data was chosen over the hydric soils to better represent the major vegetative wetlands in the region. Wetlands for areas greater than ½ acre were selected for presentation on the maps for the Regional Open Space Plan. (Map IV-3B).

Watershed boundaries: The major watershed delineations were provided by the NH Department of Environmental Services. There is an ongoing effort to maintain and expand this data by the NH Department of Environmental Services. (Map IV-3C)

Non-Water Related Resources

Conservation Lands: See above, Existing Protected Lands (Map 2)

Agricultural Land: This data is a subset of the land use data used to define unfragmented lands. The agricultural land was coded during the mapping process using 1:4800 scale aerial photos. Classification was based on visual reconnaissance, personal knowledge and existing land uses maps. Active versus inactive status of the agricultural land was not distinguished. Field checking during the classification phase was minimal and some misclassification is likely. The aerial photos used for this mapping process were taken in 1992. (Map IV-3D)

Prime Farmland: The soils data mapped by the USDA Natural Resource Conservation Service (formerly SCS) was used to delineate prime farmland. The prime farmland classifications were provided by NRCS. Mapping was completed in 1985. (Map IV-3D)

Natural Heritage Inventory Sites: This data illustrates the general locations of rare plants, wildlife and natural communities. Precise locations are not shown due to the data's sensitive nature. The NH Natural Heritage Inventory's database contains more detailed information including locations, population sizes and habitat descriptions. For more information, the reader is directed to contact the Natural Heritage Inventory at (603) 271-3623. Overlapping areas were not assigned additional weight. Due to the locational masking required to conceal the precise identity of these sites, this data layer resulted in large undifferentiated areas. (Map IV-3D)

Co-occurring Resources: Map IV-3E

Map Sources

The Geographic Information System software was used to overlay the nine resource data layers described above, and to locate and quantify the co-occurrence of features. The results indicated very small areas of high multiple occurrences, as can be see on Map IV-3E. Three categories of co-occurrence were defined: less than two, three, four and five, and six or more. The resource types considered included all the features mapped in Maps IV-3A to 3-D and described above.

Identification of areas of high co-occurrence of significant natural features does not presume areas of greater importance for open space planning or greenbelt delineations. There may be additional information at the local level that may have a significant impact on the importance of these areas. Areas of high occurrence of significant natural features at the regional level, is one additional factor when defining areas of high value for land protection.

Analysis

A comparatively large area of the region contains a co-occurrence of two or more natural resource features. Water resources define the location of these areas more than land resources do; they are found mostly in river corridors, large wetland areas and over aquifers. As indicated above, relatively few areas have four or more co-occurrences, and the areas with six or more are so small in area as to be invisible on the printed maps. Although these areas may be too small to assist in the visual definition of greenways, they should receive paramount consideration in identifying specific parcels for conservation and protection.

Locally Defined Resources of Special Significance: Map IV-4

Map Sources

During the first and second years of the NHDES/RPA Regional Environmental Planning Program (REPP) each community was given an opportunity to recommend local historical, natural, and cultural resources that are worthy of protection. RPC staff worked extensively with local conservation officials during 1997 and 1998 to assist with this identification. The location of each of these sites was mapped as a point location by Rockingham Planning Commission, and is displayed on Map IV-4. The associated database, that includes all the information offered by the communities, and information that the Rockingham Planning Commission had available through the GIS databases, and other resource projects are included and listed by community. Appendix A includes a listing of each resource or parcel and the corresponding descriptions identified by each community that responded. Information for this data was collected through December of 1998.

Analysis

Map IV-4 depicts a total of 397 points representing locally defined important land and natural resources. Excluded from the Map are approximately 200 points that were defined as being significant for their historic value only. These were omitted not because they are unimportant but because they will not assist in the identification of important conservation and open space land. It should be noted that the number of points in a community does not necessarily correlate the number or extent of important resources. Community responses varied greatly in the total number and type of resource listings provided. Some reflect priorities taken from long standing local conservation plans; other were developed specifically for the REPP process. As of the date of this documents publication no submissions had been received from Atkinson or New Castle.

Analysis: Defining an Open Space Framework

The final step in the process of identifying a regional network or framework for open space conservation is to synthesize the geographic information presented above. The information described above, specifically the **co-occurrence of natural resources**, **unfragmented lands**, and **existing protected lands** were assessed in various combinations for the purposes of reviewing areas for open space conservation. This overlaying of information is the principal tool used to evaluate and delineate the regional open space network.

Map IV-5A – Unfragmented Parcels, Co-occurring Natural Features and Existing Conservation Lands as created to combine these summary features: unfragmented areas, resources co-occurrences and existing protected/-conservation lands. The result was examined with the assistance of several resource and conservation professionals familiar with the region. Broad areas were sketched-in by hand to encompass portions of the region where these features were concentrated. These areas were extended in some cases to link them to other nearby concentrations. Next, pre existing "corridors" consisting of pipeline and powerline rights-of-way, river corridors and major recreational trails were overlaid to evaluate other potential linkages that might serve to interconnect the larger areas.

The result of this process is depicted in **Map IV-5B – Regional Greenways and Existing Corridors Identified for Possible Open Space Conservation**. The areas shown represent the preliminary greenway or open space "framework" proposed for both regional and local consideration – and for continual refinement. As is evident, these areas are drawn very broadly and are generalized in nature. They contain numerous inclusions of areas that are highly developed and not candidates for open space protection; conversely they omit smaller areas of important resources that should be considered for open space protection. The result is a compromise intended to show, from a regional perspective, broad areas where land protection efforts would maximize resource conservation goals.

Future refinements of this framework will be needed and should focus on the following: (1) narrowing and increasing the resolution of the potential greenways to exclude developed areas; (2) identification of secondary greenways to include important open space areas that are omitted, and (3) defining additional interconnections between major resource concentrations.

The general intent of these broad greenbelts is to maintain the connectivity of existing open lands, to ensure unbroken travel and dispersal for native wildlife, reduce fragmentation, and to get an overview of important areas for regional land protection efforts. Existing natural and man made corridors have been included to emphasize the importance of integrating existing features such as river corridors, trail systems, clusters of conservation land and utility corridors into an open space network. Rivers especially serve essential function for both wildlife, and perhaps more indirectly, for people as well. In general, river corridors are the ideal pathways for protecting or creating greenways of open space. Not only can river corridor greenways help protect water quality, but they can function as wildlife migration paths and have high recreational value as well. Riverine areas, whether developed or not, should be considered a top priority for creating open space connections, and for increasing conservation efforts.

Furthermore, these greenways can be recommended to connect existing protected lands with large unprotected parcels, and waterbodies or waterways as well. Any possible connections for trail and public access to existing or proposed open space, or potential connections to other managed sites are also important for communities to consider.

Map IV-1 – Preliminary Greenway Identification, Rockingham Planning Commission, (Chapter VI) shows the preliminary greenways or open space "frameworks" proposed for both regional and local consideration – and are essentially a combination of the information contained on Map IV-5A and Map IV-5B. This map has been presented in a color format in order to clearly distinguish the co-occurring natural resources, conservation land corridors, river corridors, unfragmented parcels over 1000 acres in size, and the preliminary greenways. In addition to the previous maps, Map IV-1 is intended to show, from a regional perspective, broad areas where land protection efforts would maximize resource conservation goals. Additionally, future refinements of this greenway framework will be needed, and is one of the recommended of this plan.

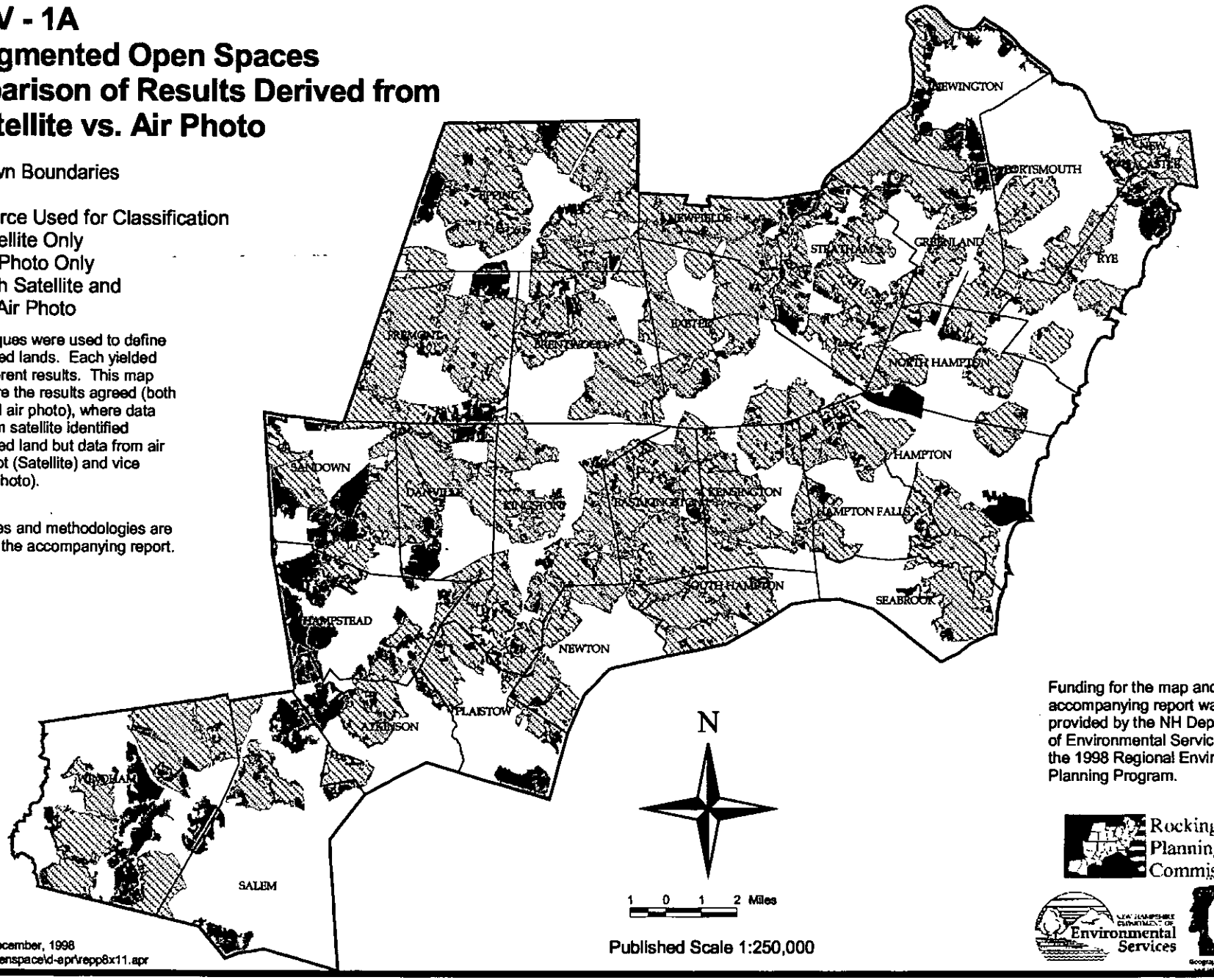
Map IV - 1A
Unfragmented Open Spaces
Comparison of Results Derived from Satellite vs. Air Photo

Town Boundaries

Data Source Used for Classification
- Satellite Only
- Air Photo Only
- Both Satellite and Air Photo

Two techniques were used to define unfragmented lands. Each yielded slightly different results. This map shows where the results agreed (both satellite and air photo), where data derived from satellite identified unfragmented land but data from air photo did not (Satellite) and vice versa (Air Photo).

Data sources and methodologies are provided in the accompanying report.



Published Scale 1:250,000

December, 1998
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Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Rockingham Planning Commission

NH Department of Environmental Services

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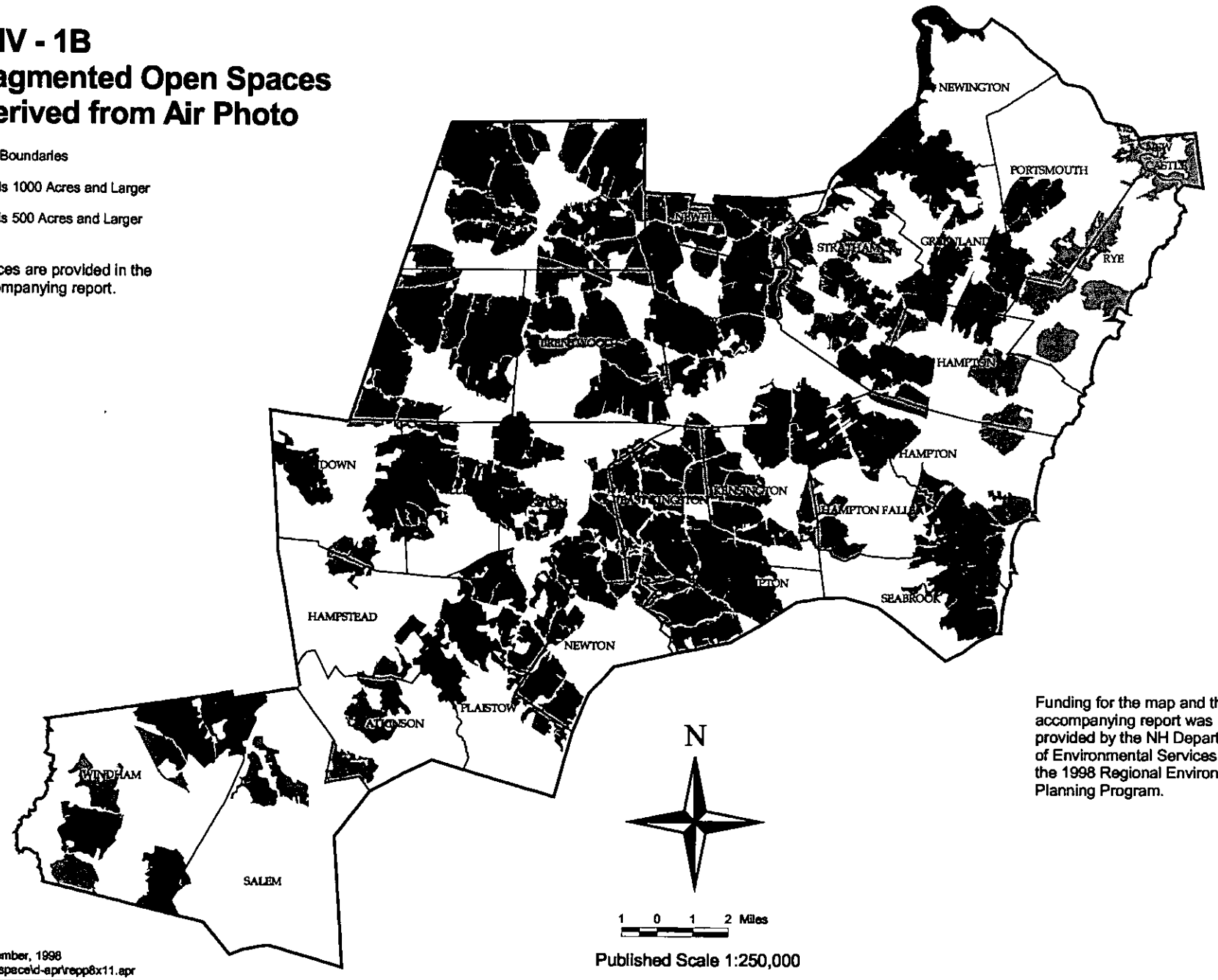
Map IV - 1B
Unfragmented Open Spaces Derived from Air Photo

Town Boundaries

Parcels 1000 Acres and Larger

Parcels 500 Acres and Larger

Data sources are provided in the accompanying report.



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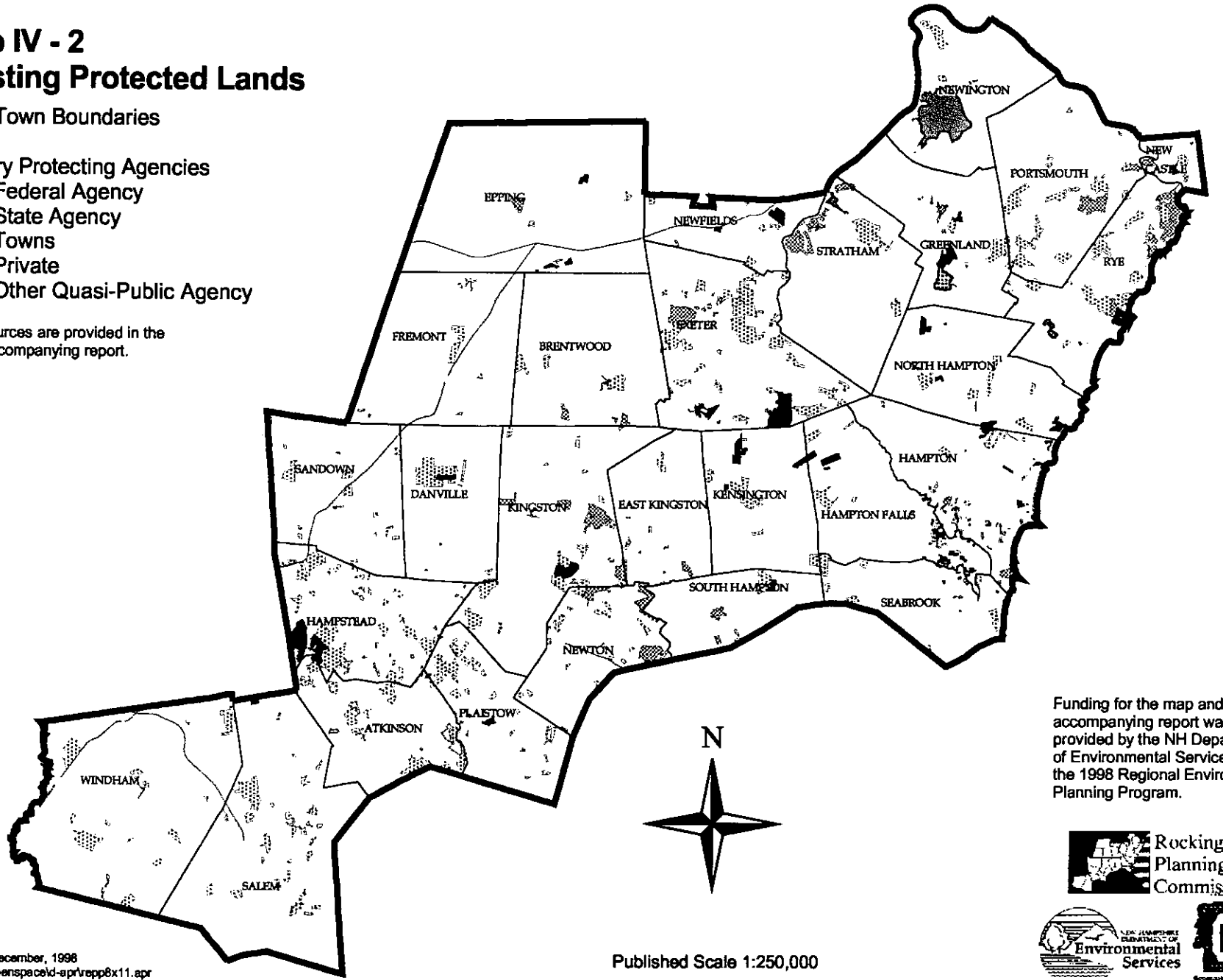
Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Map IV - 2
Existing Protected Lands

Town Boundaries

Primary Protecting Agencies
- Federal Agency
- State Agency
- Towns
- Private
- Other Quasi-Public Agency

Data sources are provided in the accompanying report.



Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Rockingham Planning Commission

NH Department of Environmental Services

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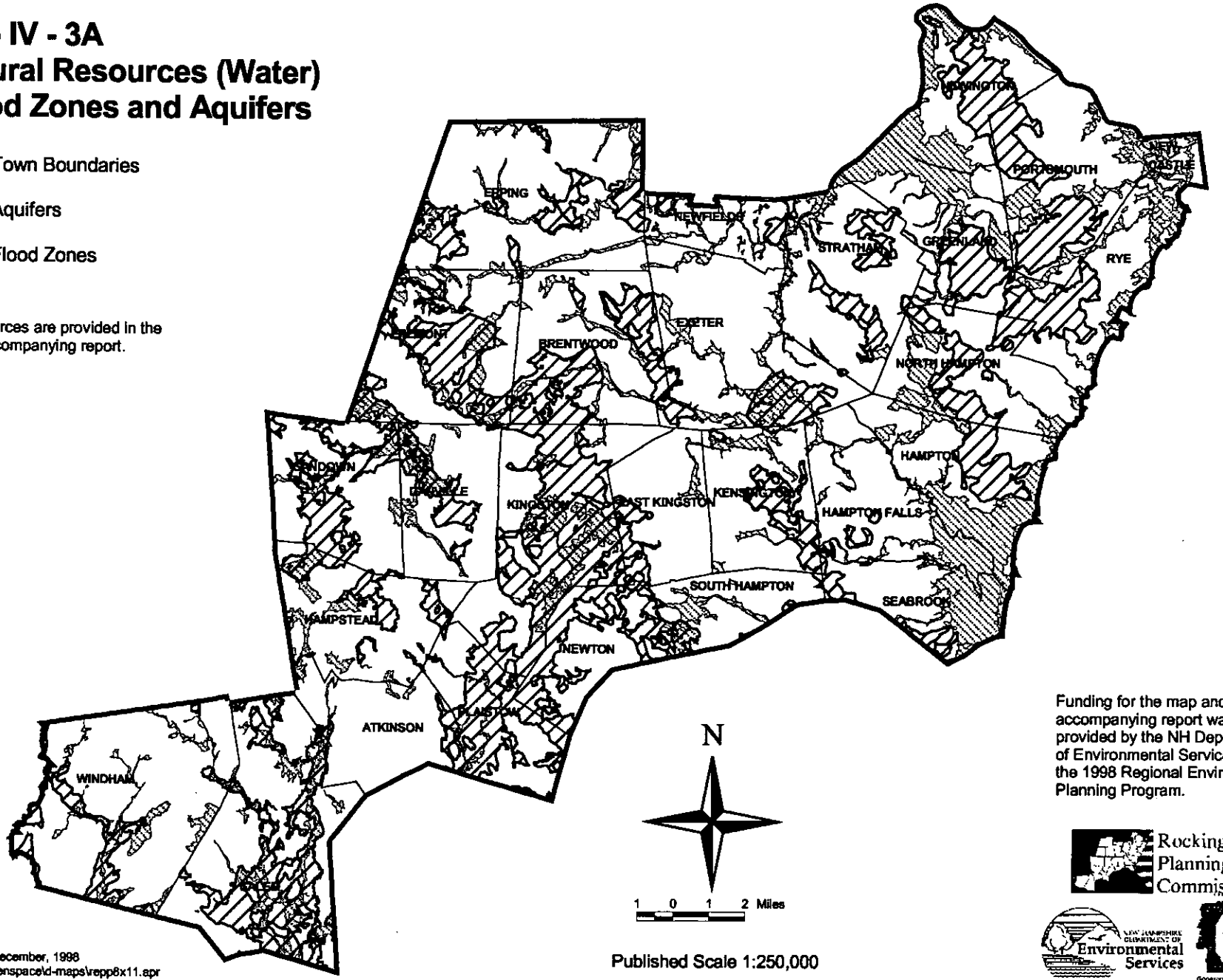
Map IV - 3A
Natural Resources (Water)
Flood Zones and Aquifers

Town Boundaries

Aquifers

Flood Zones

Data sources are provided in the accompanying report.



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Rockingham Planning Commission

NH Department of Environmental Services

GRANIT Geographically Referenced Analysis

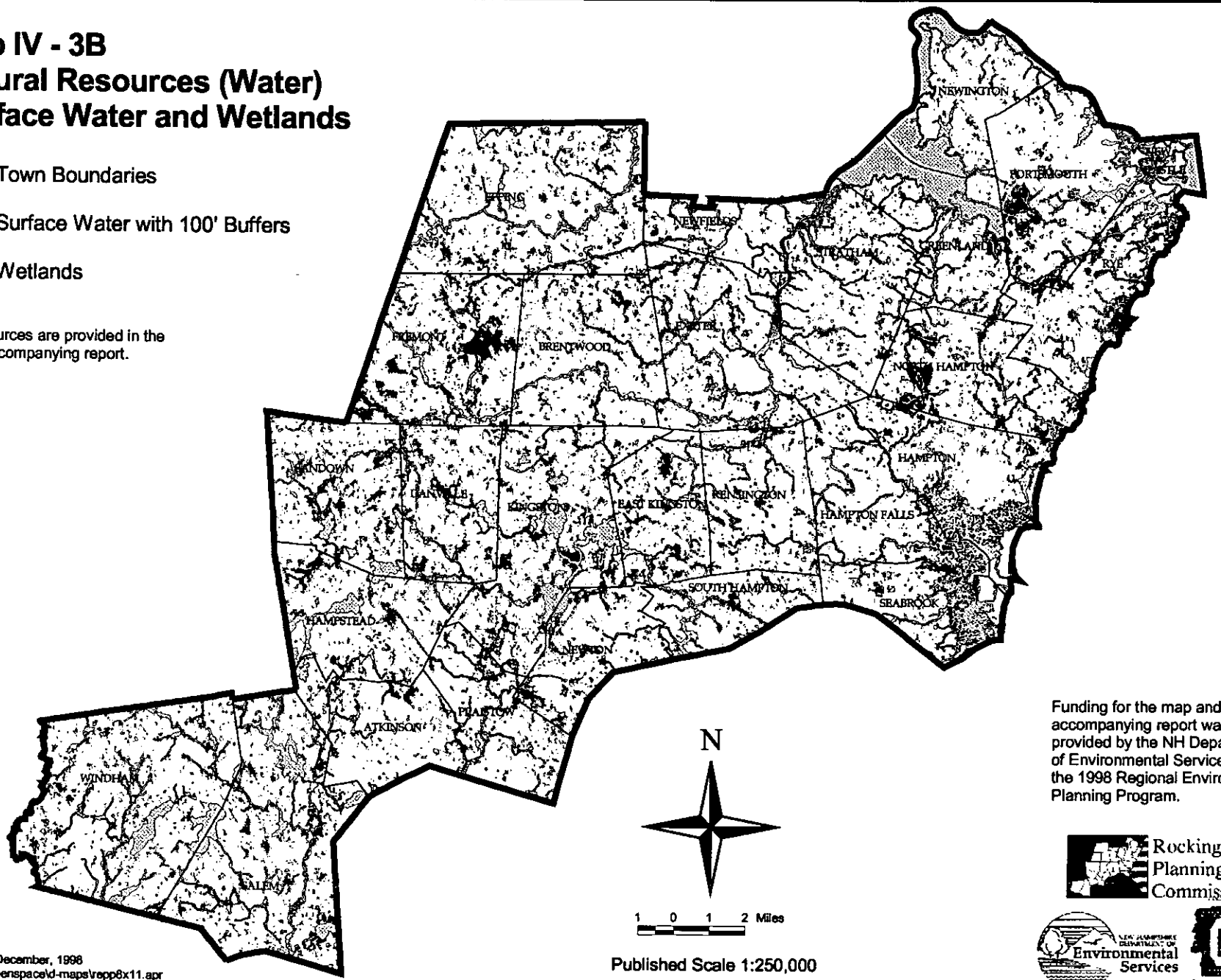
Map IV - 3B
Natural Resources (Water)
Surface Water and Wetlands

Town Boundaries

Surface Water with 100' Buffers

Wetlands

Data sources are provided in the accompanying report.



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Rockingham Planning Commission, NH

NH Department of Environmental Services

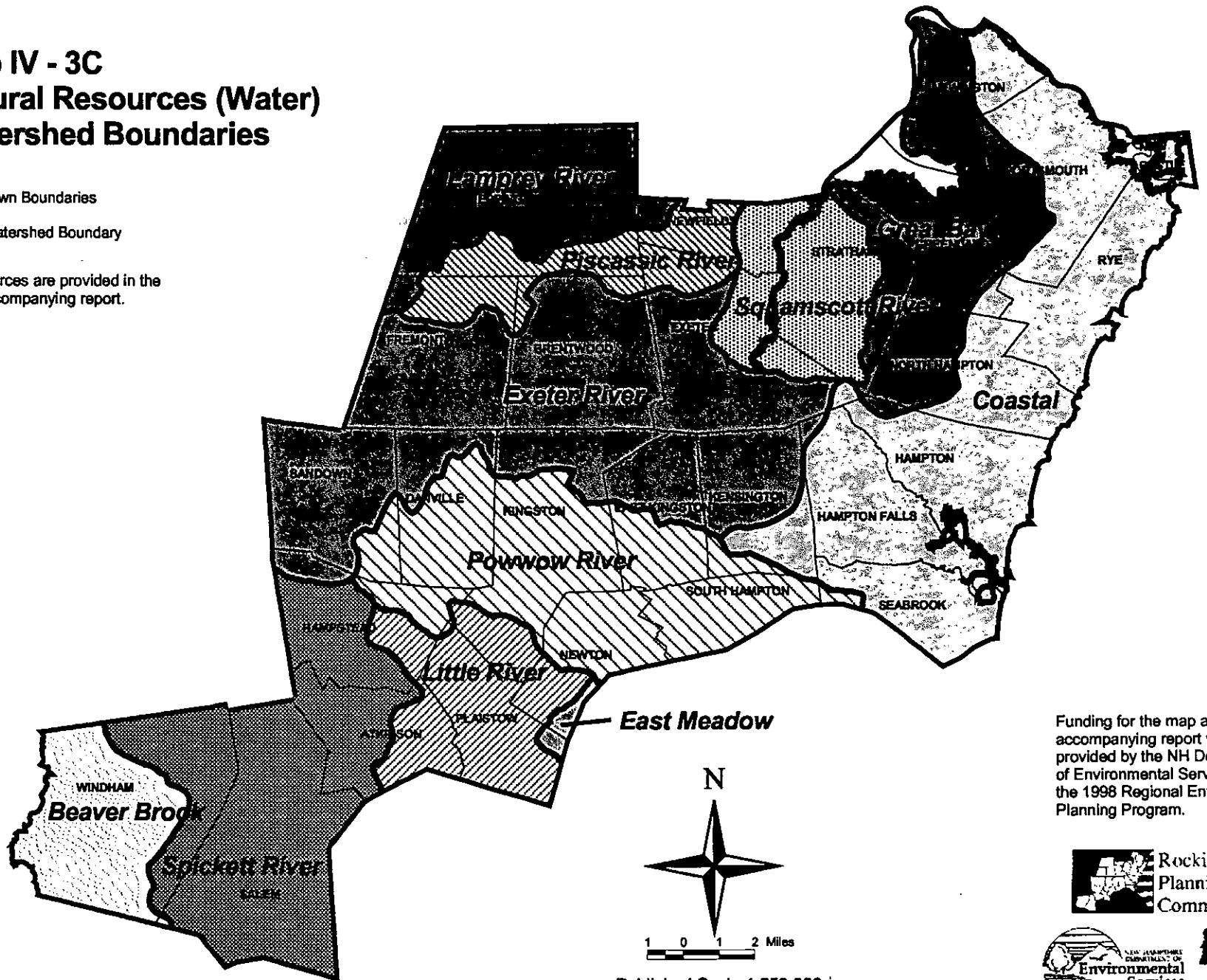
GRANIT Geographically Referenced Analysis

Map IV - 3C
Natural Resources (Water)
Watershed Boundaries

Town Boundaries

Watershed Boundary

Data sources are provided in the accompanying report.



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Rockingham Planning Commission
NEW HAMPSHIRE

Environmental Services

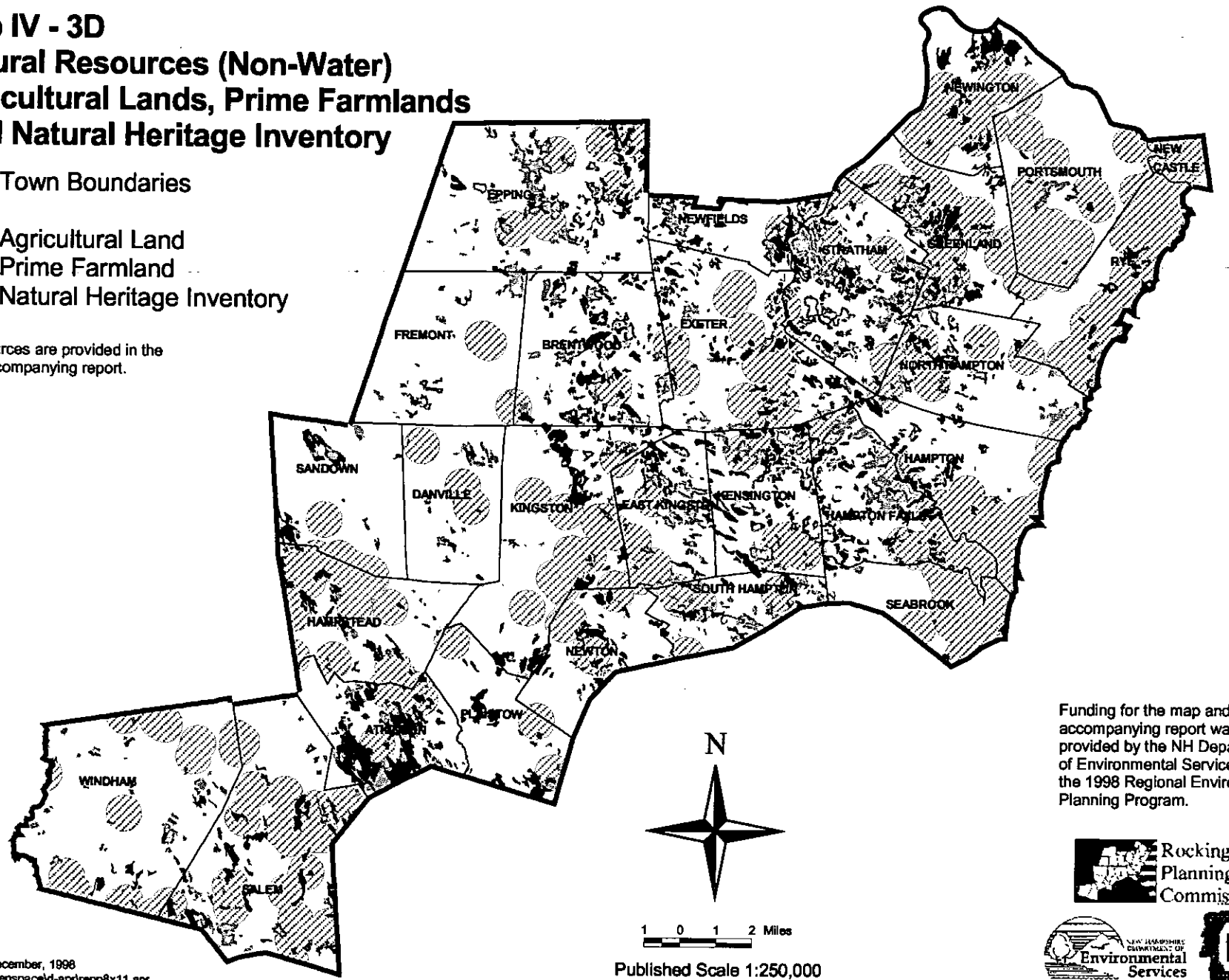
GRANIT

Map IV - 3D
Natural Resources (Non-Water)
Agricultural Lands, Prime Farmlands and Natural Heritage Inventory

Town Boundaries

Agricultural Land
Prime Farmland
Natural Heritage Inventory

Data sources are provided in the accompanying report.



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December, 1998
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Rockingham Planning Commission

NH Department of Environmental Services

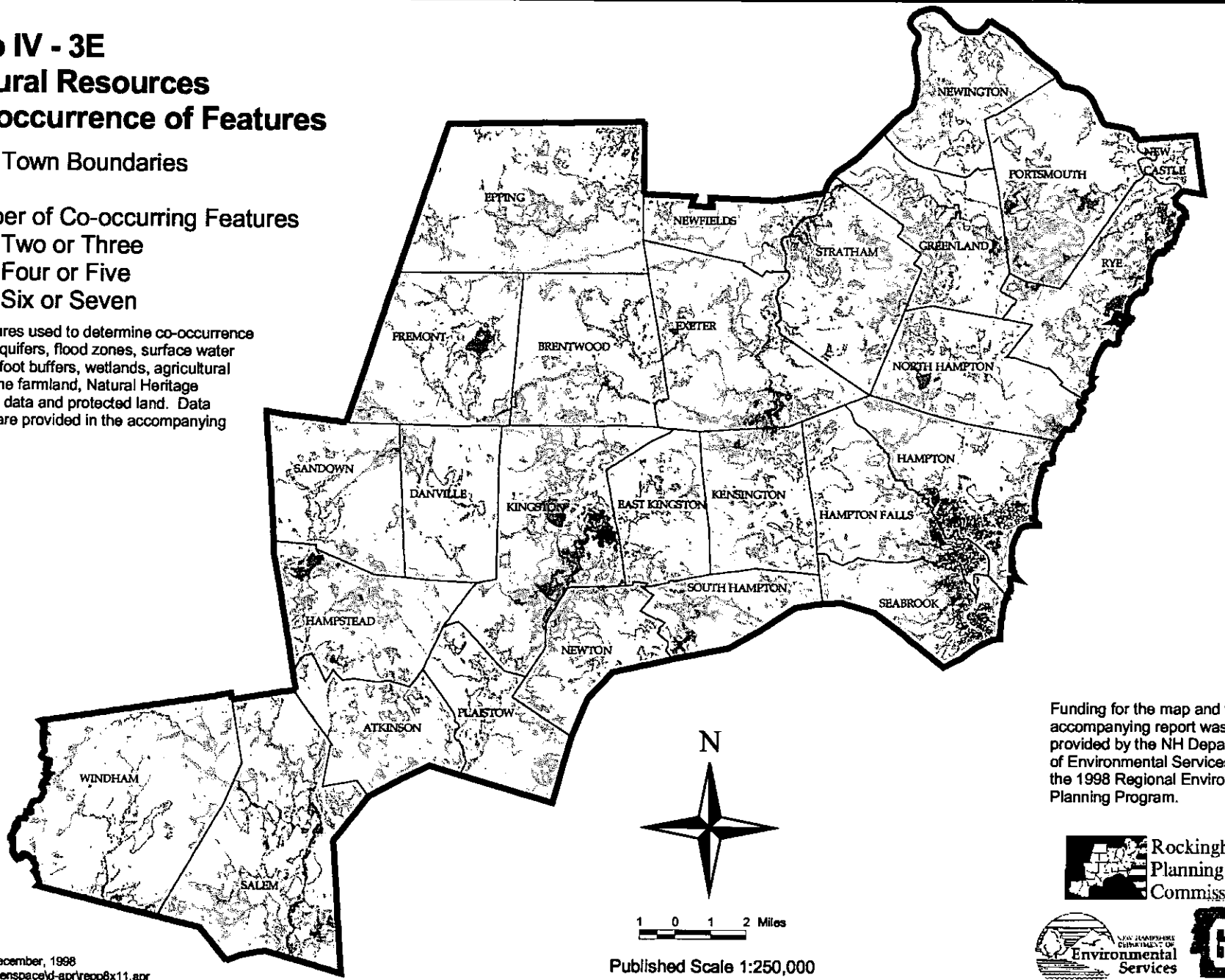
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Map IV - 3E
Natural Resources
Co-occurrence of Features

Town Boundaries

Number of Co-occurring Features
- Two or Three
- Four or Five
- Six or Seven

The features used to determine co-occurrence include aquifers, flood zones, surface water with 100 foot buffers, wetlands, agricultural land, prime farmland, Natural Heritage inventory data and protected land. Data sources are provided in the accompanying report.



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December, 1998
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Rockingham Planning Commission RPSHIRE

NH Department of Environmental Services

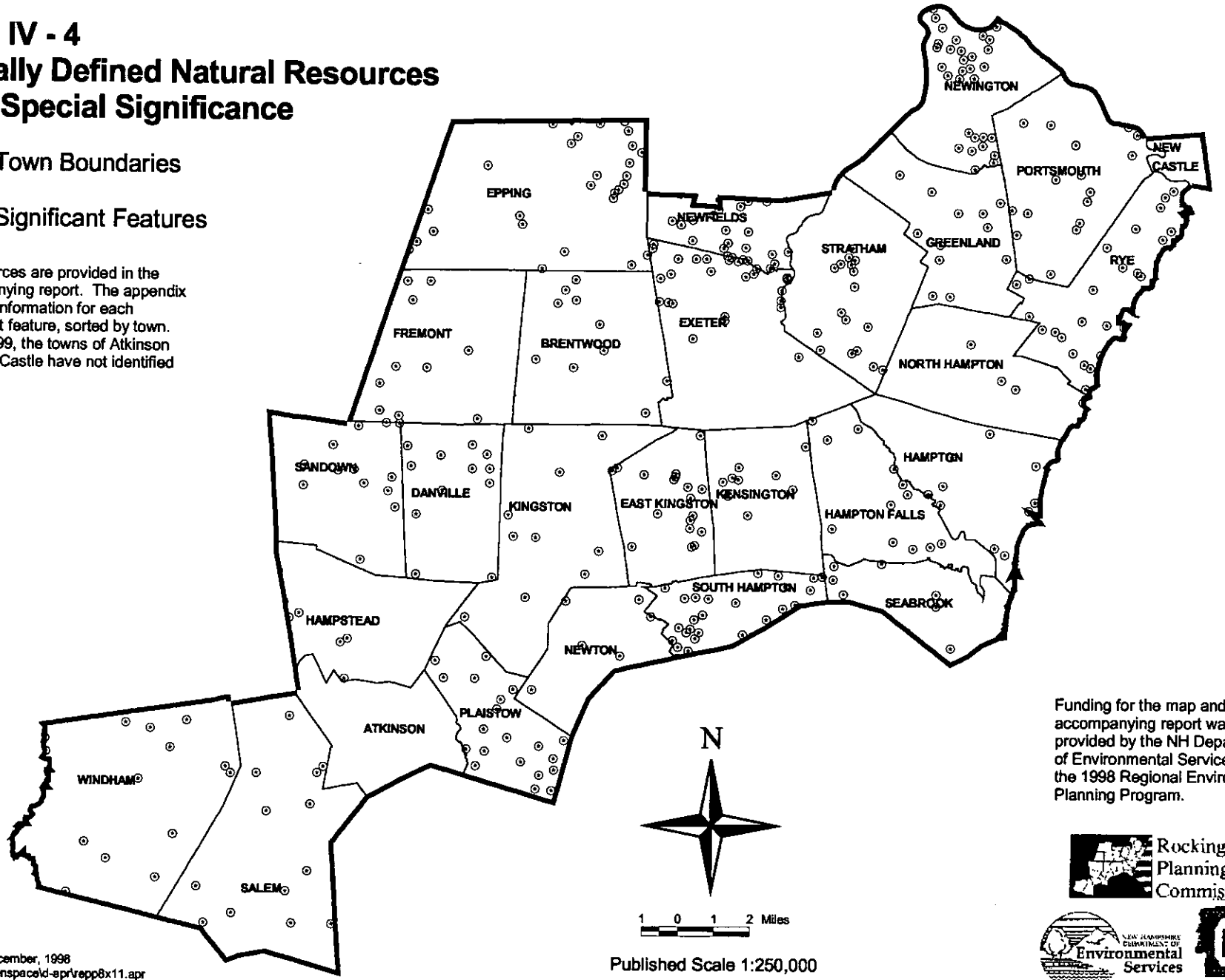
GRANIT Geographically Referenced Analysis

Map IV - 4
Locally Defined Natural Resources of Special Significance

Town Boundaries

Significant Features

Data sources are provided in the accompanying report. The appendix includes information for each significant feature, sorted by town. As of 11/99, the towns of Atkinson and New Castle have not identified features.



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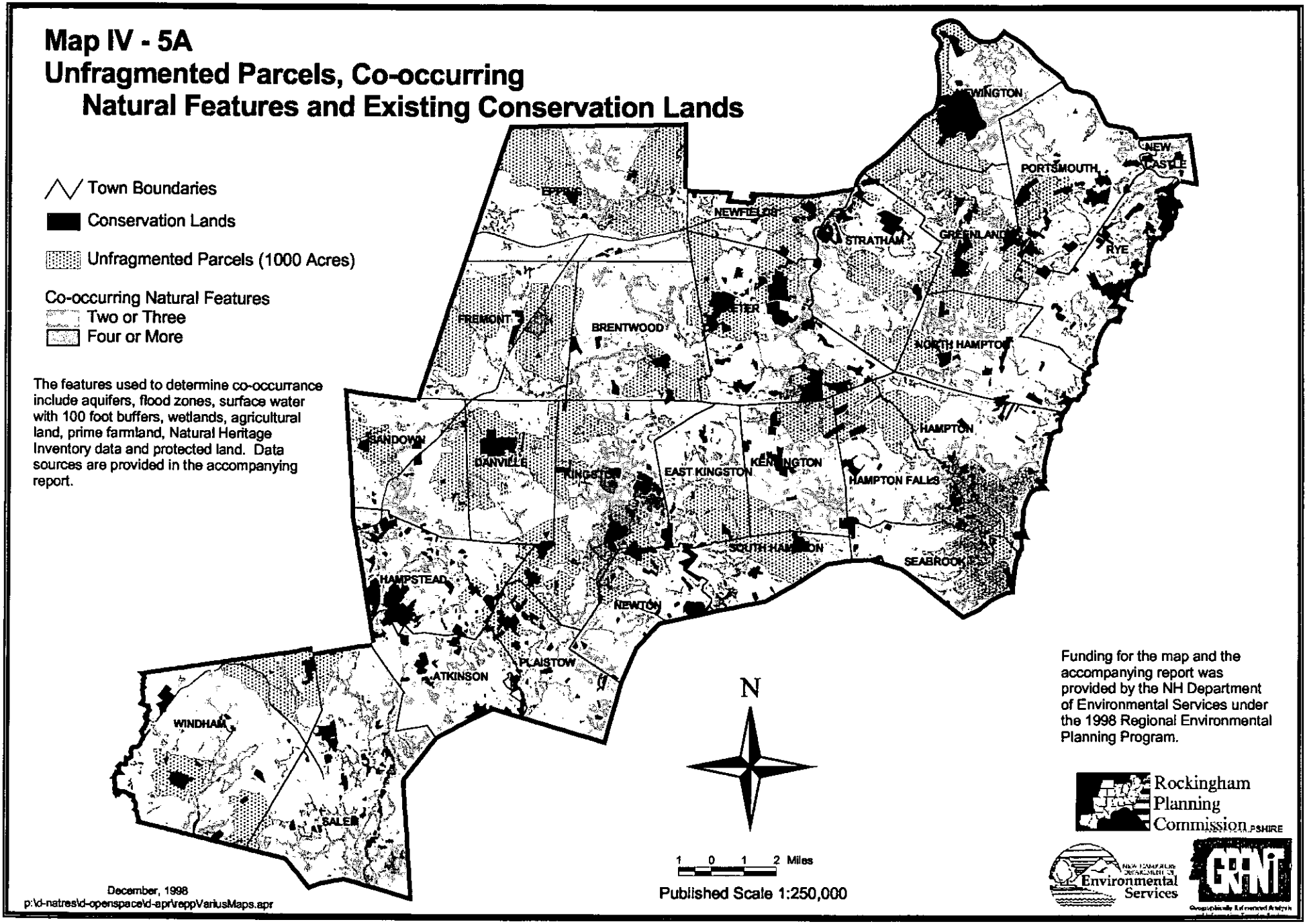
Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Rockingham Planning Commission

NH Department of Environmental Services

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Map IV - 5A
Unfragmented Parcels, Co-occurring Natural Features and Existing Conservation Lands



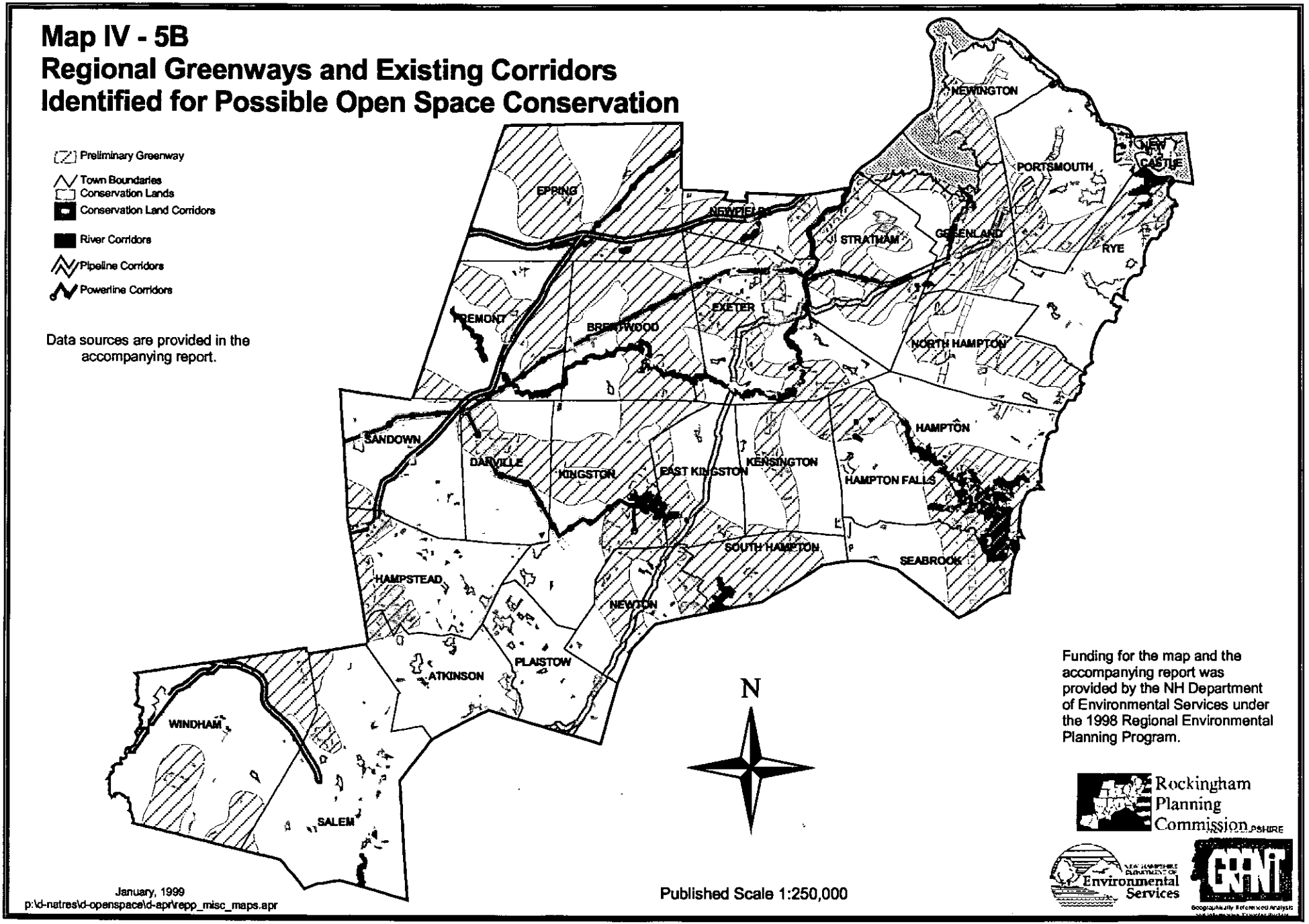
Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Rockingham Planning Commission

NH Department of Environmental Services

GRANIT

Map IV - 5B
Regional Greenways and Existing Corridors Identified for Possible Open Space Conservation



Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Rockingham Planning Commission

NH Department of Environmental Services

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January, 1999
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Chapter V -- Open Space Protection Techniques

Open Space Protection Tools

Previous chapters of this document provided information on the values associated with open spaces within the region as well as the rationale for greater action in protecting key resources. In this Chapter the tools and techniques that can be used to help bring about resource conservation and open space protection will be explored. In addition to the information provided here, **Appendix C** includes a tabular summary of conservation tools and strategies, characterizing advantages and disadvantages of each technique described. Please note that the information provided here is a somewhat cursory review of common open space planning and protection tools. There are many good publications and reference materials that contain more in depth information on these techniques than included in this report; many are named in the References section found at the end of Chapter VI and should be referred to for a more in-depth understanding of the subject.

For purposes of this review, the methods for open space protection have been broken down into four categories:

* Voluntary Land Protection Techniques
* Public and Quasi-Public Land Protection Programs
* Land Use Regulations and Zoning
* Local Conservation Efforts, Open Space Planning, and Costs of Community Services Studies

For each of the categories covered in this section an overview of the topic is presented.

Voluntary Land Protection Techniques

Under this category, there are a number of methods available that can permanently protect privately held open space and conservation areas. They all involve the protection of land through the direct acquisition and control of the land, or some portion of the land. There are many different protection tools, and several outstanding publications that describe the methods in greater detail. References for these publications are made where appropriate. Voluntary land protection techniques may involve tax implications, which are discussed very briefly in this

section. For more detailed information on potential tax benefits, a professional tax advisor should be consulted. The voluntary land protection techniques that are described here include: fee simple purchase, purchase and leaseback, purchase and resale or lease, purchase of development rights and conservation easements, donation of land, bargain sale, transfer of development rights, and options and right of first refusal. These methods are summarized below.

1. Fee Simple Purchase and Options

Most protected lands are held in fee simple. This is when the holder of title of land possesses all rights associated with the property. This common method of protecting open space areas has traditionally been through the direct purchase of property. An important consideration is that open space lands protected using fee simple acquisition are often purchased at or close to fair market value based upon development potential. Purchasing open space lands at full market value can be prohibitively expensive, and can seriously limit the amount of land that can be protected. Fee simple purchases can also involve private organizations or state agencies that often make payments in lieu of taxes.

Though land purchased for conservation purposes will no longer generate property taxes, it will not demand much in the way of public services. In addition the sale of a property for less than its full market value, known as a bargain sale can also be useful during a fee simple purchase (discussed in greater detail below). There are other options that can also be used to help recover the costs associated with a fee simple purchase: purchase and leaseback, and purchase and resale with covenants, although they are rarely used in this region. The first option - purchase and leaseback - allows the purchaser (community or conservation organization) to lease the land back for a particular use compatible with open space preservation (such as farming or forestry), thus recouping a portion of the land's purchase price. Lease agreements should be written in a manner that will protect the interest of the community while being sensitive to the landowner's needs. Another option - purchase and resale with covenants - allows the land to be resold with a deed committing the buyer to maintain the parcel as open space or limit the nature and extent of development allowable.

2. Conservation Easements and Options

These methods operate on the premise that the right to develop a parcel is separable from the ownership of the land. They provide practical options for private landowners' who wish to protect their land while retaining ownership.

Conservation easements provide permanent protection from uses of land that could damage or destroy its scenic, ecological, and natural resource values. Conservation easements are available for properties with significant conservation values including forests, wetlands, farms, ranches, endangered species habitat, beaches, scenic areas, historic areas and more. Generally, easements are donated (although they may be sold) to qualified non-profit conservation organizations or public agencies which ensure that the conditions of the easement are fulfilled. To

be effective in land protection, the terms of the easement must *run with the land* and apply to all future owners. Easements may be tailored to fit the natural characteristics of the land, the personal needs of the owners, and the objectives of the organization or agency. Whether purchased or received as a donation, an easement can be a much less expensive method of permanent protection than fee-simple purchase for two reasons. First, the outright cost of acquisition will be less since not all of the land rights are being acquired. Second, the ongoing cost of ownership including maintenance, liability, and property taxes continue to be borne by the owner. Two pamphlets produced by the Society for the Protection of New Hampshire Forests describing the benefits of conservation easements Conservation Easement, Questions and Answers, and Donating a Conservation Easement, *A Step-by-step guide to a satisfying process*, and sample conservation easements are included in **Appendices D & E.**

The sale of a conservation easement is sometimes referred to as the purchase of development rights. Purchasing development rights allows the land-owner to receive monetary compensation for the land's development value without having to convert the land to other uses. Once the development rights are sold, the owner still retains the other rights associated with property ownership. The owner is still responsible for property taxes, which should be assessed only on the non-development potential of the land. Thus, in a sense, the landowner is paid for not developing the land. The use of the bargain sale method and obtaining help of local and regional land trusts can support these aspects of conservation easements as well. There are several tax incentives that make conservation easements more attractive, particularly with the passage of the Taxpayer Relief Act of 1997. Some of the additional tax benefits include an increase in Estate Tax exclusions, a reduction in Capital Gains tax rates, and several other options available for estate tax planning. See **Appendix F** for additional information on the Taxpayer Relief Act and the American Farm and Ranch Protection Act.

In donating development rights, landowners can receive a reduction in local property tax, federal income tax, capital gains tax, and estate tax (refer to Appendix F for more information). There are at least four methods by which communities and qualified conservation groups can acquire development rights: direct purchase of development rights, purchase and resale with restrictions, purchase and lease with restrictions, and the donation of development rights and/or easements). With all of these methods, the restrictions on development run with the land, and are binding on future landowners.

3. Transfer of Development Rights (TDR)

Although this technique has never been used in this region, it is an extension to the purchase of development rights concept. It relies on the separation of development rights from other land ownership rights and adds to that the shifting of those rights from one location (the "donor" zone) or zoning district to another (the "receiver" zone). A TDR program can protect critical resource areas by shifting development potential from areas where it is least desirable to areas where it is most desirable. Such programs require the establishment of the *transfer-from*

zone (consisting of lands designated for protection), and a and a *transfer-to* zone (consisting of land more suited for intensive development). Under a TDR, landowners in the donor zone can sell property development rights directly to a landowner in the receiver zone or indirectly through a public agency who would then transfer the development rights to the town's receiving area. The property to be protected would then be subject to deed restrictions barring future development. Although this technique holds great promise to enable protection of undeveloped land without great public expenditures, it is comparatively complex and has not yet gained wide acceptance in New England. The success of a TDR program depends on a vigorous real estate market because without strong demand for development rights, just and timely compensation for the seller cannot be assured. Under the right market circumstances, such as we have in southern New Hampshire, and with adequate administrative expertise, TDR can protect important conservation land at a very low cost to the community.

4. Donation of Land

In terms of expense, the outright donation of open space lands is the preferable option. The benefits to the landowner are reductions in a variety of federal, state, and local taxes. There are at least five methods of donation: fee simple, less than fee simple, donation with a reserved life estate, donation of an undivided interest in the land *(remainder interest)*, and donation by bequest. These methods are briefly described below, and more fully detailed in Appendix F.

The fee simple method is a gift of the entire interest in the property. Full legal title passes by deed to the beneficiary (the community or conservation group in this case), and the landowner no longer possesses any control over the land. However, the landowner may specify in the deed that the land is to be used solely for a specific purpose (such as tree farming or agriculture).

Less than fee simple is a gift of partial interest in the property. The landowner retains legal title to the property, but gives up some of the rights (for example, development rights, timber rights, mining rights) to its use. The donation with a reserved life estate occurs when a landowner donates property to the community or qualified conservation organization, but retains possession and use of the property for his/her own lifetime and/or the lifetime of other family members. A donation of undivided interest in land is a gift of a percentage interest in the land, not any specific, physical portion. As a result, the land as a unit will be owned as tenants in common by those parties who have interest in the property. Donation by bequest occurs when a landowner donates land in his or her will to the community or qualified conservation organization. In such cases, the donated land is not subject to estate or inheritance taxes.

5. Bargain Sale

This is the sale of property for less than its full market value. It can be considered a combination land sale and charitable contribution. One motivation for the landowner is the income tax benefit from the charitable donation. The amount

deductible for income tax purposes is the difference between the land's fair market value and the actual sale price. For example, if a landowner has a property which is worth $500,000 based upon a real estate appraisal, and the land is sold to the community or qualified conservation organization for $200,000, the difference of $300,000 is the value that the owner is contributing as a gift. The value of the gift can generally only be deducted up to 30% of the donor's income.

In addition to a charitable deduction, landowners can receive the following benefits: cash from the sale, a capital gains tax reduction, the avoidance of brokerage fees, and the avoidance of a higher tax bracket which could otherwise result from a full value sale of the land. Any transfer of property, either in fee simple, development rights, or a conservation easement may be the subject of a bargain sale. There are potential income and estate tax benefits of a bargain sale as well.

6. Options to Purchase and Rights of First Refusal

If a community cannot afford to purchase a site immediately, an option to purchase, or the right of first refusal, may allow a community some time to raise the necessary funds. An option establishes a price at which the community could purchase the land during a specified period of time. In essence, it reserves the land for purchase at a specified price. A right of first refusal is less specific; it simply guarantees the community the opportunity to purchase a site for a price equal to a bona fide offer from another interested party. If a Conservation Commission targets a piece of property and the owner is not presently interested in selling, the Commission may consider seeking a right of first refusal. With a right of first refusal, if the parcel is put on the market, the Commission will have the right to purchase it before it is sold to another party.

Public and Quasi-Public Land Protection Organizations and Programs

There are a number of open space protection programs offered by various State and regional agencies, as well as several programs offered by quasi-public groups such as the Audubon Society, the Society for the Protection of New Hampshire Forests, the Nature Conservancy, and local or regional land trusts. Many of these quasi-public organizations work hand-in-hand with the State, and local communities, while others work independently. Various programs offered by these organizations are described in more detail below.

1. Public Programs

Current Use - The Current Use Assessment Program allows qualifying land to be taxed according to the value of its current use rather than of its potential use. One of the more distressing realities of owning large parcels of open land in New Hampshire is the exceptionally high property tax rates. The Current Use Program has been an important method of reducing this burden, and has been discussed in detail previously in this document. Current use assessment typically reduces

property taxes assessed on undeveloped land by more than two-thirds, and is vital to the preservation of open space in the region. As of 1997, one-third of the land area in the region was included in the Current Use Program.

Land and Water Conservation Fund - The Office of Recreation Services within the NH Department of Resources and Economic Development administers funds received by the State through the Federal Land and Water Conservation Fund (LWCF) (when funded). This fund provides 50% matching grants to municipalities for the acquisition of open space and recreation lands. The Federal Land and Water Conservation Fund is funded through offshore oil and gas lease sales, however, Congress has withheld funding for states in recent years. Hopefully, this will not continue after the law is next re-authorized. The Land and Water Conservation Fund funding can be extremely important for communities, particularly for leveraging monies to protect important natural resources.

Department of Resources and Economic Development - The Commissioner of Resources and Economic Development, may also establish a program to assist (upon request) those cities and towns that have adopted the provisions of Chapter 36-A, Conservation Commissions, in acquiring land and in planning of use and structures as described in RSA 36-A:2. In addition, the Office of Recreation Services manages the LWCF grants and trails grants in New Hampshire.

Land Management Assistance - This region has an outstanding County Conservation District, located at the County Complex in Brentwood that assists landowners in sustaining the productivity of their farmland. As part of their effort to protect the land, the County Conservation District will also accept and monitor conservation easements. The UNH Cooperative Extension offices are also located in Brentwood. Experienced staff of the UNH Cooperative Extension program will assist landowners and communities with land protection efforts. A branch office of the USDA Natural Resource Conservation Service (formerly the Soil Conservation Service) that provides technical assistance in natural resource management serving Carroll, Rockingham and Strafford counties is located in Epping.

NH Department of Agriculture - Works in a variety of ways to protect the State's farmland resources, technical assistance on land use issues, conservation programs and efforts to improve the economic return of farm enterprises. Since the farms of New Hampshire consistently contain multiple open space values (e.g., scenic vistas, farmland soils, wetlands, floodplains, etc.), these programs which work toward the preservation and enhancement of farmlands also help to maintain the integrity of prime open space areas.

RSA 432:18-31A authorizes the establishment of an Agricultural Lands Preservation Committee (ALPC) within the New Hampshire Department of Agriculture. This committee administers funds (when funded) for the acquisition of agricultural land development rights. However, this program has not been funded since the early 1980's. If the ALPC designates a farmland parcel as an "agricultural preservation restriction areas", the Department of Agriculture may

purchase the land's development rights in order to limit the land's use to agricultural production. Criteria used to make the designation include the soil types found on the land, and the immediacy of the threat to development.

NH Land & Community Heritage Commission, - Established by Senate Bill 493 to determine the feasibility of creating a new public-private partnership to protect priority natural, cultural and historical resources. This Commission has reviewed information documenting losses in New Hampshire's natural, historical and cultural resources and based on its findings of broad support for a new program to conserve those resources, the Commission has recommended the creation, by the General Court, of a new public-private partnership. This partnership would be formed to foster the protection of important land and community heritage resources. The consensus of the Commission, as covered in it's draft interim report (December, 1998) is that a new land and heritage protection program be established, that will be permanent, have a reliable source of funding, and conform to descriptions outlined in that report. It will be crucial for communities', and both local and regional land preservation groups to follow and participate in the crafting of legislation and of the future developments of the Commission (see Appendix G for more information).

Other Federal Programs - There are several federal grant programs which may be utilized for the purchase of conservation land: 1) The NH Department of Fish & Game receives Pitman-Robertson Act Funds which cover 75% of the fair market value of lands acquired by the Department for wildlife protection, and the Dingel-Johnson Fund (1950) which cover 75% of acquisition costs to provide access to and provide for fishery habitat; 2) the North American Wetlands Conservation Act, enacted in 1989, to conserve North American wetland ecosystems and waterfowl and other migratory birds and fish that depend upon such habitat; 3) the Environmental Protection Agency, through the NH DES, offers grants under the Source Water Protection State Revolving Fund for land acquisition projects, and additional funds will likely be available (as a matching grant program) for land protection in designated water protection areas; 4) the Coastal Zone Management Act, Section 306A, Resource Management Improvement Grants allows the Secretary of Commerce to make grants available for preservation or restoration of specific areas, and for the provision of access to public beaches and other public coastal areas and coastal waters; and 5) the Coastal Zone Management Act, Section 315, National Estuarine Research Reserve, established continued support and coordination for land protection , outreach and other projects with the Great Bay National Estuarine Research Reserve.

2. Private Non-Profit Organizations

The Audubon Society of New Hampshire encourages the preservation of wildlife habitat and natural areas through education and land acquisition. The Audubon Society acquires land through gift, bequest, trust and purchase. In many cases, the Audubon Society will accept unrestricted gifts of land having little or no wildlife or natural value for the purpose of resale, thus raising endowment funds to support their land acquisition and management program.

The Society for the Protection of New Hampshire Forests (SPNHF) promotes the conservation and wise use of natural resources, and strives to protect productive forest and agricultural lands. The two primary methods to help conserve land are through conservation easements and land donations. It has over 400 easements on over 58,000 acres. The society owns 110 forest reservations on over 29,000 acres, which range from 4 to 4,000 acres – most of which are also publicly accessible.

The Nature Conservancy is an international, nonprofit conservation organization. Its mission is to preserve plants, animals, and natural communities that represent the diversity of life by protecting the lands and waters they need to survive. The Conservancy owns more than 1500 preserves, the largest private system of nature sanctuaries in the world. The New Hampshire Chapter owns and manages 18 preserves around the state.

The Rockingham Land Trust, established in 1980 and located in Exeter, is a non-profit land trust organization which accepts gifts of land by donation or bequest, and monitors conservation easements on several properties throughout the immediate area. During the past several years, the Trust has accepted over 1000 acres in conservation easements in communities within the Exeter River Watershed, and more recently in other areas of Rockingham County. The Trust can provide communities and landowners with a variety of options for protecting open space areas. There are a few additional land trusts that have been more recently established within this region, including the Howfirma Trust in South Hampton, and the newly formed Seacoast Land Trust in Portsmouth that offer similar types of services.

Community Planning Tools

Land Use Regulations and Zoning

Zoning is an additional method that can be used to help protect open spaces within a community. NH RSA 674:21, Innovative Land Use Controls, permits environmental characteristics zoning, intensity and use incentives, cluster development, and several other innovative land uses, many of which could be utilized in zoning approaches which promote the conservation of open space.

Natural Resource Overlay Zoning

Generally, an overlay district is one that is superimposed on existing use zoning districts. Proposed developments must comply with the requirements both of the underlying zoning district and of the overlay district. A natural resource overlay district adds additional restrictions and requirements to those of the underlying zoning district. Overlay districts are often used for features that occur in several locations within the boundaries of a community including, but not limited to, floodplains, wetlands, aquifers, steep slopes, rivers, streams, ponds, and lakes.

Natural resource overlay zones should include a statement of purpose to describe what the special requirements of the district are intended to achieve, promote, or prevent. In general, natural resource overlay zoning initiatives should be aimed at protecting the regions' sensitive water resources, critical habitats, agricultural and open lands, and character-defining features. Natural resource overlay zoning districts are not new to New Hampshire, and there are many examples of these zoning districts provided throughout the region. However, as a foundation to a proposed natural resource overlay zoning district, the master plan should be proactive with respect to outlining the importance and/or threat to the resources contained within the proposed overlay district.

Agriculturally Friendly Zoning

In order to maintain the rural qualities of this region, the ability to sustain agriculture is a vital part of the visual landscape. New tools have been developed aimed to help communities preserve rural character through preserving Agriculture. A new resource kit called *Preserving Rural Character Through Agriculture (Kit 77)* was made available in 1999 from UNH Cooperative Extension. Communities should update master plans detailing the importance and/or threat to the agricultural resources within the community (as well as the region), prior to adopting agriculturally friendly zoning provisions. The regulatory framework should include a goals statement for developing agricultural preservation zoning techniques, such as to encourage and protect the agricultural heritage as a viable and necessary aspect of each community's present and future existence. Towns should also permit and encourage over other uses, the continued use of land for agriculture, farming, dairying, apiculture, horticulture, floriculture, and animal and poultry husbandry, in areas currently under such use. It is important to remember that supporting agricultural activities means acknowledging that the required supporting services (markets, farm equipment, materials and sellers, etc.) are available.

Open Space Development or Conservation Design Ordinances

The protection of open space areas may be encouraged through land use regulations. The primary zoning technique that can enhance open space protection is open space development. In conventional developments, developers do not generally provide for much open space. In most conventional developments the lots are drawn first, thereby eliminating many of the significant natural features.

An open space development can incorporate an incentive based approach to entice developers to set aside more open space in perpetuity. An Open Space or Conservation Ordinance promotes the permanent protection of open space by allowing buildings to be clustered on the area of a parcel that is best suited for development. At the same time, the remainder of the parcel is left undisturbed. In this way, parts of the parcel that are poorly suited for development, or which have high natural resource values are kept as open space forever. One method for designing an open space development involves delineating the primary and secondary potential conservation areas first, and then designating approximate

positions of structures/houses. The design then includes the delineation of streets and/or trails, and then finally approximate lot lines are drawn.

Open space design methodologies can allow developers to build the same number of units allowed in a conventional subdivision while protecting valuable resources including but not limited to, tree stands, wetlands, shorelands, fields, scenic areas, stonewalls, agricultural areas and structures, and tree lines which should all be maintained. Another incentive based method may allow a developer to build additional units, as a bonus and include less rigid dimensional requirements, in return for requiring a greater amount of open space to be preserved. The open space amenities of these types of conservation developments often lead to significant increases in property values.

For almost all open space design developments, both the development and service/utility costs are lower than for conventional developments due to shorter roads and utility lines and reduced scope of site preparation. Most importantly, communities can use this technique in order to create interconnected parcels of permanent open space using this design as a basic building block.

In order to ensure that open space is protected permanently, a legal document describing the portion of the parcel to be protected is recorded in the Registry of Deeds. The different types of ownership of land dedicated for open space are often proposed by the community, and then selected by the developer. One common form of ownership is shared undivided interest by all homeowners in the development

Promoting open space, conservation or clustered developments is one of the few concrete things that can be done through land use and zoning controls to protect open spaces. It is also one of the most important. Unfortunately, many of the cluster development ordinances that are in place in the region's communities are rarely used due to market or regulatory disincentives. As part of the RPC's Regional Environmental Planning Program (REPP), a new model open space ordinance was developed and has been designed to try and overcome some of these problems.

For more information, please see the reference section, as well as See **Appendix H** for an example of a conservation development ordiance as developed by the RPC (**"Open Space Design Ordinance and Design Standards"**, June 1999.)

Local Conservation and Open Space Planning

Town Open Space and Conservation Plans

A key tool for communities to proactively protect open spaces is to develop local open space plans. Several examples of open space plans exist in the region including those of Exeter, Stratham and Greenland. Other communities such as Hampstead, Atkinson and Windham have less formal plans but nonetheless are

pursuing vigorous land protection efforts. In order to promote the protection of open spaces, it is important to incorporate a localized protection strategy in an open space plan. It is equally important to review the current zoning regulations to determine the likely outcome of development under existing regulatory requirements and market conditions.

In preparing a conservation plan, specific objectives should be developed to help in the decision making process for areas that should be targeted for permanent open space. Additionally, an inventory of the community's natural resources (wetlands, flood plains, steep slopes, locally important lands, agricultural lands, and open lands adjacent to existing protected lands should be prepared and reviewed.

In general, a planning process such as the following can be used:

* understand the local importance of the existing open space and resource base
* identify key open space and resources areas (parcels) and interconnections between them
* identify and contact landowners of the key undeveloped land and inform them about the community's conservation and open space objectives;
* prioritize areas to be protected though acquisitions of land, development rights, or agreements for conservation or "partial" development.
* establish conservation fund through grants, the Town's CIP, current use penalties or other source to fund priority and/or threatened lands.

A local open space plan can be a separate document or a chapter within the Master Plan, and it should always involve input from the community, and the support of the Planning Board. Additionally, collaboration with other interested groups and adjacent communities on priority protection areas might allow for larger scale resource protection efforts to be accomplished more efficiently

Role of Conservation Commissions

Conservation Commissions should play a key role in the conservation and preservation of open space both locally and in the region. Locally they should be integrally involved in the development of community open space/conservation plans. Regionally they can provide invaluable guidance about how best to create continuity of protected conservation land between communities.

Regardless of what local board or commission in a community develops the local open space plan, the Conservation Commissions should play a central role in its formulation and implementation. Conservation Commissions should be heavily involved in the completion of a natural resource inventory, in the identification of specific areas worthy of protection, and of potential greenways, trail networks and potential connections to existing conservation lands. Conservation Commissions

should also review and anticipate how different parcels could be protected, and in particular, should establish and foster direct landowner contact. Conservation Commissions may also be able provide timely information and instruction to other local officials regarding lands in need of protection as well as input to planning boards reviewing the open space components of subdivisions.

The Conservation Commission is usually the entity that oversees town forest management plans, which is specifically authorized in RSA 31:112. More often than not, the Conservation Commission is also responsible for implementing land protection efforts. Chapter 36-A of the NH RSA's establishes the right of a municipality to create a Conservation Commission for the purpose of "proper utilization and protection of the natural resources and for the protection of watershed resources of said city or town." Conservation Commissions have the legislative authority to inventory open space lands, aesthetic features, water resources and other natural features, and to make recommendations to the selectmen on the wise use of such lands. RSA 36-A:4 allows Conservation Commissions to receive gifts of property and/or money for conservation purposes, subject to the approval of selectmen. And RSA 36-A:5,I authorizes Conservation Commissions to expend monies from the conservation fund without further approval of Town Meeting. This is a tool that more communities should be using in order to leverage money for conservation easements or bargain sales.

Costs of Community Service Studies (COCS)

Controlling the tax rate is not only a widely supported objective, but also heavily influences community land use and development policies. Rising tax rates jeopardize the future of quality education, the ability to have community facilities keep pace with growth and create addition pressure to develop land. Costs of Community Services (COCS) studies can provide valuable information on the comparative service costs and tax revenues associated with different land uses in a community – and of the economic consequences of losing open space.

Several New England states have undertaken what is currently called Cost of Community Service Studies (COCS). COCS studies generally analyze revenues derived from and expenses attributed to different land use types. This analysis is a fiscal analysis of the revenues and expenses by line item of a community's budget for any given year. The revenues and costs are assigned proportionally to residential, industrial and/or commercial, and open space land use components of the town.

These studies generally show that land in agriculture and other forms of open space pay more in taxes than they cost the community to provide the services they require. These studies also show that commercial and industrial development usually generate surpluses in revenue, while most residential development results in a net loss of revenue – primarily due to school costs.

Several COCS studies have been completed in New Hampshire, and three rather recent studies have been completed in this region as shown below:

Table V – 1
Cost of Community Services --
A comparison of revenues and costs associated with different land-uses in three communities in the region

Community	Population	% Open Space	----------cost per dollar of income---------- Residential	Commercial/ Industrial	Open Space
Exeter (1996)	13000	25%	$1.07	$0.40	$0.82
Fremont (1994)	2700	64%	$1.04	$0.94	$0.36
Stratham (1994)	5200	35%	$1.15	$0.19	$0.40

NOTE: Exeter defined open space as land enrolled in Current Use and other land that met Current Use criteria but was not enrolled. Fremont and Stratham defined open space strictly as lands enrolled in Current Use.

Source: Cost of Community Services Studies, 1994, 1996.

COCS studies indicate that for each dollar of tax revenue generated, open space land requires less than one dollar in public services. Residential development land typically requires between $1.04 to $1.15 in public services for every dollar generated in income. Commercial development generally falls somewhere in the middle. These studies are not aimed to be anti-development; they are a tool for local officials to use in better understanding the property tax situation in their community.

Another study found that the New Hampshire towns where people pay the lowest average tax bills are the towns that have retained the most land in open space (Ad Hoc Associates, 1994). Conversely, the towns with the highest average tax bills were the towns with the most residential and industrial development, the most residents and the least open space.

These COCS studies serve as another practical tool for communities to employ, to help explain the rationale for spending monies on protecting open space. The results of these studies do not necessarily apply to specific developments or land parcels, however they do illustrate common circumstances. Obviously, the value of open spaces goes well beyond that measured by any revenue-to-tax ratio, the COCS do serve to strengthen the argue for public expenditures for open space.

Chapter VI -- Recommendations

The Regional Open Space Plan has been developed in order to detail the natural resources within the region, and to emphasize the importance of land conservation and community open space planning in protecting natural resources. As stated in the introduction to this plan, its major objectives are to understand the trends and the likely future in land use changes in open space loss in the region; to identify the most important open space lands remaining, especially from a natural resources perspective; to foster linkages between existing protected areas; and to provide guidance and tools and techniques available to communities in protecting open space.

In addition to these objectives is the broader goal of protecting the most important open space lands in the region from future development. To foster this goal, a series of both general and specific recommendations have been developed as presented below.

This section of the plan includes both general and specific recommendations applicable to local regional and state governmental agencies and private organizations involved in land protection and resource conservation Additionally, more specific local and regional recommendations are offered as a component for future resource protection efforts, and to complement the more generalized resource and land protection suggestions.

General Policies And Recommendations For Land Protection

As was indicated in the introduction, the overall aim of these recommendations is to assist communities in creating local land conservation strategies, and in developing more proactive land protection efforts. This section of the Regional Open Space Plan offers general recommendations for protecting this region's most sensitive water resources and critical habitats. Supporting information is summarized where appropriate. A variety of excellent publications exist which provide additional documentation in support the policies and recommendations. Examples are included in the resource list at the end of this Chapter

➲ *Protect Critical Natural Resources*

Areas that contain unique habitat and/or are ecologically should be a top priority for land protection. These areas and their associated values are in more detail in Chapters II and IV. They should be of primary consideration in the development of local or regional land conservation strategies. Some of the significant natural resources within this region are briefly discussed below:

Great Bay Estuarine System: This unique estuarine system includes 4,471 acres of tidal waters and mudflats and approximately 48 miles of shoreline. Hundreds of acres of upland surrounding the estuary include salt marsh, tidal creeks, islands, woodlands, and open fields. It receives its freshwater flow from seven rivers and its saltwater flow from the Piscataqua River. Estuaries are widely recognized to be among the most ecologically productive and important habitats on earth. Fortunately, the Great Bay Estuarine System has been so recognized and significant progress has been made toward protecting its resource base.[6-1] There are a relatively large number of parcels around the bay that have been protected through local efforts and those of, the Trust for New Hampshire Lands, the NH LCIP, the NH Coastal Program and the Great Bay Resource Partnership Program. Such efforts should be continued.

Surface Water Bodies, Shorelines and River Corridors: The RPC is divided by three major watersheds that encompass all or parts of eleven minor watersheds. Included within these areas are more than 100 named perennial streams, brooks and rivers, and over 40 lakes, ponds and reservoirs. These surface waters represent vital natural resources which are important for drinking water, wildlife habitat, recreation, scenic beauty and flood control. For these functions, shoreline and river corridors are particularly valuable areas to protect as open space. These waterways can become the basis of open space corridors or greenways which can one day establish a continuous network of conservation lands throughout the region. Land adjacent to these waterways should therefore be given high priority in land conservation.

Wetlands: Wetlands are a critically important component of surface water resources in the region, for reasons described in Chapter II. With increasing understanding of the importance and values of wetlands, their protection is becoming more widely accepted. Continued efforts at strengthening and updating local wetland protection ordinances (including the addition of "no-disturb" and other wetlands buffer provisions) and designation of prime wetlands should be pursued to ensure the protection of these important resources. Since many wetland are already substantially protected under existing local and state law, a priority in land conservation should be in establishing connections to major wetland systems through greenways and river/stream corridors.

Groundwater Resources: The protection and wise use of groundwater resources are of critical importance to all communities in the region. Water is one of the most vital and most taken-for-granted natural resources. Municipalities can work toward the protection of valuable groundwater resources by first identifying them and by then protecting them through aquifer protection ordinances, and land acquisition/-protection techniques. In addition, land that is currently around existing wellheads should be protected to the greatest extent possible. Guidance regarding priorities for land protection can be gained through the *Favorable Gravel Well Analysis* process

[6-1] In 1989, the Great Bay National Estuarine Research Reserve was established to provide the opportunity for long-term research as a means to address coastal management issues and to serve as a place where the general public can come to learn about estuaries. The GBNERR is a cooperative federal/state program established by Congress to promote estuarine research, education, and management. The University of New Hampshire Sea Grant and Marine Docent Programs also play an important role in the education and outreach activities.

developed by the NHDES. This analysis identifies the limited land areas that remain suitable for the siting of municipal wells, based on aquifer capacity and compatibility of surrounding land uses. The RPC has conducted this analysis for the Exeter River Watershed and should extend this to cover the entire region. In addition the NHDES Source Water Protection Program can assist in protecting existing and future wellhead land.

Coastal Resources. The seacoast contains all of New Hampshire's eighteen miles of Atlantic coastline. Approximately half of the 30 brooks and rivers in the coastal watershed are tidal for all or part of their extent or are directly associated with tidal bays and salt marshes. Remaining dunes are important for shoreline erosion control and shorebird habitat. These unique natural features should be a priority for protection and restoration efforts.

Scenic Areas. Perhaps one of the more intangible benefits of open space is the maintenance of scenic vistas. Open space maintains an area's rural character by providing pleasant scenery and visual relief. In general, scenic resources contribute to the quality of life for residents and are a key element in the region's tourist industry. The value of aesthetics is achieved through direct recreational usage and from distant viewing. Preservation of existing scenic areas will contribute to the region's rural character, aesthetic beauty, and overall quality of life

Agricultural Lands. As previously discussed, aside from their direct importance in food production and as an element of the local economy, farmlands have intrinsic scenic, recreational, ecological values In addition, farms provide an important opportunity to educate and contribute disproportionately to the "sense of place" in the region. The farmlands that remains in the region are among the most endangered open lands because of their increasing high value for development and high development suitability. Farming operations can also be threatened by nearby development where conflicts arise between farm practices (e.g. applying manure, equipment noise, pesticides application) and residential use. With the enormous decline in the number of active farms in New Hampshire and in New England, every effort should be made to protect significant farmland areas.

Communities should adopt Open Space Development ordinances which include effective incentives to preserve prime and locally important farmland and ensure that it can continue to be used in active farming operations. Communities should review their regulations to ensure that they are farm-friendly.

Forest Resources. Forestland is a major renewable resource, providing both commodities (e.g., wood products and maple syrup), and non-commodity benefits (e.g., water resource protection, air quality and energy conservation, wildlife habitat, recreation, and scenic quality). As development continues, the region is losing valuable forested lands. Many towns have designated town forests to promote sound forest resource management practices. However, this designation, made by the local legislative body, does not necessarily ensure protection of the parcels in perpetuity. The addition of a conservation easement is another method to ensure

the protection of town forests in perpetuity. In order to maintain a diverse mix of open space areas, protection efforts should include valuable forest resources.

Land with Development Constraints. Development in areas with physical constraints such as steep slope, shallow or wet soils, etc. can create detrimental effects on the landscape. Erosion and sedimentation, contamination of surface water and groundwater, and flooding are common effects of building activities on these lands. Municipalities should adopt local ordinances and regulations prohibiting development in these areas -including appropriate setbacks - and require that measures be taken to avoid the potential negative effects.

➲ *Promote Interconnections of Protected Open Space*

Fragmentation of forests and open spaces into increasingly small and isolated pockets is a natural outcome of a sprawling development pattern. It leads to very limited habitat for those animals that are wide-ranging, or are area sensitive species that cannot compensate and just relocate to a different area. One reason to ensure that large contiguous lands remain open, and in promoting greenways, is, in part, that these areas may help species escape the increasing fragmentation of their environment. As is apparent when reviewing Chapter IV, GIS Map IV-2, Existing Protected Lands, the existing protected lands throughout the region are widely dispersed, and with few exceptions, not interconnected. Many of the properties protected through the New Hampshire Land Conservation Investment Program (LCIP) met specific state criteria for funding whereas many of the other protected parcels were acquired based on the needs, priorities and opportunities of individual towns with concerns for specific natural resource areas.

From a regional perspective, it is clear that open spaces are most effective when interconnected to maximize their natural resource and wildlife habitat benefits. Therefore, it is important to examine the location and character of the existing protected lands, and the feasibility of connecting areas of open space when planning for future land protection efforts. In reviewing **Map IV-5A**, Unfragmented Parcels, Co-occurring Natural Features and the generalized greenways show broadly defined areas where future acquisitions will do the most good in establishing connectivity between the unfragmented lands that remain in our region. Additionally, **Map IV 5B**, depicts existing natural and man made corridors that can also be used to enhance connectivity between various green spaces, rivers, and trails.

Future additions to conservation land in the region should include criteria for promoting the interconnection of conservation lands. When determining future open space planning priorities on a regional scale, unprotected unique and fragile natural resources should be given high priority. This information has been developed to provide communities with tools that will promote the coordination of local conservation efforts in order to take advantage of adjoining conservation lands, corridors and unfragmented lands.

➲ *Promote Compact Development through "Conservation Development"*

As discussed previously, open space or conservation development ordinances promote permanent protection of open space by allowing buildings to be clustered on one area of a parcel while leaving other portions undisturbed and permanently protected. Often, the best conservation design results occur with low and moderate density zoning, and a requirement that 50% or more of the property remain permanently protected. This technique is sometimes further enhanced by limiting the development to use only a portion of its full development potential under existing zoning conditions ("Partial Development"). In addition to adopting open space development or conservation ordinances, local planning boards should require that open space development proposals include plans/easements for interconnecting protected open space in neighboring developments.

Site design considerations pertaining to open space and natural resources should be made more integral to the development review process at the local level. This requires flexibility in determining actual lot lines, as well as road and building locations. Subdivisions can be created to blend into the landscape if the development is designed to accommodate the site, rather than to simply satisfy the zoning requirements. Stonewalls, fields, agricultural structures, and tree lines should be maintained. It is also important to explore methods that help maintain the rural character of a community by protecting scenic landscapes, vistas, etc. For open space design, the characteristics of the site must be given more consideration than is usually the case. Site and subdivision regulation amendments should be made that provide more developer incentive and more planning board authority to bring about these objectives. See **Appendix H** for an example of a conservation development ordinance as developed by the RPC ("Open Space Design Ordinance and Design Standards", June 1999.)

➲ *Promote Inter-municipal Cooperation in Land Protection*

Inter-municipal cooperation in land protection efforts should be more strongly encouraged. River corridors, aquifers, and coastal cross municipal boundaries. In order to protect these vulnerable resources, inter-municipal and regional contact and cooperative efforts should be made. Two excellent examples of regional land protection entities are the Exeter River Watershed Association (ERWA) and the Rockingham Land Trust (RLT). Both organizations are dedicated to resource protection efforts in their areas of concentration. In formulating plans for future land protection efforts, municipalities should contact their neighboring towns, the Rockingham Planning Commission, and public and private conservation organizations. Recently (April, 2000) the NH Association of Conservation Commissions and the RPC sponsored a regionwide meeting of all Conservation Commissions for the purpose, in part, of discussing land protection. The Regional Open Space Plan is one mechanism from which intermunicipal coordination in open space planning can develop in the future.

➲ *Concentrate Public Infrastructure Investment in Developed Areas*

One of the principal mechanisms that leads to sprawl and the untimely loss of open space is the public investment in facilities that are located away from existing urban centers. Examples of this are the development of new highway interchanges in rural areas, the premature and linear extension of sewer and water facilities along commercial highways, and the placement of public buildings such as schools, post offices, and courthouses away from downtown areas. Such practices not only tend to encourage dependence on the automobile, but also attract additional development to "leapfrog" away from already developed areas. All levels of government have been "guilty" of such action in the past. In 1999, the Executive Branch of the New Hamsphire State government undertook a comprehensive review of its policies that tended to encourage sprawl; significant reforms have been proposed and others are under study.

This problem can be remedied, in part, by established public policies which strongly favor public infrastructure, facility and transportation investment in town centers and other already-developed areas.

➲ *Promote Public Awareness*

In order to garner local and regional support for protection efforts, citizens must realize the benefits of land protection. Public education is a key factor in the sound management and protection of natural resources and should be a primary consideration in any local or regional natural resource acquisition and protection plans. Promoting public awareness about the local and regional natural and historic resources, work of local Conservation Commissions, and the importance of sound resource management are very important for communities to actively participate in.

There must be a very strong educational component for any land protection program to ultimately succeed. This should include public meetings to explain the concepts of land protection, land stewardship and natural resource benefits. Publications should be made available to the general public to encourage education on local and regional natural resources. Publications that offer additional resources and information on land protection efforts should also be available for community members.

Take the time to educate yourself. Use guidance tools and resources that have been provided in Appendix C and D, as well as many of the references listed. Try to become versed in the terms and new laws that affect estate planning and land use planning. Contact state and federal agencies regarding resource protection programs, and pay attention for possible grant opportunities. Use this document as a tool to further land and resource protection strategies, and make sure to document any successes and record the need for additional resources.

➲ *Establish Consistent Funding for Open Space Protection*

Communities and local conservation groups should establish a significant and consistent funding sources for land protection. Communities need to be ready for

unexpected offers, and may need a dedicated conservation fund ready to help leverage for the support of purchasing or receiving an easement on an important parcel.

Consistent funding for open space protection initiatives is essential for communities. There are several mechanisms for funding that communities should consider including; local appropriations from communities, capital improvement program, bonding, supplying unexpended funds into the conservation fund, donations from private landowners/concerned citizens, foundations, donations from local businesses, fees from local programs, grants, tax liens and proceeds from timber harvest on Town Forests. Communities should (through town meeting) request the entire amount of current use penalty tax for a conservation fund, and should set up a campaign strategy to appropriate funds each year for a conservation land acquisition fund or a bond for large acquisitions.

In addition there are private non-profit conservation organizations and state and federal protection and acquisition programs. Monies that are raised for land protection efforts can often be leveraged by obtaining in-kind match agreements with landowners interested in participating in a land protection program. Additionally, communities with conservation funds or other consistent funding sources are generally more ready and available to help leverage land protection opportunities that may occur.

Good educational tools for promoting the need to establish a consistent fund for open space protection is key. Public educational efforts must be accomplished prior to any attempt to establish a funding source. Demonstration using information from your community, and similar examples in surrounding communities can help support land protection efforts. Be sure to use care in the timing for municipal budgets. Make the case for avoiding potential costs of development by investing in land protection. A broad base of support and a well founded plan of action are critical to presenting a case for land protection support. Incorporate land use tools such as a Natural Resource Inventory and local open space plan (indicating generalized priority areas) with a well founded plan of action to educate the community and to support the cause.

Communities should also be available to help individuals that may be interested in gifting land to remain undeveloped in perpetuity, to either the community or to a local or regional non-profit, for these opportunities do not happen often enough. Often land will be given to communities with a conservation easement placed on the land, that is help by a local qualified non-profit conservation group. This is one method to ensure open space protection in perpetuity.

Additionally, communities interested in protecting land should recognize that outright acquisition of land, particularly as land prices are ever increasing in this region, is very expensive. In some cases, other tools such as conservation easements can spread monies for land protection in a variety of directions. A private non-profit conservation group will often manage and monitor conservation easements, and the land remains permanently protected, yet under private ownership.

➲ *Increase Appropriate Public Access to Water Bodies and Land Resources*

One of the purposes of protecting open space is for enjoyment by the public. Public access to protected areas should be a consideration when formulating open space plans. In the last few decades, as more land in the region has been developed, public access to water bodies is becoming less available. However, communities and local conservation groups must remember that appropriate access is a very important consideration, and should be based upon the uniqueness or fragility of the water and/or land resources in question. Communities and local conservation organizations must be careful in deciding to increase public access. Increasing appropriate public access should only be considered when water quality or habitat values associated with water and land resources will not be undermined. The NH Office of State Planning published a Plan for Access to New Hampshire's Water Bodies and the NH Coastal Program has published a map of Seacoast Public Access Sites (please see the reference section). On both the regional and local level, strong consideration for appropriate access to surface waters should be evaluated in acquisition and/or protection strategies.

Different situations require different types of access, whether it is pristine environmentally sensitive environments or open lands for passive recreational areas. It is important for communities to recognize possible differences in appropriate access. Communities should include protection efforts geared toward including some areas with limited public access, and other dedicated areas for public access in order to get support for future land protection strategies (as well as additional funding). Appropriate management objectives, including the types of uses allowed on different sites, liability concerns, overseeing, and signage, are all issues that should be addressed for every site.

➲ *Strategize for Large and Contiguous Tracts of Land*

Contiguous blocks of undisturbed and undeveloped land are disappearing rapidly in southeastern New Hampshire. Large blocks of land were illustrated on **Map IV-1A**, Unfragmented Open Spaces Comparison of Results Derived from Satellite vs. Air Photo, and **Map IV-1B**, Unfragmented Open Spaces. Large blocks of land, both with and without interconnections to other large blocks of land provide many natural resource benefits. Regional and local efforts for land protection should be aimed at the most sizable blocks of undisturbed tracts that remain.

Greenways can be used as a method to promote the importance of interconnecting contiguous large blocks of open space, and to garner public support for increased enjoyment of open space amenities throughout the region. Greenway planning is an exceptional planning and resource management technique. Communities in the region may view this as a new opportunity to pursue open space initiatives to help sustain the quality of life within the seacoast region and can have a galvanizing affect. The goal of promoting land stewardship activities to protect and preserve unique habitats, sensitive ecosystems and historic and cultural resources should be a central theme of greenway planning and management plans. **Map VI** *Preliminary*

Greenway Identification provides a starting point. If land acquisition efforts are concentrated in these areas, then significant areas of interconnected open space may indeed remain when the region is otherwise largely "built-out."

Community Level Recommendations

➲ *Review and Update Local Inventories and Master Plans*

Many communities within this region do not have up-to-date inventories of town-owned lands, protected lands, and natural resources. An updated master plan and an updated Natural Resource Inventory is something that all communities within this region should have available at their fingertips. The premise is to have this information available to promote land protection and stewardship activities in order to protect and preserve unique and sensitive natural resources within this region.

Communities should sponsor local Conservation Commissions to undertake these inventories in order to identify areas already protected and natural resources worthy of protection. There are a variety of grant programs available to communities to help undertake these important inventories. The inventories should include all conservation easements throughout the community. Communities should also have up-to-date maps and files regarding all protected lands within their jurisdiction. Natural resource inventories are important to identify natural resources and areas within communities that are unique and that the community desires to protect. Furthermore, natural resources that are under threat should be reviewed very carefully.

Once inventories are completed, local open space, conservation, and recreation plans should be developed which should include detailed review of adjacent communities' land protection plans. Periodically, local resource protection plans should be revisited and revised according to the needs, and desires or changing conditions of the community. Each plan should include a five and ten-year action plan, should include what generalized priorities have been considered and promoted. Funding mechanisms, such as CIP project elements should be incorporated.

Updating Master Plans with complete natural resource inventories, and developing a resource conservation strategy within the Master Plan that will serve as the basis for future land use regulations, are significant planning projects that communities should strive to achieve.

It is also important that communities, and local land protection groups recognize that there are other voluntary land protection techniques, such as conservation easements can be effective ways to preserve open space values while maintain private ownership.

➲ *Review and Reform Planning and Zoning Regulations*

It is of utmost importance that the planning and zoning regulations actually lead toward the goals of the Master Plan and the Natural Resource Inventory. Community leaders, Planning and Zoning Boards and Conservation Commissions should take time to review their Master Plan and make sure that the regulations as written and as interpreted lead toward the stated goals of the Master Plan. This should be completed every five years, whenever the Master Plan is modified, and anytime planning or zoning regulations are changed or challenged.

Regulations do change, and often the regulatory tools that are implemented are reactionary rather than proactive. If a regulation is currently in place, it may not be implemented properly, and may not be doing what was originally intended when it was created.

Consideration should also be given to ways that communities can better address the secondary impacts of development, and the cumulative wetland impacts that are associated with expansive development patterns throughout the region. While reviewing regulations, it is important to focus on provisions and standards that may unintentionally promote sprawl (large lot zoning, large setback and road frontage requirements, etc., lack of effect cluster/open space alternatives) and identify alternatives that aim to preserve the readily developable lands (i.e., remaining agricultural lands).

➲ *Develop a Local Open Space Plans*

Communities without local open space and conservation plans should take appropriate steps to develop one. This can be a chapter of a Master Plan or as a separate document referenced within the Master Plan. These are important for communities to have in establishing up local land protection priorities as well as for use in future grant funding opportunities. Additionally, setting up generalized goals and approximate timeframes for protection efforts for a five and ten-year period can offer a review of land protection progress over time.

Communities can actually reduce the amount of the information provided in this document, by creating a partnership with adjacent communities on resource protection strategies. Using much of the information that has already been completed throughout the region on natural resource inventories and planning, and working cooperatively with community and local conservation groups on resource protection strategies may reduce the information collection efforts for individual towns. Collaboration with additional communities and interested groups might enable larger scale resource protection efforts to be accomplished most efficiently. Furthermore, additional grant monies may be directed toward communities that cooperate and collaborate on land protection strategies. See Appendix I for an example of what is included in a typical local open space plan.

Additional planning tools that may be appropriate for communities include completing a community wide "build-out" analysis. The implications of population projections becomes much clearer when those projections are transformed into the acreage that would have to be developed to accommodate it, given current provisions in zoning ordinances. This is often startling information when individual communities complete a "build-out" analysis for that community. This information can be of great value for communities with a desire to view the communities' proposed carrying capacity within current zoning regulations. Additional information for communities to consider would include the computation of the total population and employment potential that could be accommodated if the community built out to the maximum allowed by existing zoning regulations.

➲ *Work with the Large Landowners*

While Current Use is an effective tool for reducing finaicial pressure on landowners to sell or develop their land, it does not afford any measure of permanent protection. Permanent land conservation measures are essential if we hope to retain significant open space for future generations.

Communities should pay attention to the desires and intentions of the community's large landowners and work to inform them about community planning objectives and the importance of retaining open space. Many landowners may hope to pass the land on to the next generation but may be unaware of the various financial planning and estate planning tools to help facilitate this. The next generation may or may not have the same land ethic that a long-term landowner probably has. Conservation Commissions may know these individuals personally, and may be able to persuade them to consider the donation of conservation easements and to put them in contact with the local land trust, or other conservation group can act as a catalyst to connect individuals with the information and professionals to help them out with their land use options. It is important that these contacts are made before plans are made to sell or develop the land.

Town tax maps can also be consulted to determine how landowners may be effected by proposed zoning changes. Digitized tax maps, with an attached database of the town assessors' information, including land in the current use program, and size of parcels is another important natural resource and land planning tool for communities to consider. GIS maps can be effective tools for Planning Boards to use as a basis for developing many difference resource based plans including a water resource protection plan, an aquifer protection district, or any other natural resource protection land use control. This information can be coordinated with adjacent communities to ensure the appropriate protection methods are continued.

Regional Level Recommendations

➲ *Prepare a Regional Land Acquisition/Protection/Management Plan*

This Regional Open Space Plan should be viewed as a resource and reference document of information presented to communities to assist local planning and conservation officials in reviewing and perhaps implementing open space protection issues. After review and discussion, perhaps a more detailed and defined regional priority plan for acquisition and management of natural resources should be prepared. This would occur with more detailed discussions with local, regional and state officials, and with land conservation organizations focusing on the following items:

1) sensitive natural areas, farmlands, forestlands, and open fields; 2) interconnecting existing holdings; and 3) using the potential greenways, undeveloped lands, and existing protected lands for a more finely tuned management plan allowing for the movement of wildlife, passive recreational use, and corridor connections. The following components should be incorporated into the plan:

* Develop a detailed regional inventory and map of parcel boundaries of all land and resources that could potentially be protected, for example large land holdings currently held in the current use program;

* Identify and prioritize practical acquisition opportunities and/or protection areas;

* Investigate a project area consisting of one of the "greenway" belt areas that communities support, and produce a greenway management plan for that area (consisting of at least three communities);

* Investigate sources of funds that would create a regional land acquisition fund to implement more detailed concept plans, including the much needed baseline documentation, management and stewardship of existing and proposed lands.

In review of other larger scale resource based projects within this region, for example, the Lamprey River Watershed Project, the Exeter River Watershed Project, and the Great Bay Resource Protection Partnership; perhaps other resource based multi-jurisdictional projects should be initiated. Inter-municipal projects for extended trail and corridor development or greenway planning are extremely important public educational tools for natural resource planning and protection strategies. Such public natural resource projects could be easily spearheaded in this region. The educational component would be an extremely important advantage in promoting the timeliness and necessity for protecting contiguous open spaces.

The Rockingham Planning Commission should work closely with other agencies dedicated toward land protection efforts, to collaborate ideas, and developments, so that similar projects and ideas are not duplicated. RPC should work closely with

UNH Cooperative Extension, the RCCD, non-governmental land protection organizations, and state agencies working on land protection strategies. When a regional land group initiates a new natural resource protection project or initiative, ideas and perhaps partnering responsibilities may make the process progress more smoothly. Communities do not need duplication of efforts, they need advice, support, and funds, to ensure that natural resource projects and land protection strategies are completed.

The Rockingham Planning Commission is a direct tie to local communities within this region. The information that has been collected on existing protected parcels or that may be collected in the future should be kept up to date at the regional level as well. Often times with the increased workload of municipalities, the evolution of Conservation Commission membership, the details of transactions and protection strategies may not be complete or easily located. As increase in development activity occurs in this region, there is also increased local land trust activity, and other non-profit organizations that acquire land and/or conservation easements that have been very active. Regionally, RPC may be an appropriate organization to house information on land protection inventories.

This might be an excellent opportunity to serve as better educators to communities on land protection tools and available resources, as well as to serve as a resource guide for local land protection programs, strategies, and offer assistance in developing resource plans. Perhaps education on land protection tools and techniques, as well as information on resources that are available should be provided in conjunction with other resource agencies.

➲ *Provide Support and Guidance for Regional Open Space Planning*

As discussed above, the concept of developing a broad plan to interconnect protected lands as greenways within this region is an exciting opportunity to preserve a meaningful network of undeveloped land in the region. Bringing this into fruition will require direct technical assistance to individual communities as they prepare community level open space and conservation plans. The RPC should set aside necessary staff resources in its annual work program to facilitate this work.

Greenway planning can be used as a method to promote the importance of interconnecting contiguous large open spaces, and to gain public support for increased enjoyment of open space amenities.

Although not new, greenway planning is an exceptional tool as it is flexible enough to adapt to many different local values and conditions. Communities within this region may enjoy a greenway project as a new opportunity to pursue open space initiatives. By creating greenways, partnerships are often formed, and individuals and groups involved in the creation of a new greenway could make a major contribution to the quality of life in this region. A larger scale greenway concept could be developed into an amazing regional amenity with strong environmental, economic, and social values.

In general, in planning greenways, it is important to involve community members on issues such as possible routes, locations, access and use issues, and then develop a plan of action for the implementation of a greenway. This would be a very valuable land use management planning achievement within this region. In reviewing Map VI-1, Potential Greenway Identification, several areas within this region could serve as a preliminary starting point for communities and interested groups to support the initiation of a greenway project. This would simultaneously include the development of a greenway implementation and management plan.

Additionally important for greenway planning is the review of potential funding mechanisms, management techniques, and implementation of the plan. Stewardship of any proposed regional protection effort or greenway development must include long term management schemes. It is very important that the public is always involved in the process. It is equally important that information gathered is presented and reviewed, and that follow up with improved data collection including on-site evaluations of possible route alternatives, and review of other successful projects in other communities or similar activities occurs. If properly planned and implemented greenway projects can provide residents and visitors, with recreational uses of natural resources that compliments functioning ecological systems.

➲ *Provide Technical Assistance in Adopting Conservation Development Ordinances*

The Planning Commission should assist interested communities to adapt and refine the RPC Model Conservation Development Ordinance to their particular circumstances. See **Appendix H** for an example of a conservation development ordinance as developed by the RPC ("Open Space Design Ordinance and Design Standards", June 1999.)

Assistance should also be provided in developing local regulations which promote compact development, discourage sprawl and encourage the protection and interconnection of open space.

➲ *Provide Regional GIS Analysis tools*

There are several different types of GIS analysis that may be developed and/or made readily available throughout the region. The following are a series of recommendations for GIS data development and analysis that may help the region as a whole for open space planning. Most of the data and/or ideas discussed exist at least in part, and may exist completely for individual communities, yet the data must be completed and updated on an ongoing basis throughout the region.

Habitat Analysis

The analysis of existing habitat information available throughout this region is one suggestion for an additional regional natural resource project. Identification of important habitats, and selected sets of assessment species within the region might be an additional natural resource data set to collect. Locally important species

should also be included in this data set, and the result of this collection should be added as a regional GIS habitat data layer.

There are areas within this region that do not have much habitat data collection, or collection on types of species available. For these areas perhaps additional field research could be provided. To obtain a full regional GIS habitat data layer, funding sources to collect and organize this information could also be directed to promote and focus conservation activities, and to protect and restore important habitats for a variety of species in this region. This has been accomplished for a few specific areas within the region, (i.e., the Great Bay Focus Area, Exeter River Watershed Area). However, additional studies should be completed to ensure complete GIS habitat data for the region.

Land Use Change Analysis

An additional analytical recommendation includes updating the study referenced in a previous section that ended in 1982, completed by the New Hampshire Agriculture Experiment Station, (Land Use Change: Rockingham County, New Hampshire, 1953-1982) and to show the trends through the current decade. The changes would be substantial, and important in relation to the regional focus, and in terms of long term changes in types of land use and land use conversions. If completed, this would be an impressive document for communities in the entire region to review.

Region Wide Tax Parcel Identification Including Current Use Parcels, and a Regional Buildout Analysis

The ability to digitize all of the community tax maps throughout the region exists, and, at the present time approximately half of the communities in this region have digitally available tax maps. A digital set of tax map information for the entire region would allow for much greater analysis capabilities pertaining to acreage, regional buildout information, changes in overall land use trends, and serve as a wonderful regional land protection planning tool.

The information available on landowners enrolled in the Current Use Program, and those that have been taken out of that program (over the past 10 years for example) could easily be mapped using GIS at the regional level. This would be an important planning tool to track the changes in large undeveloped parcels, particularly so that changes could be understood through time. For the region, this would be extremely beneficial information, particularly as there are still very rural areas that are becoming less rural with the large amount of land presently being taken out of the current use program (i.e., being developed).

The idea of a regional buildout analysis using digital tax map information is to focus on a buildout analysis in order to better understand the potential amount, density and general location of future development that would be permitted in this region, under current zoning requirements. This could be a very valuable visual and education tool for communities. It might help communities see and take an interest in changing present, sprawl-friendly zoning that is typical throughout much of this

region. Additionally, a regional buildout analysis may assist individual communities, interested conservation groups, and regional entities in developing proactive strategies for preserving land, and for protecting important environmental resources throughout the region.

Region Wide Updates for Existing Protected Lands; and Land in Active Agriculture

The Rockingham Planning Commission could achieve what communities, in using volunteer local boards, often have a difficult time achieving, and that is to act as a repository for resources available for communities, interested individuals, and local land trusts on land protection and resource protection issues.

The Planning Commission could also obtain information about all conservation easements within the region, digitally map them using GIS, and maintain individual files for each easement or otherwise protected land. Within each town file, information could include baseline documentation, history of monitoring efforts, and stewardship data as well as an aerial photograph of the general area. This information could easily be reported to each community once a year, and include GIS maps of the conservation easements. Digitized parcels, with associated database including all stewardship information, copy of recorded deeds, and pictures of natural resources protected would be an excellent natural resource based planning tool. This might allow for more up-do-date protected lands information to be readily available to groups that actively participate in land protection efforts.

In addition, the agricultural land data used to help define unfragmented lands should be periodically updated. The agriculture lands were originally coded using 1:4800 scale aerial photos (1992). This process involved personal knowledge, visual reconnaissance and existing land use maps. This process should be repeated every five years or so, to more accurately depict the changing conditions of lands defined as Land in Active Agriculture. Future additions might include additional field checking for verification of activity type.

Regional Updates of Land Use Coverage, Sewer and Water System Coverage and Updated Zoning District Coverage

The RPC should update the current land use coverage for the region that was most recently derived from a visual interpretation of air photos at a scale of 1:4800. As described in greater detail in Chapter IV, the most recent land use coverage classification was derived from 1992 aerial photos. An update every five or ten years of this land use classification would be incredibly useful to observe the trends in land use changes. This information would also help communities better understand the amount, density, and location of the different classified land uses in the region. It would also show very clearly the areas within this region most rapidly developing, what types of development patterns are predominant, and which areas are spreading out, consuming large areas of land. Tracking this information would be very beneficial over time, and could be one mechanism to indicate, and offer the ability to analyze the cumulative impacts of consumptive land use practices.

In addition to updating the land use coverage, having digitally available sewer and water data, and updating that data on a regular basis (perhaps once every 3-5 years) would be an added benefit in analyzing the future buildout potential of the region. All zoning districts for all communities, if digitally available, would allow for a regional review of potential future land use change analysis for the entire region. Again, this GIS analysis would be an important planning and educational tool for the region, and for communities and conservation groups to review. This type of analysis would provide information on the current pattern of land use changes throughout the region, and may be another mechanism to assist communities', interested conservation groups, and regional entities in advancing innovative land protection techniques, and greater focus to preserve land and natural resources throughout this area.

In general, the more up-to-date the digital data is, the more clearly the land use planning at both the local and regional level can be accomplished. The information presented here is offered to allow the review of data at a larger and more comprehensive scale, in order to facilitate the visualization of the dramatic changes that are occurring, and that are possible within this ever-expanding region.

➲ *Educate Municipal Officials*

Municipal officials are extremely important players in land conservation. It is important to demonstrate to public officials that land protection is vital, and that when communities protect open space it may not increase taxes. Use comparable studies that have been completed to prove your point (as found in this report). Try to complete a Cost of Community Service study, and a Natural Resource Inventory for your community to educate the public officials as well as the general public. Show what neighboring communities have already accomplished for land protection efforts.

Communities need to do work on better public relations, and get people involved in land protection efforts. Make sure to acknowledge and highlight local land acquisitions. Take steps to make efforts for land protection efforts known (i.e., put it in the local newsletter). This can be an excellent opportunity for education on a variety of open space protection issues, and on methods and information available. Let people know what resources are important to the community, and for the community to protect for now and for future generations.

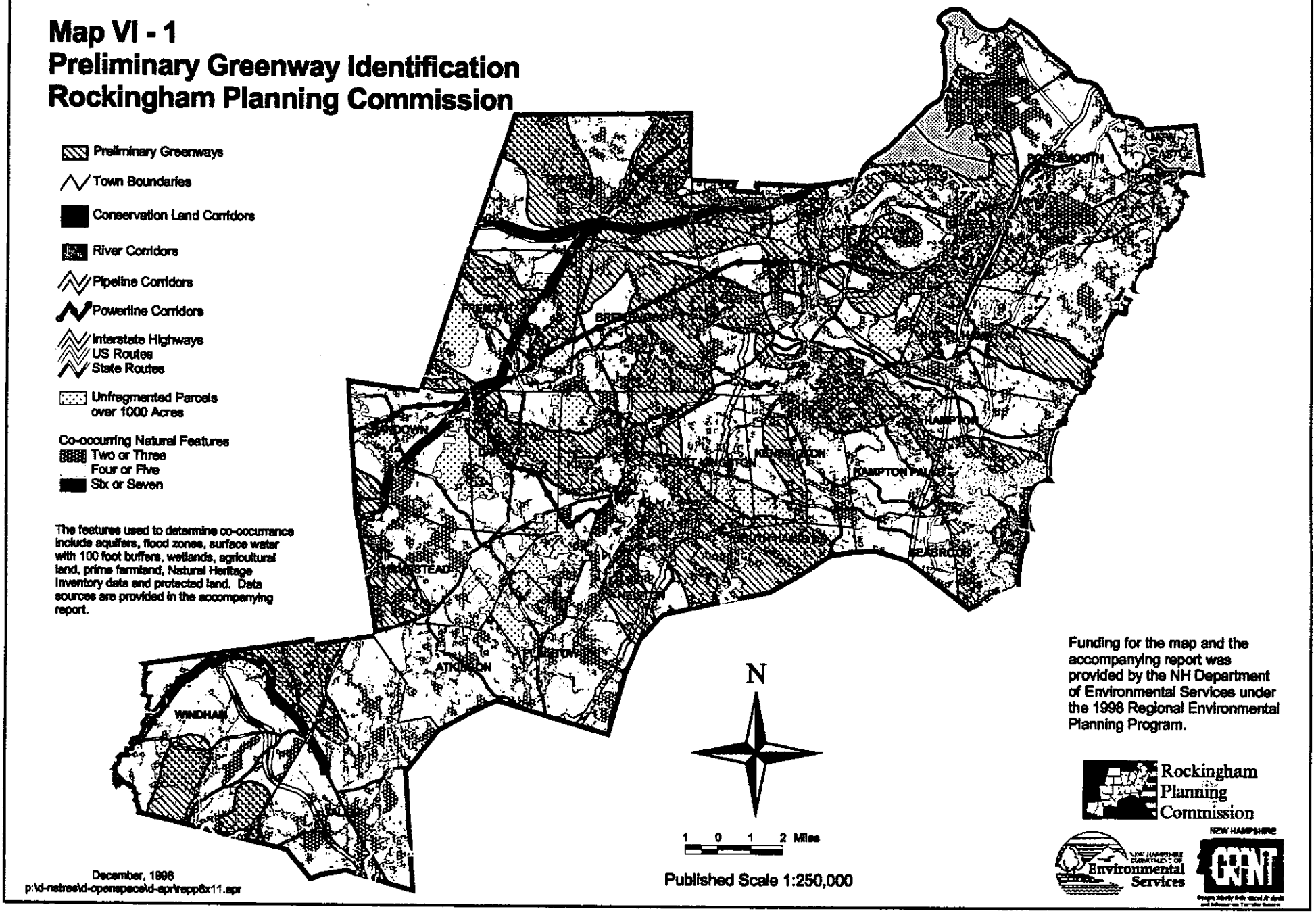
Volunteer boards are under extreme pressures, and many have indicated the desire for additional help, but some are unable to afford much time, effort, or funds. Community officials should try to attend the NH Office of State Planning conferences and other educational opportunities. Regionally based workshops on some of the basic tools for natural resource planning and land protection should be offered by the RPC, NH Office of State Planning and the N.H. Association of Conservation Commissions more regularly. Subjects that could potentially be covered in land protection workshops include developing resource based strategies and projects, monitoring and stewardship of easements, helping landowners through

the land protection process, and how and where to apply for grant funding for the protection of natural resources.

➲ *Support Local Land Trusts*

The RPC should continue to work collaboratively with the Rockingham Plan Trust, Seacoast Land Trust, Great Island Pond Association and other land conservation organizations in the region to ensure they have the support they need to carry out their missions. The RPC should also help ensure that all communities in the region are covered by at least one private land conservation organization that can accept conservation easements from private landowners.

Map VI - 1
Preliminary Greenway Identification
Rockingham Planning Commission



Funding for the map and the accompanying report was provided by the NH Department of Environmental Services under the 1998 Regional Environmental Planning Program.

Rockingham Planning Commission

NH Department of Environmental Services

NEW HAMPSHIRE GRANIT

December, 1998
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List of Appendicies

Appendix A	Regional Environmental Planning Program Inventory Data, current through March 2000.
Appendix B	Existing Protected Lands, information from NH Granite database, listed by community showing primary protection agency, acreage, property name and protection type. (as of September 1998).
Appendix C	Table of Information representing various Conservation Tools and Strategies, information adapted from Tools and Strategies: Protecting the Landscape and Shaping Growth, 1990 the Regional Plan Association, New York.
Appendix D	Protecting Your Land, Conservation Options for New Hampshire Landowners, SPNHF Conservation Easement Questions & Answers, SPNHF Donating a Conservation Easement, SPNHF
Appendix E	Two sample conservation easements
Appendix F	Taxpayer Relief Act P.L. 105-34, from the Land Trust Alliance, July 1998 American Farm and Ranch Protection Act Section 508 of P.L. 105-34 "New Tax Act Incentives Make Easements More Attractive" by Stephen Small, Esq. And C. Timothy Lindstrom, Esq., Land Trust Alliance Exchange, Fall 1997.
Appendix G	Informational flyer on the New Hampshire Land and Community Heritage Commission
Appendix H	RPC Model Open Space Design Ordinance and Design Standards, June 1999.
Appendix I	Sample Basis for the Creation of an Open Space Plan

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DONNA SYTEK
Speaker

STATE OF NEW HAMPSHIRE
HOUSE OF REPRESENTATIVES

April 17, 2000

Mr. Alvin E. Tanner
P. O. Box 56
Salisbury, NH 03268

Dear Mr. Tanner:

Thank you for your letter detailing concerns about SB 401, the land and community heritage bill. I appreciate your thoughtful analysis of each of its provisions and will forward a copy to the members of the Resources Committee, who will hear the bill this week.

You are correct in observing that the advocates of the bill are a pretty determined lot. I have met with them several times to express my concern about the state taking on a new financial responsibility -- no matter how worthy -- without any revenue source to pay for it. The version passed by the Senate bonds the expense, in essence, saying "Charge it. We'll worry about that later."

I am certain that your suggestions for improving the bill will receive careful consideration by the members of Resources. Several of them have already expressed concern of the scope of the bill, so I know they plan to go over it with a fine-toothed comb before sending it off to the Finance Committee to figure out how to pay for it.

I appreciate hearing from you again. It is a pleasure to receive constructive suggestions from New Hampshire citizens. We are lucky to have you.

Sincerely,

Donna Sytek

Donna Sytek
Speaker

Cc: Committee Members
Resource, Recreation & Development

State House • Concord, New Hampshire 03301-4988 • Telephone: (603) 271-3661 • FAX: (603) 271-3309
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To: Honorable Speaker Donna Sytek
State House
Concord, New Hampshire 03301

March 27, 2000

Dear Speaker Sytek,

I have written to you before about my concerns with SB 401 the so-called Land and Community Heritage Investment Program LCHIP. Thank for the courtesy of responding to my letter of 1/15/00. Since that letter SB-401 has been submitted and essentially soon will be passed by the Senate. We have had a chance to review this proposed legislation in detail. It has serious flaws. On Friday 3/10/00 the Senate Finance Committee approved it without discussion even though a thoughtfully prepared amendment had been given to the chairman and members for consideration by a House member. The lobby sponsoring this legislation wants no changes. It will be up to the House to carefully examine it. To that effect I am enclosing for your information a copy of a letter I wish House members would see mentioning a few concerns worthy of review. Would it be possible to send copies to House members? Possibly SB 401 should be sent back for more study encouraging other plans 'what' have other states found workable? Massachusetts, of all places has laws that encourage 'local' selection and approval. A matching grant plan with 'simple' criteria common for all such as; forest, fields, wet lands, etc. common for all communities is working well. The state simply reviews requests to make sure they are types of land on the list rather than a 'ball field'. One example is their Cape Cod Land Plan. Other areas use a variation of it. Reference Mass law Chapter 293 and 132A sec 11. There are other versions of this law assisting other areas of the state. The state and non-profits help smaller communities and regions when asked. What are the details other states plans? Seems worth a good study. SB401 basic idea is good just fix the flaws. See www.state.ma.us.org under laws. Under SB401 imagine one central authority deciding between a meadow in Clarksville versus one in Exeter? Think of the proposal competition and political lobbying. Under a better plan of local control by region or town the community decides how to use matching grants. They would decide buildings, historic sites, and or land that they feel is best. No need for a central controlling authority. Please refer to the enclosed letter for more detail.

There are really three fundamental issues to address. One, what is the best operating structure? Two, if it is SB401, what addition amendments to add to assure plan is fair to all. Three, how to structure it to prevent further use of funding for advocacy political lobbying.

There is serious concern about many tens of thousands of dollars that supporters of LCHIP have spent lobbying for this proposal. Some of their mailing already speaks about contacting your congressman about issues other than SB401. The proposed legislation calls for a budget item of $250,000- to start for administration alone. Question, how can the legislature structure this plan so as to assure that not one dime of any of this money is used directly or indirectly for any further lobbying for this plan or any other cause or political agenda? This should be taken very seriously.

Regarding your pending retirement. Please allow me to thank you for all the years of your service to this State. You have shown courageous leadership during very difficult times. You have faced tremendous pressure as Speaker. I can't imagine the highs and lows. I am an elected official in our small town. I am just a planning board member. I am the one who does the extra research and presentations on 'hot' topics. This leads to controversy and at times unhappy folks. You feel their anger. I can't imagine what you must face. I'll close with the simple but respectfully sincere 'Thank you for all you have down and the time that you given to make our state a better place'. I wish you well.

Sincerely,

Alvin E. Tanner

PO Box 56 Salisbury, NH 03268

Reply to
Tanner 2

To: Speaker Donna Sytek and the New Hampshire House of Representatives March 20, 2000

Proposed AMENDMENTS TO IMPROVE SB-401, LCHIP AND CORRECT ITS SEROUS FLAWS

The Proposed legislation, Land and Community Heritage Investment Program (LCHIP), SB-401, while a GOOD IDEA has serious FLAWS. The idea is taxpayer support for preserving land and buildings through easements and fee purchase. . Before approval corrections are required to make it function better and be fair to all citizens.

SERIOUS QUESTIONS ASKED About SB401

1) SHOULD 'ONE' CENTRAL AUTHORITY in Concord DECIDE what projects to select, fund, and approve FOR ALL 200+ towns and 50+ state organizations? Some OTHER states encourage LOCAL selection and control. This eliminates need for costly administration and approval process. They use common criteria that is simple and fair to all. Each community or regional does its own selection and approval. Of all places Massachusetts offers plans now encouraging 'local' control, not one central controlling administration. This works and eliminates politics in the selection process, reference Mass. law Chap. 293 and 132A. It prevents a central authority from channeling taxpayer money to questionable 'lobbying' efforts.

2) SB401 calls for proposals from GROWTH towns be automatically be RANKED 'HIGHER' than other communities"? NO, treat all towns equal.

3) SB401 calls for TAXPAYERS money to be used to fund PURCHASE of land for non-profit organizations that some day might 'POST' the land WITHOUT their first getting AUTHORITY approval? No, REQUIRE a three-fourths majority member vote.

IMPROVE REPRESENTATION NOW

SB401 now ONLY allows ten voting board members. It allows a SMALL quorum of only five to DECIDE purchases and 'POSTING'. NH Fish and Game is NOT allowed to vote. YET, four UNDESIGNATED non-profit groups ARE. There is NO specific REPRESENTATION from the states five REGIONS. Local municipalities, hunting, and snowmobile clubs are NOT FAIRLY represented. Four of the present ten voting members are legislators. They easily could be ABSENT working on state legislative business. This warrants a CHANGE to assure board fair balance.

RECOMMENDATIONS, INCREASE voting membership and require a quorum of at least ELEVEN. For more balance, ADD a voting member representing local land user and municipality interests from each of the states five REGIONS, the Seacoast, Monadnock, Dartmouth-Sunapee, Lakes, and North Country regions. Hunters and fishermen HAVE for many years willingly PAID 'EXTRA' taxes funding purchase of wild land birders and hikers enjoy. Non-profit groups have accomplished much good for the state. The directions of some however, have changed with growing ANTI hunting, anti logging, and anti snowmobile attitudes. Some actually support the proposed SEVERE FEDERAL restrictions on use of the White Mountain National Forests. Add regional members for balance. Require three-fourths membership vote before purchases and or 'POSTING' on any land acquired with taxpayer funds as a condition for awarding matching grant funds. All hunting, fishing, and snowmobile groups, town selectmen and concerned LEGISLATORS should be alarmed and speak up and AMEND this plan.

These are serious concerns. The CONCEPT of the LCHIP is ATTRACTIVE. It gained support BEFORE all plan DETAILS were made KNOWN. The serious FLAWS need to be CHANGE BEFORE being VOTED into law. What are the plans in other states? Lets AMEND this legislation now OR send it back for study to make it better functioning, more cost effective, with local control, more representative and fair to all.

Respectfully, Alvin Tanner Salisbury, NH

OFFICE OF STATE PLANNING
STATE OF NEW HAMPSHIRE
2 ½ BEACON STREET – CONCORD 03301-4497
TELEPHONE: 603-271-2155
FAX: 603-271-1728

April 19, 2000

Representative Charles Royce, Chairman
House Resources, Recreation and Development
Legislative Office Building, Room 305
Concord, NH 03301

Dear Chairman Royce:

This letter is written to express the Office of State Planning's strong support for Senate Bill 401, as amended, which would establish a permanent program for the protection of the state's natural, cultural and historic places.

As you know, portions of the state are under significant development pressure which, in some instances, is changing the character of our towns and villages. Nearly all communities with master plans or other local land use regulations state "preserving rural character" as one of the major goals of their regulations. This bill will help give communities the tools to support this goal and to keep our New Hampshire towns feeling like New Hampshire.

While the funding mechanism proposed in this bill may not be ideal, especially in light of the constraints facing the General Court, the bill as a whole is well thought out and both a necessary input to, and consequence of, the state's economic engine. A suitable means to fund the Land and Community Heritage Investment Program should be found.

Again, I encourage the committee to look favorably on this bill to secure the long-term protection of these important resources. Our office stands willing to help your committee in any way that we can. If you, or members of your committee have any questions, please feel free to contact me.

Sincerely,

Jeffrey H. Taylor
Director

JHT/PSH:jlm

NHARPC
New Hampshire Association
of
Regional Planning Commissions
20 Central Square, 2nd Floor Keene, NH 03431
(603) 357-0557

April 12, 2000

The Honorable Charles H. Royce, Chairman
& Members
NH House Resources, Recreation & Development Committee
Room 305
Legislative Office Building
Concord, NH 03301

Subject: SB 401 pertaining to NH Land and Community Heritage

Dear Chairman Royce and Committee Members:

I am writing on behalf of the NH Association of Regional Planning Commissions in support of SB 401 which calls for the creation of a NH Land and Community Heritage Investment Program. As you may know, the State's regional planning commissions have been active in promoting outreach efforts to municipalities and other local groups to both educate and measure interest in the Program. Through this activity, we have witnessed a tremendous demonstration of support from citizens throughout the State. There exists a sharp awareness that the overall quality of life equation in our State requires protection of our special places, including certain land and cultural resources. As planners, we see that attention to this issue at this time is crucial as population growth projections will certainly influence change to our physical and cultural landscape.

As part of our outreach efforts over the past two years, regional planning commissions have coordinated with the State's municipalities to establish local land and cultural resource protection priorities. In doing so, we saw firsthand the enthusiasm expressed by local citizens regarding the need for attention to resource protection initiatives. We also learned of the large number of significant, high quality natural and cultural resources identified by municipalities as defining the character of their communities and quality of life. Many of these resources are unprotected and located in areas experiencing high growth rates and development pressure. A common theme we heard through this experience is that, if a State program were created to provide assistance to local resource protection initiatives, it would make a very meaningful and tangible difference in resource protection efforts.

At its meeting this past February, the Association unanimously agreed to support the creation of the NH Land and Community Heritage Investment Program. As you are now approaching the time to take action, the Association requests your favorable consideration of SB 401. If you should have any questions, I can see to it that members of the Association are available to you.

Sincerely,

Ann Sweet

Ann Sweet
Chair

z:all\tm1\nhrpaeds\sb401testimony#2

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The Cottage at the Rocks
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COMMISSION

Fred Harris, Chairman
Joseph Sullivan, Clerk
Howard Keegan
Thomas Murphy
William Allen
Ronald Ludwig, Director

April 18, 2000

Representative Charles Royce, Chairman
The House of Representatives of the State of New Hampshire
Resources, Recreation and Development Committee
Legislative Office Building – Room 305
Concord, NH 03301

Re: Senate Bill 401 - Land and Community Heritage Investment Program

Dear Representative Royce:

I am writing to request your support of Senate Bill 401, which will create the Land and Community Heritage Investment Authority and appropriate the initial funding for projects. This program will benefit Manchester and help to protect both the natural and cultural resources of the City.

During the last several years, we have worked on the Regional Environmental Planning Program (REPP) with other City departments, Southern New Hampshire Planning Commission and local residents, by identifying significant properties. Manchester has many historic buildings and sites that should be protected for future generations. There is also a need to preserve additional open space, which is rapidly being lost to residential and commercial development.

The Land Conservation Investment Program (LCIP) that ceased operation about ten years ago, focused on buying large tracts of pristine property in more rural areas. Manchester was successful however, in nominating a non-traditional project involving the restoration of a former industrial site along the Piscataquog River into Bass Island Park. The City was also fortunate to have a statewide project that protected a 17-acre parcel along the Merrimack River.

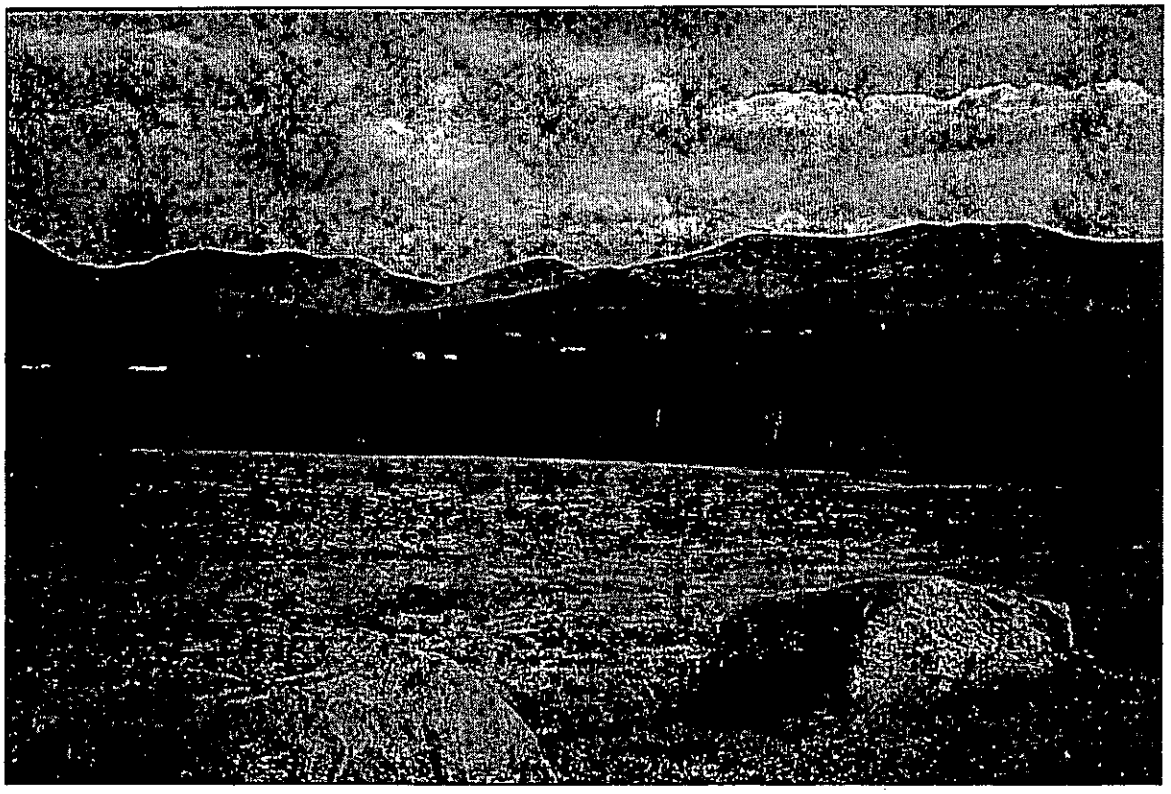
We see the new (LCHIP) program as a great opportunity for communities in the state to preserve historic sites and open spaces that are being threatened by rapid development. Our committee has identified the mill buildings of the Amoskeag Millyard, abandoned City railroad corridors, The Great Cohas Swamp and parcels along the Merrimack and Piscataquog Rivers as properties to consider.

We encourage you and your committee to support this legislation to re-establish a statewide Land and Community Heritage Investment Program. This program will help New Hampshire communities to protect the unique "sense of place" that makes our state distinctive and a great place to live.

Sincerely yours,

Ronald Johnson, Deputy Director

NEW HAMPSHIRE LAND & COMMUNITY HERITAGE COMMISSION



FINAL REPORT
NOVEMBER, 1999

FINAL REPORT
of the
NEW HAMPSHIRE LAND & COMMUNITY HERITAGE COMMISSION
NOVEMBER 1999

EXECUTIVE SUMMARY

The New Hampshire Land & Community Heritage Commission (LCHC) has determined the urgent need for, and the feasibility of, creating a new public-private partnership to protect the state's priority natural, cultural and historical resources. The Commission's work was guided by its charge in Senate Bill 493 (Chapter 161) from the 1998 session of the New Hampshire General Court. The results of this work form the core of this Final Report.

The LCHC finds that today (and into the foreseeable future) the pressures on our natural, cultural and historical resources caused by growth and sprawl are seriously affecting the quality of life of New Hampshire citizens. It came to these conclusions from its research, presentations by many individuals from the public and private sectors, public input from meetings, mail and electronic media, and public opinion polling of New Hampshire residents. In light of these conclusions, the LCHC urges the immediate creation of a new and permanent public-private partnership to protect and provide stewardship for these critical resources.

The Commission further finds that, despite the valiant efforts of many private organizations and the occasional state initiative, the task at hand is too large for either the private or public sector to accomplish alone. However, unlike the state's previous resource protection partnership, the highly-successful Land Conservation Investment Program (LCIP), this new partnership warrants the creation of a small agency, publicly funded, since it is intended to run a permanent program.

Public Component

For the public component of this partnership, the LCHC recommends creation of a new program, as part of state government and in close partnership with the private sector, that must include these facets:

1. A **permanent program** administered by an agency modeled on the New Hampshire Housing Finance Authority and the New Hampshire Community Development Finance Authority with an oversight board of directors. The proposed agency is referred to throughout this report as "the Authority";

2. Funding for the program **of at least $12 million annually** from one or more dedicated funds, the General Fund, or other revenue sources;

3. Provision for the program to provide **grants, block grants, loans, and loan guarantees** to state agencies or any political subdivision of the state, municipalities and publicly-supported non-profit organizations with 30% of the funding to be earmarked for state agency projects and 70% for the other entities;

4. The following resources shall be **eligible for funding**:
    - Archaeological sites
    - Buildings and structures which house cultural events and programs
    - Ecologically significant lands
    - Existing and potential public water supply lands
    - Farmland
    - Forestland
    - Habitat for rare species or important wildlife
    - Historic properties including buildings, sites and structures
    - Historic and cultural landscapes
    - Lands for recreation
    - Riverine, lake, estuarine, and ocean shorelands
    - Scenic areas and viewsheds, including undeveloped road corridors
    - Wetlands and associated uplands

5. **Funding shall be available** under this program to protect natural, cultural and historical resources through:
    - Acquisition in fee simple
    - Acquisition of conservation, scenic or preservation easements
    - Restoration or rehabilitation
    - Acquisition costs (surveys, appraisals, title work, etc.)
    - Feasibility studies, resource inventories, planning
    - Other professional services
    - Stewardship

6. The following factors, though not an exhaustive list, shall be considered in adopting criteria and in **selecting among competing projects**:
    - Willing seller/willing buyer (an essential requirement)
    - Imminence of threat
    - Uniqueness or rarity of the resource
    - Links with or proximity to other protected resources
    - Meets multiple objectives of the act (natural, historic, and cultural)
    - Strength of local support
    - Strength of private support
    - Cooperation between or among communities
    - Leverage

- Lack of other funding sources
- Consistency with other resource protection plans
- The benefits of keeping the resource in private ownership versus the costs of public ownership
- Ability to provide stewardship

7. **Stewardship** (the careful long-term management of owned resources and monitoring of resources on which easements are secured) must be an essential component of this new program. The Commission recognizes that not all resources protected in the past have had adequate stewardship resources provided over the long-term. The new program must address this important need from its inception.

Private Component

For the private component of the partnership, the following private sector efforts will be essential to realizing the full potential of this effort:

- A 40% minimum match requirement on all projects (at least half of which must be in cash – municipal or private funds could be used for municipally sponsored projects);
- Identification of potential projects for the new program to consider for protection;
- Preparation of project applications (essentially the bulk of the staff work for the effort);
- Volunteer time of the appointed private sector members of the Board governing the Authority's programs;
- Stewardship of resources protected through the program – very few of the resources will be owned outright by the state and significant private contributions are essential to stewarding the resources once protected;
- Private contributions to an endowment managed by the NH Charitable Foundation, or similar entity to serve as a potential source of the 40% minimum match requirement;
- Extensive education and outreach activities.

Legislative Proposal for the 2000 Session

An overwhelming majority of the Commission members are in full agreement with the urgent need for, and design of, a new public-private program to protect New Hampshire's critical natural, cultural and historical resources as described in this report. The magnitude of the challenge, based on the inventories of high priority resources and the rapid rate at which they are being lost, argues persuasively for the immediate creation of a permanent program. To that end, the Commission recommends the filing of legislation for the 2000 Session that will establish the Authority consistent with the recommendations of this report and fund it at no less than $12 million per year.



Acknowledgement of Support

The Commission wishes to recognize and thank:
the N.H. Charitable Foundation for providing $45,000 to assist its work;
the U.S. Forest Service State and Private Forestry and
the N.H. Dept. of Environmental Services ($8,000 each) for similar purposes;
and the Trust for Public Land for funding a public opinion poll[1] designed by the Commission and conducted by the University of New Hampshire Survey Center.

[1] A second poll, not overseen by the Commission, was conducted by national pollsters and was funded by The Nature Conservancy and the Trust for Public Land.

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I. INTRODUCTION

A. HISTORY

In 1998, the New Hampshire Land & Community Heritage Commission (LCHC) was created with the passage of Senate Bill 493. In creating the LCHC, the general court stated that it:

> "...recognizes that sustained economic growth must be coupled with the conservation of priority forest and farmlands, public water supply lands, cultural and historical landscapes and features, special wildlife habitats, lands of ecological significance, lands with high recreational value, and other natural, historical, and cultural resources of local and regional importance... The commission established by this act is intended to determine the feasibility of new public-private partnerships to address these issues."[2]

SB 493 was passed, in part, recognizing that following the sunsetting of the Land Conservation Investment Program (LCIP), the state has had no general program or mechanism to prevent the loss of, nor to provide for the protection of, natural, cultural and historical resources. In 1987, the General Court established the LCIP as a limited term public–private program that operated from 1987 to 1993. It was responsible for protection of 100,876 acres valued at $ 83 million dollars. State expenditures to protect these resources amounted to nearly $ 48 million. An additional $ 3.5 million was raised by the private sector primarily for administrative costs associated with the program.

B. CHARGE TO THE COMMISSION

In fulfilling its directive to determine the feasibility of a new program, and as described in SB 493, the Commission was given the following charge and required to report back with an interim report by November 30, 1998 and a final report by November 30, 1999:

> "The commission shall:
>
> I. Identify and inventory resources, including:
>
> (a) The kinds of natural, cultural, and historical resources a new public-private partnership should consider; and

[2] Senate Bill 493 (Chapter 161, 1998)

(b) A preliminary catalog of specific natural, cultural, and historical resources deemed important for protection by communities, local individuals, and local organizations.

II. Propose the design and scope of a public-private natural, historical, and cultural resources conservation program or programs, which shall include criteria for evaluating relative conservation priorities and an identification of potential funding mechanisms for the program or programs.

III. Assess New Hampshire's protected resources. The assessment shall include:

(a) An examination of the past and present maintenance and stewardship of publicly protected resources;

(b) A plan for stewardship of newly protected resources; and

(c) A plan for public dissemination of information about New Hampshire's protected resources."

C. TIMING OF WORK

Ambitiously charged with completing an interim report by the end of November 1998, the LCHC first met on July 27, 1998. Including two half-day sessions, the Commission met thirteen times from July through December. These regular meetings were well attended by Commission members. In addition, Commission members attended a series of three LCHC-sponsored public meetings and the N.H. Citizens for Land & Community Heritage *Special Places* Conference held in October 1998. On January 4, 1999, the Commission issued its Interim Report. Through 1999, the Commission continued its research and deliberations in nine regularly scheduled meetings. A full listing of dates for all of the Commission's twenty-two meetings can be found in the appendix.

D. MEMBERSHIP OF COMMISSION

As authorized in SB 493, the Commission's 20-person membership includes:

Appointed by Senate President Joseph Delahunty; replacements in 1999 were appointed by the late Senate President Clesson Blaisdel-

From the New Hampshire Senate

Senator Fred King (R - Dist. 1, Colebrook)

Senator Rick Russman (R - Dist. 19, Kingston) – **Commission Vice-Chair**

Natural Resources

Brad Wyman, General Manager (ret'd.), Wood Dept., Crown Vantage

Cultural Resources

Jameson French, President, Northland Forest Products, Kingston; board of directors of Strawbery Banke Museum, Portsmouth Music Hall

Business and Industry

Henry Veilleux, Vice-President, Business and Industry Association of NH

Timothy Fortier, Vice-President, Business and Industry Association of NH, replaced Henry Veilleux in 1999

Municipalities

Jack Dugan, President, Monadnock Economic Development Corporation

Elizabeth Durfee Hengen, Historic Preservation Consultant; replaced Jack Dugan in 1999.

Appointed by House Speaker Donna Sytek -

From the New Hampshire House

Representative Elizabeth Hager (R - Concord)

Representative Martha Fuller Clark (D - Portsmouth)

Natural Resources

Timothy Murphy, Director, Southwest Regional Planning Commission

Travel and Tourism

Tom Deans, NH Charitable Foundation

Cultural Resources

Tom Burack, Esq., Sheehan, Phinney, Bass + Green; member, Currier Gallery of Art, noted storyteller – **Commission Chair**

Recreation

John Monson, Esq., Wiggin & Nourie; former chair, NH Fish & Game Commission

Appointed by Governor Jeanne Shaheen -

Natural Resources

Pamela Hall, President, Normandeau Associates; chair, board of trustees, NH Chapter of The Nature Conservancy

Cultural Resources

John Frisbee, Executive Director, NH Historical Society

Regional/Local Planning

Alice Chamberlin, former Warner Planning Board, former Central NH Regional Planning Commission; Commissioner, International Joint Commission, United States and Canada

Commissioners or designees of -

Department of Cultural Resources, Van McLeod

Department of Environmental Services, Robert Varney

Department of Resources & Economic Development, Philip Bryce, Director, Division of Forests and Lands

Department of Agriculture, Food and Markets, Stephen Taylor

Department of Fish & Game, Wayne Vetter (represented by Charles Bridges)

E. FINANCIAL SUPPORT

The NH Charitable Foundation provided $45,000 of funding for LCHC work. Its generosity allowed for the contracting of staffing assistance with Charles Levesque, William Humm, and Michele L. Tremblay. The Charitable Foundation also funded all support functions including creation and maintenance of the LCHC website, postage, printing, supplies, and other associated expenses. In the summer of 1999, funds to complete the project were received from the U.S. Forest Service State and Private Forestry ($8,000) and the NH Department of Environmental Services ($8,000).

Additionally, the Trust for Public Land underwrote the cost of a public opinion poll, designed by the Commission, and conducted by the University of New Hampshire Survey Center. A second poll, not overseen by the Commission, was commissioned by The Nature Conservancy and the Trust for Public Land.

II. RECOMMENDATIONS

A. NEW PUBLIC-PRIVATE PARTNERSHIP

Believing that the very essence of New Hampshire is at risk, the Commission urges decisive and immediate action to protect the state's natural, cultural, and historical resources. Irreplaceable resources are being lost in some parts of the state at an alarming rate. That reality is not lost on the general public, 86% of whom either strongly support or somewhat support creation of a new program by the Legislature to protect open space, historic, and cultural resources[3].

The Commission therefore urges the creation, by the General Court, of a new state Authority to effectuate a vitally needed public-private partnership. The Commission believes that the new program must be permanent, that it must have a reliable source of funding, that it must work closely with the private sector and that it must conform to the description set forth below.

1. SCOPE

(a) Eligible Resources

The proposed program will protect the following kinds of natural, cultural and historical resources having local, regional or statewide importance:

- Archaeological sites
- Buildings and structures which house cultural events and programs
- Ecologically significant lands
- Existing and potential public water supply lands
- Farmland
- Forestland
- Habitat for rare species or important wildlife
- Historic properties including buildings, sites, and structures
- Historic and cultural landscapes
- Lands for recreation
- Riverine, lake, estuarine, and ocean shorelands
- Scenic areas and viewsheds, including undeveloped road corridors
- Wetlands and associated uplands.

(b) Financial Assistance to Applicants

The program will operate primarily through financial assistance (grants; block grants, i.e., grants to another organization for re-granting; loans; loan guarantees; etc.) to

[3] University of New Hampshire Public Survey, October 5, 1998.

eligible applicants. The proposed financial assistance can be used for resource protection activities as well as for work in anticipation of protection, as set forth below.

1. Acquisition in fee simple
2. Acquisition of conservation, preservation, or scenic easements
3. Restoration or rehabilitation
4. Acquisition costs (surveys, appraisals, title work, etc.)
5. Feasibility studies, resource inventories, planning
6. Other professional services
7. Stewardship

2. CRITERIA

Subsequent to the creation of the program, the Authority will undertake a public process to refine the priorities of the eligible resources by adding more detailed criteria under each of the resources identified. This will allow the Authority flexibility in determining the weighting among the criteria.

In light of the broad latitude recommended for adopting criteria, considerable care shall be taken to actively engage representative stakeholder groups in the initial public process.

The following criteria shall be considered in selecting among competing projects:

- Willing seller/willing buyer (an essential requirement)
- Imminence of threat
- Uniqueness or rarity of the resource
- Links with or proximity to other protected resources
- Meets multiple objectives of the act (natural, historic, and cultural)
- Strength of local support
- Strength of private support
- Cooperation between or among communities
- Leverage (ability of state funds to attract other public and private funds)
- Lack of other funding sources to accomplish protection
- Findings of consistency with other local, state, or federal resource protection plans or programs
- The benefits of keeping the resource in private ownership versus the costs of public ownership[4]
- Ability to provide stewardship (see "Stewardship" in Sec. 6 below)

[4] Not all private resources will necessarily benefit the public more or be worth the cost of acquisition and ongoing stewardship by changing them to public resources. The specific benefits that are desired should be identified before determining the method of protection. Tools that protect public values on private resources include current use assessment and conservation/preservation easements.

3. ELIGIBLE APPLICANTS

State agencies or any political subdivision of the state, municipalities and publicly supported non-profit organizations will be eligible to apply for funding provided by the program. Other parties wishing to participate in the grant program can do so by partnering with one or more eligible parties. In instances in which the applicant is not the owner of the assets, the applicant must demonstrate the commitment of the owner to participate in the proposed action. There will be no power by the agency to take by eminent domain nor will funds from this program be used to take by eminent domain except in cases involving the voluntary quieting of title. All projects shall involve a willing buyer and willing seller.

4. ADMINISTRATION

(a) Structure

The program will be administered by a new Authority modeled after the New Hampshire Housing Finance Authority (RSA 204-C) and the Community Development Finance Authority (RSA 162-L), that has a distinct legal existence separate from the state and not constituting a department of state government, to carry out the program. The Authority is (*language excerpted from NHHFA statute*) "...hereby deemed to be a public instrumentality and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions of the state."

The Authority will be governed by a Board of Directors comprised of fourteen members, nine of whom shall be voting members and five of whom shall be non-voting members. Five members shall be appointed by the Governor and Executive Council, two representing historic and cultural interests, two representing natural resource and recreation interests, and one representing municipal and planning interests. Two members shall be appointed from the Senate by the Senate President and two from the House of Representatives by the Speaker of the House. Public members may serve no more than two consecutive terms of four years each. Agency heads represented on the Land and Community Heritage Commission, as described in Senate Bill 493, shall be represented on the Board as non-voting members. All decisions regarding grants and expenditures will be made by the Board of Directors.

(b) Role

The administrative structure created, as described above, will function chiefly as a grant-maker and lender. In rare instances, fee simple ownership can be used by the Authority to pre-acquire a resource on behalf of an eligible entity. Responsibility for management of acquired assets will be vested in other entities by the Authority.

Responsibility for monitoring conservation easements will also be vested by the Authority in other entities. The Authority will monitor compliance with terms and conditions of the financial assistance it provides. To aid in effective management, the Authority may, on a case by case basis, decide to disburse funds for a given project in phases, dependent on the achievement of specified project milestones.

5. FUNDING

(a) Fund Structure

Two public funds will be established by the Legislature to support the functions of the Authority. A non-lapsing trust fund will provide operating (i.e., administrative and grant-making) support for the Authority. A public endowment, managed by the Authority, will accumulate and manage public funds from various sources. Finally, a companion private endowment will be created by the private sector to receive and manage funds from various sources to assist in providing matching funds for projects seeking funding from the Authority and to complement the work of the Authority.

Public Funds:

(1) The **non-lapsing trust fund ("Fund")** will be established for the purpose of investing, holding and expending funds to carry out the intent of this program. In addition to being able to accept funds through the normal biennial state budgeting process, the Fund may also accept funds from any source, including federal funds, state agency funds, foundation grants, and corporate and other private donations. The Fund will also be authorized to borrow in anticipation of revenues and to pledge its assets against borrowings. Monies from the Fund can be used for grants, block grants, loans, and loan guarantees, in addition to the Authority's administrative expenses.

(2) The **public endowment** will be created and managed by the Authority. Monies from various sources will be added to the endowment, as they become available. Earnings from the public endowment can be used for the same purposes as the Fund (above). Under circumstances of special urgency, the Authority, with an affirmative vote of two thirds of its voting members, may expend principal of the public endowment.

Private Funds:

(1) A **private endowment** will be created, managed, and administered by a qualified non-profit organization, such as the New Hampshire Charitable Foundation, donations to which would be sought by the private sector. Funding provided by the endowment will be available for purposes including matching funds for municipal or NGO-sponsored projects (see Cost Sharing below). Funding from this endowment can also be used on statewide projects sponsored by state agencies. However, the private endowment shall not be used for the Authority's administrative purposes.

(b) Funding Level

The Commission recommends that the program be funded at an annual level of at least $12 million. Of this amount, it is initially anticipated (during the first biennium) that roughly $250,000 will be needed to administer the Authority and its programs. Initial staffing design will include a Director and Administrative Assistant.

Rationale for recommending an annual program funding level of at least $12 million includes:

- Inventory and resource prioritization work accomplished through the regional planning commissions (RPCs) in early 1998, in which 201 of the state's 234 organized towns and cities participated, inventoried more than 4,000 natural, cultural and historical resources in need of protection. For illustrative purposes only, each of the state's nine RPCs was asked by the Commission to select 2-4 projects, from the inventory, for which funding might be sought in a given year and to estimate the cost of protection. Even after dropping from the list the most costly project ($5 million), the total exceeds $23 million for a single year. The state share of this list, assuming a 60/40 match ratio, would be $13.8 million in that one year. State agency projects would create additional demands for funds.

- For the natural resources component of the program alone, if we assume a desire for a *no net-loss* of open space, we need to protect approximately 15,000 acres per year (to offset the 15,000 acres of forest and farm land being lost to development each year[5]). Using average per acre value calculation of $480 per acre (average price the Land Conservation Investment Program paid between 1988 and 1993), this would require over $7 million per year for natural resources alone.

- Cultural and historic resources are generally much more expensive to protect than undeveloped land, primarily due to the high costs of repair/restoration[6]. If we estimate $5 million for cultural and historical resource protection (a conservative figure based on already-identified needs), another $2 million for stewardship costs and an additional amount for administration, the program will easily be at or above the $12 million annual level.

- A $12 million annual investment equals only 0.018% of the state's $65 billion equalized assessed valuation.

[5] The U.S. Dept. of Agriculture's Natural Resources Conservation Service estimated 129,000 acres of forestland and 22,000 acres of farmland in New Hampshire were lost to development between 1982 and 1992. Estimates for the period 1992-1997 will be published in November 1999.

[6] For example, the N.H. Historical Society spent $700,00 to acquire and $1.6 million to rehabilitate the Stone Warehouse in Concord.

- The investment also helps protect the natural, cultural, and historical resources on which the state's agriculture, tourism, vacation home, and forest products industries depend for their livelihood. Those four industries combined generate approximately $8.2 billion in annual economic activity attributable to open space, or over 25% of the state's gross product[7]. Twelve million dollars annually represents a mere 0.1% of the output from these industries.

- The Land Conservation Investment Program's $48 million of funding was spent over a four and one-half year period or at a rate of about $10+ million per year. This program focused only on lands, not on cultural and historical resources.

(c) Funding Sources

The Commission explored a wide range of funding sources which have been used in New Hampshire or are being used elsewhere in the country to support resource protection efforts. Among these are bond offerings, sales taxes, meals and rooms taxes, lotteries, surplus funds, vanity license plates, real estate transfer taxes, luxury taxes, admission fees to state facilities, wildlife fees and licenses, non-game check-offs, entertainment taxes, grants and private contributions.

As directed by SB 493, the Commission has identified potential funding sources for the program. Some are existing sources; others are potential. The Commission deemed no single source to be superior to all others; rather, it favors a mix of sources.

EXISTING SOURCES

- **General Fund Appropriations** (existing): Resource protection activities could be funded with biennial appropriations from the General Fund.
  - ***Advantages:***
    - Would allow the Legislature each biennium to weigh the relative importance of the program *vis-a-vis* other state priorities.
    - There is broad public support for a resource protection program.
  - ***Disadvantages:***
    - High uncertainty regarding level of program funding from year to year.
    - Less predictable than one, or a package, of dedicated revenues.
  - ***Potential revenue:***
    - Unknown.

- **Real Estate Transfer Tax** (existing): The Real Estate Transfer Tax (RETT) is a fee charged in the transfer of ownership of real estate. The Legislature raised the rate in

[7] Direct income is estimated at $3.6 billion; direct and indirect incomes total $8.2 billion. *The Economic Impact of Open Space in New Hampshire,* Resource Systems Group, Inc., for the Society for the Protection of New Hampshire Forests, January 1999.

1999 to $0.75 per $100, assessed to both buyer and seller, currently the highest composite rate in New England. Rates charged by other New England states range from a low of $0.28 in Rhode Island to a high of $1.25 (buyer only) in Vermont. RETT has several characteristics that make it ideal for resource protection.

- ***Advantages:***
  - Originally, all revenues from N.H.'s RETT were intended for the preservation of farmland through purchase of development rights.
  - Good linkage between protecting resources that increase the overall quality of life and activities that *can* degrade it.
  - Mechanism for collection is in place.
- ***Disadvantages:***
  - Currently the highest RETT rate in New England.
- ***Potential revenue:***
  - In 1998, RETT produced $44 million. With that level of sales, the new rate will likely generate an additional $22 million.

❖ **Meals and Rentals Tax** (existing): The Meals and Rentals Tax (the Meals and Rooms Tax was amended in 1999 to include automobile rentals) is one of the largest sources of revenue for the State. In 1998, it generated $129 million. In 1999 the Legislature made permanent the 8% rate which had been treated as "temporary" since 1990, 1% above the rate established in 1981. Lodging taxes in Connecticut and Rhode Island are 12% and in Vermont 9%. Taxes on meals in most New England states are covered by general sales taxes, ranging from 5% to 7%. Using a portion of proceeds from a tax on hotels, meals, and car rentals logically targets tourists who visit an area to enjoy its natural, cultural and historic resources.

- ***Advantages:***
  - Good linkage between those who pay and those who benefit
  - Collects significant receipts from non-resident taxpayers
  - Mechanism for collection is in place
  - Opportunity to create partnership with tourism industry
- ***Disadvantages:***
  - Current rate is high, though not highest in New England
  - Tourism industry has looked to this tax to raise funds for promotion
- ***Potential revenue:***
  - One percent of 1998 sales, before addition of rental cars, amounts to $16 million.

❖ **Head or Poll Tax** (existing in some municipalities): The Head or Poll Tax, revised in 1973 to the Resident Tax, is levied on all inhabitants of a participating municipality between the ages of eighteen and sixty-five. In 1986, the Legislature gave each community, by majority vote of its legislative body, the option of assessing the

Resident Tax. Many communities, especially the larger ones, have chosen not to assess this tax, due to the high cost of collection.

- ***Advantages:***
  - The taxation would be widely spread, as would be the benefits.
  - Level of tax needed to fund the program is consistent with polling results on willingness to pay to support a resource protection program.
- ***Disadvantages:***
  - High cost of collection
  - Might compete with, or be added to, existing resident tax in some communities
- ***Potential revenue:***
  - At a rate of $20 per qualifying adult, the tax would generate roughly $12 million gross.

❖ **Estate and Legacy Tax** (existing): The two major components of this tax are the Estate Tax (similar to the Federal Estate Tax) and the Legacy and Succession Tax (18% of the value of assets passing to others than spouses and lineal descendants). In the past decade, revenues from these combined taxes have grown from $21 million in 1988 to $43 million in 1998, though the growth has been erratic. One possible way of using this revenue source for resource protection purposes would be to cap the amount contributed from it to the General Fund at $40 million. Amounts in excess of the cap would go into a Land and Community Heritage Endowment. Revenues from the tax would be invested, and proceeds from investments would be used as partial support for financing resource protection.

- ***Advantages:***
  - Only future growth in receipts would be used.
  - Mechanism for collection is in place.
- ***Disadvantages:***
  - Receipts are very erratic.
  - The Legislature has pending a bill to abolish the Legacy and Succession component of this group of taxes.
  - National studies suggest that estate and legacy taxes may be contrary to the goals of resource protection, often forcing land into development.
- ***Potential revenue:***
  - In the short term, it is not possible to predict with any confidence.
  - In the long term, the endowment could grow substantially, possibly to the extent of eliminating the need for other appropriations.

❖ **Bond Offerings** (existing): New Hampshire has a history of funding land protection through general obligation bonds. Major bond-funded projects in the last 35 years include the Land Conservation Investment Program (1987, 1991), acquisition of development rights on agricultural lands (1985), and bonds for specific sites (Bear Brook, Pisgah, Odiorne, etc.). Bonding is an excellent way to create large amounts of

capital quickly. Although it may not be best suited for an on-going program, it might serve well for start-up funding until a reliable revenue source, or sources, are designated.

- ***Advantages:***
  - Strong precedent in N.H. and nationally for using bonds for resource protection.
  - Spreads project costs over time, so that part of the burden is borne by future generations who will share in the benefits.
  - Effective way to raise large amounts of capital quickly.
  - Could provide start-up funds until regular revenue source is designated.
- ***Disadvantages:***
  - Bonds, and associated interest, have to be repaid.
  - N.H. usually has a significant backlog of capital projects seeking bonding approval.
- ***Potential revenue:***
  - Unknown.

POTENTIAL SOURCES

The following revenue sources do not currently exist in New Hampshire. Nonetheless, the Commission believes they represent an array of possible sources for a resource protection program. All would require further investigation.

- **Entertainment Tax** (potential): The U.S. Bureau of the Census collects and compiles economic data for Service Industries every five years, and reports by state. For the category "Arts, Entertainment, and Recreation"[8], revenues for the most recent year of reporting (1997) were $417 million[9] for New Hampshire. Due to a change in the way Census data are reported, this category does not count several activities that, in 1992, had revenues of $76 million[10]. An annual growth rate of 5% applied to both sets of figures produces an estimated total for 1999 of $567 million. Most states that tax entertainment activities do so either as part of a general sales or income tax.

  - ***Advantages:***
    - Certain types of entertainment, recreation, and tourism are based on the state's natural, historic, and cultural resources.
    - Some types of entertainment contribute to the loss or degradation of resources of concern.

[8] *1997 Economic Census: Arts, Entertainment, and Recreation: New Hampshire,* September 1999.

[9] Data for 1997 were compiled on a different basis from prior surveys, so direct comparability with the most recent prior report (1992) is limited.

[10] Categories not included, and their revenues in 1992 are: motion picture theaters ($21 million), motion picture production distribution and services ($11 million), videotape rentals ($29 million), recreational vehicle parks and campsites ($15 million).

- Opportunity to form partnerships with entertainment, recreation, and tourism industries.
- This sector of the economy has been experiencing vigorous growth.

➢ ***Disadvantages:***

- Requires development of new collection system.

➢ ***Potential revenue:***

- A 3% tax on total estimated revenues in 1999 would have raised approximately $17 million (gross).

❖ **Statewide Development Tax** (potential): A tax could be levied on new commercial, industrial, and residential developments. Such a tax would differ from impact fees charged by some municipalities to offset some of the costs otherwise imposed by the development on the municipality. However, there are no known models of a statewide development tax.

➢ ***Advantages:***

- Strong link between the resources of concern and the activities to be taxed.
- Increased development pressures would generate increased funds for resource protection.

➢ ***Disadvantages:***

- No existing models.
- Potential competition between local impact fees for infrastructure and statewide development tax for resource protection.

➢ ***Potential revenue:***

- Unknown.

❖ **Subdivision Registration Tax** (potential): Subdivisions are clearly one of the major contributors to sprawl, the loss of open space, and fragmentation of wildlife habitat. A tax on new subdivisions, assessed at the time and point of registration, could both generate revenues for resource protection and be an incentive for subdivisions to have less of an impact on the N.H. landscape. The Commission heard testimony from Philip Preston of Environmental Voters Education Fund on a proposal that would apply only to subdivisions that would not be serviced by municipal water and sewer utilities. Based on extensive records from eight Registries of Deeds, he estimated that almost 800 new subdivisions were registered in 1998, involving nearly 2,600 new lots on roughly 13,000 acres.

➢ ***Advantages:***

- Can be devised to create an incentive for better subdivisions while also funding resource protection.
- Increased development pressures would generate increased revenues.

➢ ***Disadvantages:***

- Does not address impacts of large commercial or industrial development.

- As currently conceived, it has a bias favoring subdivisions having municipal water and sewer.

➢ ***Potential revenue:***

- Based on Preston's assumed tax structure, $3.3 - 4.2 million annually.

❖ **Impervious Surface Tax** (potential): An impervious surface tax would be a one-time tax on construction that creates an impediment to the natural recharge of groundwater (e.g., paved parking lots, building footprints). The rationale for such a tax would be the effects the construction would likely have: increased stormwater runoff, decreased recharge of aquifers, possible destruction of wildlife habitat, contribution to sprawl, etc. The reuse of existing buildings and/or paved areas would be exempt from the tax.

➢ ***Advantages:***

- Creates an incentive to minimize impacts of stormwater runoff and loss of aquifer recharge area while also generating revenues for resource protection.
- Increased development pressures would generate increased funds for resource protection.

➢ ***Disadvantages:***

- Currently no mechanism exists for its collection, though it might be done with the issuance of the local building permit.

➢ ***Potential revenue:***

- Unknown.

❖ **Paving Materials Tax** (potential): A paving materials tax would be levied on asphalt, concrete and any similar products used in the paving of parking lots, service roads, driveways, and new roads associated with commercial, industrial, or residential development. The resurfacing of town or state roads and highways would be exempt.

➢ ***Advantages:***

- Taxation of materials potentially contributing to sprawl and increasing stormwater runoff creates incentive to minimize impacts while also generating revenues for resource protection.

➢ ***Disadvantages:***

- Difficulty of distinguishing between taxable and tax exempt uses.
- Difficulty of tracking imports for use in N.H.

➢ ***Potential revenue:***

- Unknown.

(d) Creating Leverage and Building Partnerships

The Commission found numerous opportunities for the Authority to build financial partnerships with the private and public sectors to leverage state monies. Elsewhere in this report, the reader will find references to: (1) the creation of a private endowment; (2) cost sharing by applicants; (3) obtaining the benefit of federal funds such

as the Land and Water Conservation Fund, the Historic Preservation Fund, Farmland Protection Program, Forest Legacy Program, the Urban Parks and Recreation Recovery Program, and the Community Development Block Grant Program, and; (4) expressed interest in collaboration by the managers of many state programs (such as the N.H. Community Development Finance Authority; N.H. Housing Finance Authority; N.H. Dept. of Environmental Services' wetland mitigation, water supply protection, and brownfields programs; N.H. Dept. of Transportation's transportation enhancement program, and others).

(e) Cost Sharing

All applicants, other than state agencies, will be required to provide a minimum match of 40%. At least half of the match shall be in cash and the remainder from in-kind services and/or real estate value. While recognizing that this requirement may result in the elimination of some good projects, the Commission believes the resulting applications will have a desirable depth and breadth of commitment.

Applicants shall be enabled to meet the cost sharing match requirement in a variety of ways, including cash, in-kind services, the value of donated real estate or interest in real estate or any combination of the three. The match shall be applicable to pre-acquisition or acquisition activities or to future management and stewardship. Subject to availability, funds from the private endowment may also be used to help applicants meet matching requirements.

Leverage (increased cost-share matching) shall be encouraged of all applicants through the proposal evaluation criteria. Proposals with a high degree of leverage shall rank higher than other applications, all other things being equal.

Finally, the Board of the Authority shall be authorized to override the requirement for a match, but only by an affirmative vote of two-thirds of its voting members.

(f) Funding Allocation

Of the annual funding provided to the Authority, 70% will be allocated for municipal and non-profit projects while 30% would be available for projects initiated by state agencies, unless a two-thirds majority of the Authority Board voted otherwise.

6. STEWARDSHIP AND MONITORING

All applications for funding resource protection activities must contain a stewardship[11] plan. Applicants shall be allowed flexibility in devising such plans, but the

[11] Stewardship - the careful long-term management of owned resources and monitoring of resources on which easements are secured.

Board shall be required to make an affirmative finding that the stewardship plan is acceptable before awarding funds for protection activities. (Note: applications for pre-protection activities such as most resource inventories, feasibility studies, and engineering studies would not require stewardship plans.) Beyond meeting the requirement of "acceptability", the quality of the stewardship plans, both in content and duration, shall be an important criterion in evaluating competing applications.

Whereas the Commission anticipates that most requests for financial support will involve the protection of eligible resources, it believes that funds must also be available for stewardship. This may be either in conjunction with protection activities or as a "stand-alone" request. Publicly owned historically significant structures will be eligible for funding for restoration and rehabilitation work consistent with the historic character and significance of the structure. However, in keeping with the program's overall goals and guidelines, the program will not be used to provide funding for renovation and/or restoration of municipal structures unless they have historical or cultural significance independent of their public use. Projects limited to, or focused solely on, correcting deferred maintenance will not be an eligible use of funds from the program.

For every resource protected through the program, a set-aside percentage of funds from either the program or contributions from applicants will be provided to a special monitoring fund (part of the public endowment fund). Income from this fund will be used to support monitoring by state agencies, local municipalities and non-profit entities.

Stewardship of assets acquired in fee simple may be undertaken through state agencies, municipalities, other government or non-profit entities. Funding for management from the special stewardship fund could go to any of these entity types under a five-year stewardship plan. In the event of an application for renewed funding for stewardship, the Board must review the original plan and its implementation to date. -

For preservation, conservation and scenic easements, monitoring oversight will occur through an amended Land Conservation Investment Program Easement Monitoring Program through the Office of State Planning. The new program, the Land and Community Heritage Easement Monitoring Program, should oversee all monitoring of historic/cultural preservation easements, conservation and scenic easements.

7. PUBLIC ACCESS AND USE

In light of the intent to expend substantial public funds in the protection of eligible resources, the Commission believes that the public interest will be served best if public access is assured. Recognizing that the case may not be as clear for protected historical or cultural resources as it is for natural resources, the Commission recommends that lands, or interests in lands, protected through the use of funds from this program, whether obtained by the state or any other eligible applicant, be open in perpetuity for passive

recreational purposes.[12] Language used in conservation easements secured through the Land Conservation Investment Program helps to clarify the meaning intended:

> *There is hereby conveyed pedestrian access to, on and across the property for hunting, fishing and transitory passive recreational purposes, but not camping, by members of the public; but the property may be posted against such access or otherwise restricted by the Grantee in the public interest.*
>
> *Grantor reserves the right to post against vehicles, motorized or otherwise and against hunting on active livestock fields, against access to agricultural cropland during planting and growing season, and against access to forest land during harvesting or establishment of plantations.*

The above notwithstanding, the Board must have the discretion to override the public access requirement on a case-by-case basis, but only by an affirmative vote of two-thirds of its voting members.

Subject to landowner approval, the Board may stipulate, as a condition of funding, on a case-by-case basis where particularly appropriate, that certain lands or interests in lands be available for motorized recreational uses.

8. EDUCATION AND OUTREACH

The recommended education and outreach programs should emphasize the key principles of the program:

- Public-private partnership;
- Focus on community projects;
- Connection between natural, cultural, and historic resources;
- Value of protecting, rehabilitating, and revitalizing New Hampshire's priority resources; and
- Long-term stewardship responsibilities of the program.

This last point deserves special attention. The program must emphasize the long-term stewardship of the resource as well as the protection of the resource. Too often communities and property owners feel that public investment, ownership, or an easement permanently protect a property. However, the long-term stewardship for maintaining the environmental or historical values of that property is as critical as the initial agreement covering the property. In all communication – including media, reports, and

[12] Public access to historical and cultural resources will be considered on a case-by-case basis, but wherever possible historic land and principal exterior features of historic buildings protected through the Authority should be accessible to public view.

presentations – this important connection between the initial protection of a resource and the long-term stewardship of it must be emphasized.

The Education and Outreach activities described below are grouped according to the party having primary responsibility. First are those to be carried out by the Authority. Next are those that can be carried out by other units of government and/or NGOs in cooperation with the Authority.

(a) Annual Report on Program (the Authority)

Each year a report on the resources protected through the program shall be produced by the Authority and distributed to state and federal agencies, elected officials, media, and interested organizations, and made available to the general public. This report will:

- Detail the quantity and types of resources protected;
- Describe specific properties protected through the program;
- Summarize the investment by the public and private sectors;
- Summarize the number of applications received, accepted, funded, and unfunded;
- Describe the long-term stewardship plans for the protected properties.

(b) Status Reports on Land and Community Heritage (the Authority)

Every five years, a status report on the state of New Hampshire's natural, cultural, and historic resources shall be produced by the Authority in conjunction with the state agencies represented on the Board of Directors, as well as the private sector. This report will serve as a long term monitoring mechanism for New Hampshire's land and community heritage. This report will be forwarded to the Governor, Speaker of the House, Senate President, state agency heads, the media, and other organizations. The report will:

- Identify emerging trends and future needs regarding the protection and long term stewardship of New Hampshire's natural, cultural, and historic resources;
- Recommend necessary changes to the program and state policies to meet these emerging needs and trends.

(c) General Information Materials (the Authority)

General information materials such as brochures, pamphlets, and fact sheets shall be created to educate the public about the importance of land and community heritage. These materials will provide basic information on the value of New Hampshire's natural, cultural, and historic resources and how individuals, communities, and organizations can protect, revitalize, rehabilitate and steward these resources.

State agencies and the private sector will distribute the materials through programs and special events (e.g., Farm and Forest Exposition), mailings to interested constituencies, and distribution through town government and other avenues. The Authority shall produce and distribute the materials to clearly communicate the public nature of the program and avoid potential confusion with the private sector efforts. In addition to these materials, state agencies should integrate the land and community heritage message into their existing materials and communication tools.

(d) Web Site (the Authority)

The Authority shall create a specific program web site. The web site should:

- detail how the program works and how to apply for funding;
- explain the long term stewardship responsibilities of new projects;
- describe past projects funded through the program;
- provide links to state and federal agencies, non-profit organizations, and private foundations that offer resources and funding for protecting natural, cultural, and historic resources; and
- provide information on access and recreational opportunities on projects funded by the Authority.

Visitors to the web site will be able to download fact sheets, application forms, and additional information on the program directly from the site. Upcoming training sessions and workshops, schedules for project decisions, and other pertinent information will be posted here. These measures can help reduce program overhead. The web site should have its own location on the web, separate from existing state agencies, and be managed by the Authority.

(e) Bibliography of NH Resource Protection Activities (the Authority)

This will be a working bibliography with information added, as it becomes available. The bibliography will not necessarily contain the actual information about the amount of land protected or historic sites preserved, but will indicate the appropriate sources from which to obtain such information, and include information on organizations and agencies involved with resource protection activities. The bibliography should be produced as a hard copy but also be equally accessible on the Authority's and other state agencies' web pages. The Authority shall be responsible for coordinating the development of this bibliography.

(f) Project Signs (the Authority)

Signs shall be posted at all sites funded by the program. The signs will clearly identify the site as funded in part by the Authority, with contact information (such as web page or phone number). By identifying project sites, the signs will help promote public

awareness and support for the program. The cost of the sign shall be included within the project budget.

(g) Technical Training Workshops (cooperating organizations)

Under the Land Conservation Investment Program (LCIP), interested individuals, communities, and organizations were educated about LCIP and how to apply for funding through the Community Land Conservation Manual and subsequent workshops. A manual and similar workshops shall be planned. These should:

- Provide a clear description of the program's goals and requirements;
- Explain how to identify potential projects and how to apply for funding;
- Emphasize the recipient organization's long term stewardship requirements, including associated costs and legal responsibilities;
- Provide guidance on raising the required matching funds; and
- Offer additional information and resources.

The private sector will work closely with the program's staff and Board to coordinate the creation of a manual and to host follow-up workshops. The Regional Planning Commissions serve as a natural liaison to local communities and should be involved to the greatest extent possible in planning and hosting the workshops. Moreover, they are already funded by the N.H. Department of Environmental Services for related services. Other possible sponsoring organizations include: New Hampshire Municipal Association, New Hampshire Association of Conservation Commissions, Society for the Protection of New Hampshire Forests, Audubon Society of New Hampshire, The Nature Conservancy, New Hampshire Preservation Alliance, New Hampshire Historical Society, local land trusts, and appropriate state agencies.

(h) Community Outreach (cooperating organizations)

Outreach to communities to promote awareness about our natural, cultural, and historic resources shall be a priority. A slide show, short video, or other audio-visual tool would serve as an introductory piece to the program, its benefits, and how communities can become involved. The private sector should develop this tool on behalf of the Authority and coordinate the presentation of it throughout the state.

Wherever possible, outreach activities shall be integrated with existing state agency and private sector outreach efforts. Other potential partners include University of New Hampshire Cooperative Extension, the Regional Planning Commissions, historic district and heritage commissions, and conservation commissions. Target audiences should include resource and property owner constituency organizations such as the N.H. Timberland Owners Association, N.H. Farm Bureau Federation, N.H. Preservation Alliance, N.H. Archeological Society, and the N.H. Association of Realtors.

9. PRIVATE SECTOR PARTNERING

The Commission recognizes the major role that the private sector historically has played in protecting natural, cultural, and historical resources in New Hampshire. Furthermore, the Commission finds that the task ahead is greater than either the private sector or the public sector alone can accomplish. The recommended program, therefore, must engage the private sector as a significant partner in this effort in order for it to be successful. At a minimum, the private sector will participate in the following efforts essential to program success:

- A 40% minimum match requirement on all projects (at least half of which must be in cash – municipal or private funds could be used for municipally sponsored projects);
- Identification of potential projects for the new program to consider for protection;
- Preparation of project applications (essentially the bulk of the staff work for the effort);
- Volunteer time of the appointed private sector members of the Board governing the Authority;
- Extensive education and outreach activities (as described above);
- Stewardship of resources protected through the program – very few of the resources will be owned outright by the state and significant private contributions are essential to stewarding the resources once protected; and
- Private contributions to an endowment managed by the NH Charitable Foundation or some similar entity to serve as a potential source of the 40% match requirement.

B. LEGISLATIVE PROPOSAL FOR THE 2000 SESSION

An overwhelming majority of the Commission members are in full agreement with the urgent need for, and design of, a new public-private program to protect New Hampshire's critical natural, cultural and historical resources as described in this report. The magnitude of the challenge, based on the inventories of high priority resources and the rapid rate at which they are being lost, argues persuasively for the immediate creation of a permanent program.

To that end, the Commission recommends the filing of legislation for the 2000 Session that will establish the Authority consistent with the recommendations of this report and fund it at no less than $12 million per year.[13]

[13] Although that amount may appear large to some, it is modest when contrasted to the $98 million/yr. authorized by New Jersey, the estimated $125 million/yr. from the trust fund approved in Minnesota, or the $50 million bond ballot initiative being considered by Maine voters this fall.

C. Support of Related Legislative and Executive Branch Efforts

The Commission followed with interest the work of the study committee established by HB 1238 on sprawl, chaired by Rep. Harold Melcher. The Commission believes that the control of sprawl and the promotion of smart growth are integral to the protection of natural, historical, and cultural resources. Outputs of that study committee produced important legislative and executive initiatives for better management of growth in New Hampshire.

Among these initiatives are the recently-enacted HB 207, instructing the Office of State Planning to conduct a study of the effects of sprawl in the state, and Executive Order 99-2, directing the Council on Resources and Development to compile an inventory of state actions and policies that promote the retention of the state's traditional communities and landscape. The passage last spring of HB 288, reauthorizing the study committee on sprawl, will likely lead to other constructive initiatives.

The Commission strongly agrees with the need for the above and also strongly encourages the General Court to investigate several incentives for resource protection that may be applicable in New Hampshire. Among these are a mortgage credit program for the rehabilitation of historic structures, and a "Current Use" equivalent for significant historic barns and other structures related to New Hampshire's working landscape.

D. Federal Funding for Natural, Cultural and Historical Resource Conservation

A national effort is underway to increase federal funding for natural, cultural and historical resources. Should this funding be made available, significant matching funds for the program proposed by the Commission could emerge. As a supplement to the recommendation to create a new program in New Hampshire, the Commission recommends increased funding in several existing federal programs and urges the New Hampshire Congressional delegation to support such increases. Specifically, five federal programs (all administered through the federal Department of Interior and Department of Agriculture) are especially relevant to the work of the Commission:

- the Land and Water Conservation Fund;
- the Historic Preservation Fund;
- the Urban Parks and Recreation Recovery Program;
- the Farmland Protection Fund; and
- the Forest Legacy Program.

Despite the achievements and popular success of these programs, they have been awarded only a fraction of their authorized funding in recent years. The Land and Water

Conservation Fund (LWCF) has received as little as $145 million in annual funding, compared to its authorized funding level of $900 million annually. Further, since 1994, there has been no LWCF funding at all for the state-side matching grants program. It is time to restore funding to these federal programs, especially the state-side programs under these funds, just as New Hampshire and other states work to provide funding at the state level.

The Commission recommends:

1. Full funding for the Land and Water Conservation Fund, with approximately 50% available for federal projects and 50% for state projects;

2. Full funding for the Historic Preservation Fund ($150 million annually) and the Urban Parks and Restoration Program ($150 million);

3. Farmland Protection Fund funding at or above federal FY 1998 levels; and

4. Forest Legacy Program funding at $25 million.

III. RESEARCH CONDUCTED

The Commission used over half of its work and meeting time since its formation in July 1998 gathering information needed to carry out its charge. Information was gathered from several sources including:

- speakers and presentations;
- research conducted by staff or provided by others;
- public opinion polling; and
- public input through meetings, mail, phone, fax and e-mail.

A. SPEAKERS AND PRESENTATIONS

The following individuals presented to the Commission at its regularly scheduled meetings:

- James Libby, Associate Director of and Counsel to the Vermont Housing & Conservation Board
- John Bos, Massachusetts Cultural Facilities Project
- Leon Kenison, Commissioner, and Bill Hauser, Environment Administrator, NH Department of Transportation
- Peter Morgan, Chair of Governor's Task Force on Tourism
- Representative Hal Melcher, Chair of the HB 1238 Study Committee on sprawl
- Jeff Taylor, Director of the NH Office of State Planning
- Rich McLeod, Director, Division of Parks and Recreation, NH Department of Resources and Economic Development
- Jim Carter, Administrator of the Office of Land Management, and Philip Bryce, Director of the Divisions of Forests and Lands, NH Department of Resources and Economic Development
- Charles Bridges, Habitat and Diversity Program Director, NH Fish & Game Department
- Linda Wilson, NH Department of Cultural Resources
- Peter Helm, Land Conservation Investment Program, NH Office of State Planning
- Eric Williams, Nonpoint Source Coordinator, and Margaret Watkins, Regional Planning Commission Project Coordinator, NH Department of Environmental Services
- Henry Tepper, State Director, The Nature Conservancy
- Michael Stevens, Ecological Reserves Systems Project
- Elizabeth Durfee Hengen, Chair; and Jennifer Goodman, Executive Director, Inherit NH
- Richard Moore, President, Audubon Society of NH
- Charles Niebling, Policy Director, Society for the Protection of NH Forests
- Georgie Thomas, Treasurer, State of New Hampshire
- Gary Lynn, Brownfields Coordinator, NH Dept. of Environmental Services

- Rob Nichols, Executive Director, NH Community Development Finance Authority (who also reported on the N.H. Main Street Program)
- Sarah Thorne, Society for the Protection of New Hampshire Forests
- William Hauser and Fred Murphy, NH Department of Transportation
- Dean Criston, NH Housing Finance Authority
- Susan Francher, NH Division of Forests and Lands
- Philip Preston, Environmental Voters Education Fund
- Jennifer Goodman, Executive Director, NH Preservation Alliance

B. Research by Staff and Others

Research and written reports summarizing this research filled up a large three-ring binder for Commission members. There is not space in this report to include all of these materials, but they will be archived for future public use. A formal listing of all the research documents can be found in the appendix.

C. Public Opinion Information Gathering

The Commission recognized from the start the need for public input and participation in its work. To accomplish this, the LCHC held public meetings and commissioned a public opinion survey.

In October 1998, a series of three public meetings were held in Keene, Manchester, and North Conway. Over 110 people attended the meetings, offering their perspectives on the creation and funding of a conservation program. Nearly 60 other people provided additional comments via mail, fax, telephone, and letters. The specific questions asked of the public can be found in the appendix.

The public opinion survey, funded by the Trust for Public Lands through the University of NH Survey Center, was conducted in September 1998. A second public opinion survey, funded by the Trust for Public Lands and The Nature Conservancy, was conducted by a national polling organization in October 1998.

D. Public Input through Outreach

Additional public outreach and information gathering efforts included:

- Creation and maintenance of a website: http://nhlchc.conknet.com;
- LCHC regular meetings, each attended by at least a dozen members of the public;
- LCHC meeting notes posted on the website, distributed electronically, and through the mail; and

LCHC mailing list and postings electronically distributed through "Coollist" list server maintained by the Citizens for NH Land & Community Heritage.

IV. FINDINGS

New Hampshire's irreplaceable natural, cultural, and historical resources are under siege. In some parts of the state, they are disappearing at an alarming rate. Despite the valiant efforts of many private organizations and the occasional state initiative, the task at hand is too large for either the private or public sector to accomplish alone. A new, permanent resource protection program is urgently needed. There is broad public awareness of the importance of these resources to the quality of life in New Hampshire and concern about the rate at which they are being lost. Moreover, there is also strong support for the Legislature to create a new program to protect these resources--resources that in many ways define the State of New Hampshire.

Although this is not an exhaustive list, the following summarizes the major findings resulting from the information gathering the Commission conducted:

A. NEED FOR NEW RESOURCE PROTECTION PROGRAM

The Commission found a multitude of sources demonstrating the need for a new, permanent program to protect natural, cultural, and historical resources. Some of these were based on expert knowledge, others on the professional judgment of resource managers, and still others on opinions of individual citizens.

The passage of SB 493 was itself evidence of a perceived need by the General Court. Individual Commissioners spoke of their conviction that a new program is needed. In the three public meetings held around the state to solicit public opinion, and attended by more than 110 individuals, not one person questioned the need.

The Commission reviewed the findings of the Ecological Reserve System Project which concluded that, despite previous land protection initiatives, "...an alarming proportion of species, natural community types, and ecosystems are not sufficiently protected to endure over the long term."[14] For example, among the rare animal species known to occur in New Hampshire, 82% of rare vertebrates and 95% of rare invertebrates have two or fewer occurrences on conservation lands. For rare natural communities and plants, 58% of known rare natural communities and 74% of rare plants have two or fewer occurrences on protected lands.

Further reinforcement for additional natural resource protection was found in the report of the N.H. Comparative Risk Project *(May 1997).* In a ranking of the seriousness of 55 risks to human health and the environment, five of the top ten risks dealt with loss or degradation of habitat (degradation of surface water habitat, loss of land habitat

[14] *Protecting New Hampshire's Living Legacy: a blueprint for biodiversity conservation in the Granite State,* July 1998

through development, physical alteration of water and shoreland habitat, and degradation of forest habitat by fragmentation caused by development).

For cultural and historical resources, a September, 1998 report from the NH Division of Historical Resources categorized the protection level of the 629 properties on the National Register of Historic Places in New Hampshire[15]. Of those 629 properties, on which are located a combined total of over 3,800 structures or objects, 16 of the properties are considered well protected (with permanent protection assured) and 244 are considered fairly well protected (owned or managed by a public agency or private organization which is practicing good stewardship). The remaining 369 properties, or 59%, have no level of protection at this time. Significant efforts are needed to simply address the protection needs of these properties that are already listed on the National Register. Many more properties are likely eligible for listing on the National Register and there are also many others worthy of protection under a new state program that would not be eligible for the National Register.

B. Overwhelming Support in Public Opinion Polling

In September 1998, the Commission arranged to have the UNH Survey Center include several questions pertaining to resource protection in its omnibus poll of 616 adult New Hampshire residents. Among the notable findings:

- 92% said that open space, such as farms, forests, and natural areas, is either very important or somewhat important to the quality of life in N.H.;
- 89% responded that historic and cultural resources, such as historic buildings and archaeological sites, are either very important or somewhat important to the quality of life in N.H.;
- 82% stated that they were extremely or somewhat concerned about the loss of open space, or historic or cultural resources in N.H.; and
- 86%, when told that the Legislature is considering a new program to provide state funding to protect the state's open space and historic and cultural resources, said they either strongly or somewhat support such a program.

A subsequent poll was undertaken in October 1998, commissioned by the Trust for Public Lands and The Nature Conservancy, involving 400 registered voters. The findings tended to corroborate the UNH survey results and provided some insights into desired funding levels and willingness to pay, as shown below:

- 81% stated that N.H. should continue to have a program like the previous Land Conservation Investment Program (LCIP);

[15] *National Register of Historic Places: New Hampshire Properties Listed to the NRHP by County/Town,* September, 1998

- 65%, even when confronted with the major negative arguments (N.H. can't afford it; Legislature should instead deal with education funding; N.H. already has enough resources protected), still felt that a new program is needed;
- 62% said that a new program should be funded at or above the $10 million level of the LCIP; and
- 74% agreed that $20 a year in additional taxes or fees would be a small price to pay to preserve open space and natural lands and historical and cultural sites.

The Commission found the results of these two polls to be solid evidence of the depth and breadth of public support for a new, well-funded program to protect the state's natural, cultural, and historical resources.

C. IDENTIFICATION AND INVENTORY OF RESOURCES

In carrying out its charge under SB 493, the Commission identified the kinds of natural, cultural, and historical resources that a new public-private partnership should consider. This resource identification was based on: the considerable knowledge and experience of the Commissioners themselves; presentations by resource agency staff and non-governmental organizations (NGOs); a variety of studies and reports; recommendations from interested members of the public who attended the three public meetings or who provided comments through the mail or electronically; and the results of public opinion polling.

The Commission concluded that there is both a strong need for, and broad public support for, protecting the following kinds of physical assets:

- Archaeological sites
- Buildings and structures which house cultural events and programs
- Ecologically significant lands
- Existing and potential public water supply lands
- Farmland
- Forestland
- Habitat for rare species or important wildlife
- Historic properties including buildings, sites and structures
- Historic and cultural landscapes
- Lands for recreation
- Riverine, lake, estuarine, and ocean shorelands
- Scenic areas and viewsheds, including undeveloped road corridors[16]
- Wetlands and associated uplands.

[16] The program should not be used to protect road corridors where the primary objective is prevention of sprawl. The protection of undeveloped road corridors may not, in and of itself, prevent sprawl. However, the protection of undeveloped road corridors, as part of an overall strategy which uses other planning and zoning tools, can be a very effective means of limiting sprawl development.

Beyond identifying types of resources, the Commission was also charged to create "...a preliminary catalog of specific natural, cultural, and historical resources deemed important for protection by communities, local individuals, and local organizations." The Commission was aided immeasurably in this task by the efforts of the state's nine regional planning commissions (RPCs).

In anticipation of the creation of the Commission, the N.H. Department of Environmental Services contracted with each RPC to conduct major public outreach and information gathering efforts. Between January and June 1998, numerous local meetings were held to inventory both general and specific resources deemed important by local individuals and organizations to protect. Individual towns identified as many as 100 natural, cultural, and historical resources within their borders worthy of protection. Results of these inventories are contained in reports from the RPCs to DES and summarized in a report provided to the Commission[17]. Though by no means an unbiased or exhaustive listing of local priorities, these reports constitute a preliminary catalog of locally important resources. During the past year, the RPCs have updated and refined the inventories, and it is anticipated that they will be updated periodically from time to time.

Additionally, the Ecological Reserve System Project[18] reviewed and assessed the distribution of plant and animal species in New Hampshire on a town-by-town basis. The analyses conducted by the Project's Scientific Advisory Group will be a valuable asset to the Authority and others for identifying important natural resources for protection.

D. Criteria for Identifying Priority Resources

In conducting its research, the Commission determined that there are several good criteria models available that could be used to prioritize resources eligible for protection. These include, but are not limited to, criteria currently being used by New Hampshire state agencies having natural, cultural, and historical resource protection responsibilities. For historical and many cultural resources, the eligibility requirements for listing in the National Register of Historic Places are appropriate. For natural resources, an excellent model is the set of criteria used by the Land Conservation Investment Program; others exist as well, such as those recently developed for the Ecological Reserve System Project.

Notwithstanding the availability of good criteria models, the Commission concluded that decision-makers in the future should not be unduly constrained by criteria which appear sound today. As a result, they decided that a resource protection program

[17] *Regional Environmental Planning Program: Summary of Natural and Cultural Resource Conservation Priorities,* Department of Environmental Services, September 1998

[18] *An Assessment of the Biodiversity of New Hampshire with Recommendations for Conservation Action,* New Hampshire Ecological Reserve System Project, July 1998.

must allow for the adoption of criteria by a public process and should include some basic requirements (in addition to the eligible resources requirements cited above):

- Willing seller/willing buyer (an essential requirement)
- Imminence of threat
- Uniqueness or rarity of the resource
- Links with or proximity to other protected resources
- Meets multiple objectives of the act (natural, historic, and cultural)
- Strength of local support
- Strength of private support
- Cooperation between or among communities
- Leverage
- Lack of other funding sources
- Consistency with other resource protection plans
- Consider the benefits of keeping the resource in private ownership versus the costs of public ownership
- Ability to provide stewardship

E. Potential Funding Sources

In its review of potential sources of funding for the Authority, the Commission looked at various ways that the General Court historically has funded certain limited-purpose resource protection activities. Most notable among them were bond offerings (LCIP, Odiorne State Park, Lake Tarleton, etc.), General Fund surplus (LCIP[19]), wildlife stamp receipts, and the Real Estate Transfer Tax (intended initially for purchase of conservation easements on agricultural lands).

The Commission found a wide variety of funding sources being used elsewhere in the country to support resource protection efforts. The most significant of these were the real estate transfer taxes, meals and rooms taxes, impact fees, vanity license plates, bond offerings, sales taxes, lotteries, wildlife fees and licenses, non-game tax check-offs, surplus funds, entertainment taxes, luxury taxes, admission fees to state facilities, grants, and private contributions. New Hampshire has already dedicated some of these to specific uses (e.g., lottery, conservation license plates, habitat stamps).

One conclusion of the Commission regarding funding flowed from the concept of a public-private partnership: other public entities (federal, state, and local) as well as private organizations (corporations, NGOs, foundations, etc.) should be used to leverage the primary funding of the program. The Commission concluded that the program should, over time, make use of a "package" of funding sources, collaborating with others to maximize the program's cost effectiveness.

[19] The initial funding of $20 million from General Fund surplus was later converted to general obligation bonding.

Among the potential sources of funding, the Commission found that three generic options should be available: annual appropriations through the General Fund or through bonding via the capital budget; a dedicated source or sources of funds; and private contributions, typically to provide local matching funds. As possible dedicated sources or additional revenue to the state general fund for the new program, the Commission found several to be logically connected to the program purpose; these are described above in "Recommendations", Section II, A. 5.

F. Stewardship of Protected Resources

An additional component of the Commission's charge was to assess New Hampshire's protected resources, particularly with respect to stewardship and public information about protected resources.

In their discussions about resource protection and stewardship, two very important principles emerged. First, acquisition alone does not ensure protection. If a resource is neglected or mismanaged, its protection is of reduced benefit to the public. Protection requires on-going stewardship.

Second, protection may not require acquisition. The Commission concluded that protection can be accomplished by ownership in fee simple, by the holding and monitoring of permanent conservation, scenic or historical preservation easement restrictions, or by legislative use restrictions appropriate to the resource. Regardless of ownership, however, stewardship is key to the success of a resource protection program.

1. Resources Currently Protected

The Commission reviewed reports and presentations from agencies and NGOs about resources currently protected. Agencies, in particular, were asked about their ability to fulfill the appropriate stewardship needs of resources within their jurisdiction. All acknowledged, to a greater or lesser degree, the problem of insufficient funds to carry out important management, maintenance and upkeep activities. This is especially true with buildings and other facilities. For instance, the Division of Parks estimated the cost of deferred maintenance on its facilities as being in excess of $2 million. Commissioners and resource managers all placed a high priority on achieving, for all protected resources, a level of stewardship appropriate to the individual resources. It should be noted, however, that the proposed program is not designed to remedy deferred maintenance of state or local properties.

2. Resources Protected in the Future

Consistent with the discussion of stewardship of currently protected resources, the Commission concluded that any resource protection program developed in response to

SB 493 should: (a) require applicants for funding to submit an acceptable stewardship plan, and (b) allow funding of stewardship activities.

3. Disseminating Information about Resources/Access to Resources

As a general proposition, Commissioners agreed that the expenditure of public funds for resource protection carries with it the presumption that the resources be available for the use, enjoyment and general benefit of the public. This includes not only disseminating information about protected resources but also ensuring access for passive recreation opportunities. Qualifying somewhat this general proposition, the Commission concluded that there will no doubt be a need for some exceptions regarding public access, especially when access would jeopardize the resource or create a risk of injury to the public. Also, uncontrolled public access to cultural and historical resources may sometimes not be justified.

G. Public-Private Partnership Opportunities

The Commission identified many potential opportunities for partnerships and anticipates that numerous additional opportunities will be identified and developed in the first few years of program implementation. These opportunities exist, in large part, due to the strong history in New Hampshire of the private sector--especially of NGOs--cooperating with and supporting the efforts of state government. In general, the partnership opportunities seemed to fall into the following categories: governance, administration, stewardship, joint applications, and funding.

Partnership opportunities in governance take a number of forms. First, the makeup of the Board will be a mix of resource agency directors and qualified persons from the private sector. Next, the development of funding criteria shall be conducted in a manner which is particularly invitational of input from all stakeholder groups and the general public. Priority setting is a related area in which the program should cooperate with the interested public and private stakeholders.

Partnership opportunities in administration will include the use of staff of partnering organizations to carry out many of the tasks associated with resource protection. For instance, many of the activities involved in resource acquisition or in the acquisition of conservation, scenic or historic preservation easements or restrictions will be carried out by applicant organizations or others willing to assist. This will allow for minimal staffing at the Authority and, more importantly, develop an ongoing relationship with non-agency individuals and organizations essential to ongoing operations of a program. The mechanisms for administrative partnering could range from *ad hoc* arrangements to more formalized agreements for the partnering organization to provide specific services (e.g., N.H. Community Development Finance Authority staff might review "business plans" for the economic sustainability of certain types of proposals, or

the N.H. Division of Historical Resources or the Land Conservation Investment Program monitoring staff might take a formal role in the long term monitoring of projects funded through the program). Yet another mechanism for partnering could be the review of applications for funding to make determinations of consistency with the intent of the partnered program(s)[20].

Similar partnership opportunities occur in stewardship. Stewardship of resources will be managed by the resource owners and overseen by appropriate parties outside the program.

Partnerships will also be formed in preparing joint applications to the program. Eligible applicants will team with owners of resources worthy of protection just as groups of eligible applicants will form to deal with large, costly projects.

Funding partnerships will take many different forms. Local matching funds shall be required for all but state agency applications. The program should be aggressive in building partnerships with other programs that may have overlapping objectives, whether generically or limited to specific projects. The Commission identified potential opportunities for partnering with state entities, including: the N.H. Community Development Finance Authority; the N.H. Housing Finance Authority; the N.H. Department of Environmental Services' wetland mitigation, water supply protection, and brownfields programs; and the N.H. Department of Transportation's transportation enhancement programs, to name only a few such opportunities. With federal entities, funding partnerships include: the Land and Water Conservation Fund, the Historic Preservation Fund, Farmland Protection Program, Forest Legacy Program and the Urban Parks and Recreation Recovery Program.

H. Growth Issues and Public Policy in New Hampshire

In several presentations to the Commission, it became clear that a multitude of state, federal, and local policies can reinforce or undercut the effectiveness of resource protection efforts. Policies encouraging managed growth and the control of sprawl can help greatly to reduce the pressure on resources. Redevelopment of brownfields sites reduces the need for pristine sites while still accomplishing economic development. Transportation policies, if attuned to resource protection concerns, can avoid unnecessary conflicts as well as the inadvertent devaluation of resources that have been protected previously using public funds.

The Commission whole-heartedly supports the recent Legislative and Executive initiatives to study the effects of sprawl in the state (HB 207) and to inventory state

[20] The Commission discussed, but did not endorse, the concept of "giving points" to applications for funding where formal findings of consistency with partnered programs were made during the application review process.

agency actions (and identify ways to improve them) that promote the retention of New Hampshire's traditional communities and landscapes (Executive Order 99-2)

Moreover, the Commission found that Current Use Assessment has been, and continues to be, the single most important tool that the state has developed to encourage the retention of open space.

V. APPENDIX

NOTE: The following materials can be accessed during 1999 through inquiries to the Commission and later through a repository at the New Hampshire State Library.

A. LIST OF RESEARCH MATERIALS

- Models of existing programs in other states, document prepared by staff
- Interpolation of potential revenues using existing funding sources, document prepared by staff
- Memo dated August 17, 1998, *Information Sources in Response to Commissioners' Questions*
- *Regional Environmental Planning Program Summary of Natural and Cultural Resource Conservation Priorities* prepared for the LCHC by the NH Department of Environmental Services
- *Permanently Conserved Land in New Hampshire Summary Statistics* prepared by staff and extracted from GRANIT Conservation Lands coverage issued in August 1998
- *National Register of Historic Places: NH properties listed by County/Town,* NH Division of Historical Resources, State Historic Preservation Office, September 1998
- *Excerpt from the Governor's Task Force on Tourism Report,* prepared by staff, November 1998
- *Summary of Resource Protection Funding Votes in the US*, prepared by staff from source documents from the Land Trust Alliance and the Trust for Public Land, November 1998
- *Final Report from the Land Use Management and Farmland Preservation Study Committee*
- Memorandum from Peter Helm on standard terms for conservation easements, November 16, 1998
- Internet outputs from Maryland's Rural Legacy Program and Program Open Space
- Recommendations for the Citizens for NH Land & Community Heritage, October 13, 1998
- American Viewpoint memorandum dated October 14, 2998 summarizing a statewide poll conducted October 8 - 11, 2998
- Excerpt from Vermont Chapter Law, *Vermont Housing and Conservation Trust Fund*
- Definition of Passive Recreation Use from the Land Conservation Investment Program, November 17, 1998
- Documentation from the NH Wildlife Federation and Society for the Protection of New Hampshire Forests study, *The Dollars and Sense of Open Space*
- *Open Space Pays*, excerpted from *Viewpoint/New Hampshire,* published by the Josiah Bartlett Center for Public Policy, April 1998
- *A Layperson's Guide to New Hampshire Current Use*, published by SPACE (Statewide Program of Action to Conserve our Environment)
- *Land for New Hampshire, Final Report of the New Hampshire Land Conservation Investment Program and the Trust for New Hampshire Lands*, May 1993

- *Land Acquisition and Stewardship*, presentation by the NH Department of Resources & Economic Development, September 22, 1998
- *NH Department of Resources & Economic Development, Division of Forests and Lands Biennial Report*, 1996-97
- *Public Lands of the NH Department of Resources & Economic Development*, 1996
- *NH Forest Resources Plan,* April 1996
- *Finding Common Ground: Conserving the Northern Forest – The recommendations of the Northern Forest Lands Council*, September 1994
- Letter from New Hampshire Forest Advisory Board to Philip Bryce, October 13, 1998
- *NH ATV and Trail Bike Guide*, NH Department of Resources & Economic Development, Division of Parks and Recreation, Bureau of Trails
- Administrative Rules, Chapter Res 7300-7305, Parks and Recreation
- University of NH Public Survey, October 5, 1998
- *Transportation Enhancement Status Report*, NHDOT, December 22, 1998
- *The Economic Impact of Open Space in New Hampshire,* prepared by Resource Systems Group, Inc. for the Society for the Protection of N.H. Forests, January 1999
- *An Assessment of the Biodiversity of New Hampshire with Recommendations for Conservation Action*, New Hampshire Ecological Reserve System Project, July 1998
- Letter from Gary Lynn (NHDES) regarding brownfields, greenfields, and historic properties, January 7, 1999.
- *Land and Water Conservation Fund: Status Report*, excerpt from e-mail newsletter by Americans for Our Heritage and Recreation, Feb. 2, 1999
- Memorandum from Rep. Judith Spang re public access requirement, Feb. 8, 1999
- Memorandum from Sarah Thorne, Society for the Protection of N.H. Forests, re public access provisions in Interim Report, March 24, 1999
- Memorandum from Peter Helm regarding stewardship suggestions, March 9, 1999.
- *State of New Hampshire General Fund Revenue - Plan vs. Actual as of April 30, 1999*
- *A Menu of Funding Options for an Adequate Education*, N.H. General Court
- *State of New Hampshire Amusement and Recreation Services Tax Analysis*, N.H. General Court
- Memorandum from Vincent Perelli, NHDES, re permits and associated fees for wetlands, site alteration, and sub-surface systems, June 14, 1999
- *General Legislative History of New Hampshire's Head and Poll Tax,* Office of Legislative Services
- Memorandum from Clay Mitchell, for Society for the Protection of N. H. Forests, re incentives for resource protection
- *A Comparison of Land Acquisition Frameworks*, Susan Francher, DRED, July 19, 1999
- Memoranda (2) from Charles Niebling, Society for the Protection of N.H. Forests re economic impacts of resource protection, August 13, 1999
- Memorandum from Jennifer Goodman, N.H. Preservation Alliance, re property tax impact of protecting historic and cultural properties, August 15, 1999
- Memorandum from Jennifer Goodman, N.H. Preservation Alliance, re historic preservation incentives, August 16, 1999

- Memorandum from Philip Preston, Environmental Voters Education Fund, re subdivision tax, August 23, 1999
- *Informal Survey of Resource Protection Costs*, compiled by NHDES from estimates developed by NH regional planning commissions, August 23, 1999
- Memorandum from Carolyn Johnson, N.H. Senate Research, re paving materials, August 12, 1999
- Other materials, including correspondence, received by the Commission.

B. Suggested Legislative Statement of Purpose

The Commission recommends that legislation introduced seeking to create the Authority contemplated in this report begin with the following statement of purpose:

"The General Court finds that in order to maintain New Hampshire's quality of life and economic vitality for its citizens, growth and development must be balanced with careful protection of the state's natural, cultural and historical resources. Permanent protection of these resources, through acquisition of lands, buildings and other physical assets, or interests in these assets, must be accomplished along with planned long-term stewardship for them. The General Court further recognizes the importance of public-private partnerships to achieve these ends. To protect and preserve New Hampshire's natural, cultural and historical resources for this and future generations, the General Court hereby establishes the Land and Community Heritage Investment Program."

C. Schedule of Regular Commission Meetings

Meeting 1	**July 27, 1998**
Meeting 2	**August 3, 1998**
Meeting 3	**August 25, 1998**
Meeting 4	**September 8, 1998**
Meeting 5	**September 22, 1998**
Meeting 6	**September 29, 1998**
Meeting 7	**October 6, 1998**
Meeting 8	**October 20, 1998**
Meeting 9	**November 4, 1998**
Meeting 10	**November 10, 1998**
Meeting 11	**November 17, 1998**
Meeting 12	**December 8, 1998**
Meeting 13	**December 15, 1998**
Meeting 14	**January 11, 1999**
Meeting 15	**February 8, 1999**
Meeting 16	**March 29, 1999**
Meeting 17	**April 19, 1999**
Meeting 18	**May 24, 1999**
Meeting 19	**June 14, 1999**
Meeting 20	**July 19, 1999**
Meeting 21	**August 23, 1999**
Meeting 22	**September 27, 1999**

E. Questions for Public Meetings, October 5 to October 13, 1998

Respondents are encouraged to return the completed questionnaire to the mailing address, e-mail or fax number above by no later than October 13, 1998.

The Land & Community Heritage Commission was created by Senate Bill 493 this legislative session. The Commission is charged with determining the feasibility of creating a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources. As part of its investigations, the Commission is asking people in New Hampshire to respond to the following questions:

1. If a new state program is created to protect natural, cultural, and historical resources, which ***types*** of resources should receive highest priority (historic buildings, archaeological sites, natural areas, land for recreation, farm land, river or lake access, scenic areas, events of cultural or historic importance, sources of drinking water, forest land, other)?

2. The Commission has explored various funding mechanisms used by other states for protecting natural, cultural, and historical resources. The most significant of these are the real estate transfer tax, meals and rooms tax, impact fees, bond offerings, wildlife fees and licenses, non-game tax check off, surplus funds, luxury taxes, and admission fees to state facilities, among others. What source or sources of funding would you favor?

3. How should a new program link natural, cultural, and historical resources?

4. How should priorities for protection in a new program be determined?

5. How should the public and private sectors be linked in a new program?

F. SENATE BILL 493 CREATING LAND AND COMMUNITY HERITAGE COMMISSION

2/12/98 0712s
7may98.....1314h

1998 SESSION

98-2901
03/08

SENATE BILL 493

AN ACT establishing a commission to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources.

SPONSORS: Sen. Russman, Dist 19; Sen. Cohen, Dist 24; Sen. Johnson, Dist 3; Sen. Blaisdell, Dist 10; Rep. G. Chandler, Carr 1; Rep. Metzger, Ches 13; Rep. Schotanus, Sull 3; Rep. Burling, Sull 1; Rep. A. Merrill, Straf 8

COMMITTEE: Environment

ANALYSIS

This bill establishes a commission to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources.

- -

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.

2/12/98 0712s
7may98.....1314h

98-2901
03/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Eight

AN ACT establishing a commission to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources.

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

161:1 Declaration of Purpose. The general court recognizes that the state's economy and quality of life are inextricably linked to our valuable natural resources and historical and cultural heritage. The general court further recognizes that sustained economic growth must be coupled with the conservation of priority forest and farmlands, public water supply lands, cultural and historical landscapes and features, special wildlife habitats, lands of ecological significance, lands with high recreational value, and other natural, historical, and cultural resources of local and regional importance. The general court finds that, as at many other critical junctures in the past, it is now necessary to act decisively to safeguard New Hampshire's natural and cultural legacy for the benefit of future generations of New Hampshire citizens. The commission established by this act is intended to determine the feasibility of new public-private partnerships to address these issues.

161:2 Commission Established. There is established a commission to determine the feasibility of a new public-private partnership to conserve New Hampshire's priority natural, cultural, and historical resources.

161:3 Membership. The members of the commission shall be as follows:

I. Six members appointed by the president of the senate as follows:

(a) Two members of the senate; and

(b) Four public members who shall represent the following interests: natural resources; cultural resources; business and industry; and municipalities.

II. Six members appointed by the speaker of the house of representatives as follows:

(a) Two members of the house; and

(b) Four public members who shall represent the following interests: natural resources; cultural resources; travel and tourism; and recreation.

III. The commissioner of the department of cultural affairs, or designee.

IV. The commissioner of the department of environmental services, or designee.

V. The commissioner of the department of resources and economic development, or designee.

VI. The commissioner of the department of agriculture, markets, and food, or designee.

VII. The executive director of the fish and game department, or designee.

VIII. Three public members appointed by the governor, who shall represent the following interests: natural resources; cultural resources; and regional and local planning.

161:4 Duties. The commission shall:

I. Identify and inventory resources, including:

(a) The kinds of natural, cultural, and historical resources a new public-private partnership should consider; and

(b) A preliminary catalog of specific natural, cultural, and historical resources deemed important for protection by communities, local individuals, and local organizations.

II. Propose the design and scope of a public-private natural, historical, and cultural resources conservation program or programs, which shall include criteria for evaluating relative conservation priorities and an identification of potential funding mechanisms for the program or programs.

III. Assess New Hampshire's protected resources. The assessment shall include:

(a) An examination of the past and present maintenance and stewardship of publicly protected resources;

(b) A plan for stewardship of newly protected resources; and

(c) A plan for public dissemination of information about New Hampshire's protected resources.

161:5 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eleven members of the commission shall constitute a quorum.

161:6 Report. The commission shall report its preliminary findings and any recommendations for action to the senate president, the speaker of the house of representatives, and the governor on or before November 30, 1998. The commission shall submit its final report of findings and recommendations for action to the senate president, the speaker of the house of representatives, and the governor on or before November 30, 1999.

161:7 Effective Date. This act shall take effect upon its passage.

(Approved: June 8, 1998)
(Effective Date: June 8, 1998)

Non-legislative
RSA 162-C

OFFICE OF STATE PLANNING
STATE OF NEW HAMPSHIRE
2½ BEACON STREET - CONCORD 03301-4497
TELEPHONE: 603-271-2155
FAX: 603-271-1728

October 16, 2001

Karen Wadsworth, House Clerk
NH House of Representatives
State House, Rm 317
Concord, New Hampshire 03301

Dear Ms. Wadsworth:

Attached you will find a copy of the *Land Conservation Investment Program (LCIP) Monitoring Activities* report for FY01. This report was accepted by the Council on Resources and Development (CORD) on October 4, 2001, and is submitted to you in accordance with NH Administrative Rules Part Land 1104.02(d) and RSA 162-C (formerly RSA 221-A). There is no need for further action on your part.

The LCIP protected over 100,000 acres of land between 1988 and 1993: 50,000 acres are held in fee by the State, 25,000 acres are privately owned land with conservation easements held by the State, and the remaining 25,000 acres consist of both fee interests and conservation easements acquired on behalf of 78 municipalities. In the eight years since the acquisition component of the LCIP ended, the LCIP Monitoring Program has been actively working with communities and private landowners to ensure that the conservation values of these special places are preserved into the future.

Over the last year, the program has placed increased emphasis on two areas: working with local communities to increase their understanding of stewardship issues, and assisting the Land and Community Heritage Investment Program in implementing solid stewardship standards into the LCHIP Criteria, Guidelines and Procedures. We expect that the investment of time and effort in both of these areas will pay dividends in improved conservation value for many years to come.

If you have any questions concerning the report or the current status of the LCIP Monitoring Program, I would be pleased to brief you.

Sincerely,

Jeffrey H. Taylor, Chairman
Council on Resources and Development

JHT/PSH:jlm
Attachment

Report to
The Council on Resources and Development
for

Land Conservation Investment Program Monitoring Activities

During the period July 1, 2000
Through June 30, 2001

LAND CONSERVATION INVESTMENT PROGRAM ACTIVITIES

July 1, 2000 - June 30, 2001

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Attachment #6 - Management of State Fee Acquisitions (DRED & F&G)

LAND CONSERVATION INVESTMENT PROGRAM ACTIVITIES

July 1, 2000 - June 30, 2001

BACKGROUND:

On July 1, 1993, the Council on Resources and Development (CORD) assumed responsibility for the Land Conservation Investment Program (LCIP) in accordance with RSA 221-A (now RSA 162-C). This responsibility requires perpetual monitoring of the State-held easement acquisitions, and providing for technical assistance for locally held interests acquired through the LCIP. The LCIP Monitoring Endowment Fund, which is used to fund this program, was established by the Legislature and the LCIP Board of Directors for this purpose.

Rules governing the LCIP Monitoring Program have been adopted by the Joint Legislative Committee on Administrative Rules (LAND 1100 MONITORING). Under PART Land 1102.01, 1102.02, and 1103.02, state agencies are required to submit annual reports to CORD summarizing any management activities undertaken, the status of any actions related to violations found, and a general update on the activities of the monitoring program. Under Land 1101.02(f) and (g), the Office of State Planning (OSP) is responsible for oversight of expenditures of income and execution of all endowment responsibilities, with the exception of financial management, which is to handled by the Treasury Department.

Monitoring responsibilities for all components of this program have been assigned to the Office of State Planning. This arrangement minimizes duplication of effort, gives the public a single point of contact regarding LCIP issues, and provides a consistent interpretation of easement language for the landowners and communities.

This report is a compilation of the information submitted by the agencies involved: Dept. of Agriculture, Markets and Food (DAMF), Fish & Game Dept. (F&G), OSP, and the Dept. of Resources and Economic Development (DRED). It is intended to briefly highlight some of the significant activities undertaken by the LCIP Monitoring Program during the reporting period. If more information is needed or if there are additional questions, please contact Pete Helm, LCIP Coordinator or Laura Pfister, Stewardship Assistant at:

Office of State Planning/LCIP
2 ½ Beacon Street
Concord, NH, 03301
(603)271-2155
Email: nhlcip@osp.state.nh.us

*Although reporting requirements for State fee-owned land require the respective state agencies to submit reports to CORD, OSP has consolidated all reports related to the LCIP under one cover. Questions on State fee-owned LCIP lands should be directed to the agency managing the land.

PROGRAMMATIC ACTIVITIES:

General

The general goal of the LCIP Monitoring Program is to ensure that the conservation values of the state-held easements and locally held interests acquired by the LCIP are not diminished over time. To accomplish this, landowner consultation and on-ground monitoring visits of state-held easements continue to be conducted on average every 12 -14 months. Technical assistance is offered to landowners and communities on an on-going basis and annually as part of a report of activities on locally held lands. With the understanding that local communities are conducting annual monitoring visits, LCIP visits to local lands are scheduled approximately once every 5 years, unless there is a reason to go sooner. We are attempting to visit with individual conservation commissions once every three years to ensure that they are aware of need for annual monitoring. In addition, aerial monitoring is generally conducted on an annual basis with emphasis given to the larger, more remote, state-held easement lands. State or local properties which may need photo documentation as a result of changing conditions are also photographed as necessary.

In terms of financial expenditures, the LCIP has taken a cautious approach to providing the necessary stewardship activities for LCIP interests since 1994. This has helped prevent overspending of our budget and it ensures that we return as much unused funding as possible to the endowment for future growth. In 1998, we utilized a part-time (15 hours/week) staff. Beginning in May 2000, the LCIP converted this position to a full-time Stewardship Assistant to assist with program responsibilities and to provide technical assistance to the communities at a higher level. This staffing level also incorporated a contractual arrangement with DRED to monitor an additional 8 non-LCIP easements covering 5,300 acres. For the current level of work, this has appeared to be a satisfactory level of funding.

Workshops & Activities

The LCIP Coordinator and Stewardship Assistant (SA) presented information and/or attended the following monitoring/land protection workshops and sessions related to easement monitoring:

Date	Activity	Attended
10/18/01	Attend National Land Trust Alliance 2001 Rally, Portland, OR	SA
10/23/00	Present to National Forest Legacy Meeting, Portland, OR	Coordinator
11/4/00	Present and attend session @ NHACC Annual Meeting, Concord	Coor. & SA
11/13/00	Present and attend NE Scenic Byways Conf. Portland, ME	Coor. & SA
11/14/00	Present LCHIP Criteria to NH Land Conservation. Coalition	Coordinator
12/6/00	Present LCIP monitoring update to Governor and Council	Coordinator
12/9/00	Attend OSP conference on telecommunications	Coordinator
1/17/01	Attend GIS Technology for Conservation Meeting at SPNHF	SA
1/27/01	Present Stewardship Workshop at Annual Citizen' for NH Land and Community Heritage Conference.	Coordinator

2/02/01	Attend Pictometry presentation at Dept. of Safety	Coor. & SA
2/07/01	Meet with US Forest Service on monitoring protocol	Coor. & SA
4/2/01	Attend Land Valuation Seminar, Cambridge, MA	Coor. & SA
4/18/01	Demonstrate and discuss LCIP database for SPNHF	Coor. & SA
5/23/01	Present and attend NH Agric. Easement Workshop	Coor. & SA
5/23/01	Present and attend Monitoring Workshop at GBNERR	Coor. & SA
6/1/01	Attend GIS Technology for Conservation Meeting at SPNHF	SA

Other Activities

Database Operation and Record Maintenance

The database continues to be updated on a regular basis. All information pertaining to each parcel continues to be maintained as we are notified of changes occurring in areas such as ownership, addresses, contact persons, phone numbers, etc. The database is updated to reflect the new information as well as keep track of historical information. Currently, there are eight tables which are linked together. These tables include information on owners and alternate contacts, past and current monitoring and field visit dates and status, town contact information, technical assistance provided to communities, past and current interpretation issues for each parcel, and a record of which communities have responded to the annual information update request.

The LCIP is in the process of developing and modifying a web-based record management system which will provide us with easy access to all parcel information from the computer. This system will include all baseline documentation, monitoring reports, aerial photographs, past correspondence, monitoring, etc. To develop this system, all available information on each property must be scanned into a digital format. To date, all baseline information has been digitized and work is still underway to digitize post-acquisition information.

In addition, GIS software is being utilized to develop dynamic coverages of each property. These coverages include available GRANIT layers and newly created photo layers. These new photo data layers contain baseline and monitoring photopoints which are positioned at specific sites on the property and then hyperlinked to photographs taken in the field. Once complete, these GIS coverages will be linked to our web-based record management system so that all information about the properties can be accessed from one location. Work on this project continues as time is available.

LCIP Endowment Fund

Enclosed as ***Attachment # 1*** is a copy the Department of Treasury's accounting of the LCIP Endowment Fund. The figures show that the fund generated $113,581.21 of revenue during the past year of which $105,740.56 were utilized for operation of the monitoring program. This resulted in a net operating income of $5,216.05 to be added to the endowment fund. As of June 30, 2000, the value of the investments had increased by $60,633.00 leaving a net income of $65,849.05 to be added to the principal. The principal fund balance as of June 30, 2000 is $2,291,656.81. The fund is managed for both operating income as well as continued growth of the principal to cover future cost

increases. Given that the fund balance is based partially on the market value of the equity holdings, it is important to remember that this balance may shift up or down depending on overall market conditions and that the figure for June 30th is just a snapshot of the value at that time.

Custodial Trust Account Agreement

The LCIP met with the Deputy Treasurer on August 3, 2000, to discuss the status of the trust account agreement.

Boundary Line Maintenance Plan

The LCIP Boundary Line Maintenance Plan continued to be available in FY 01 for LCIP conservation easement lands held by the state or the towns. The purpose of the plan is to encourage landowners to adequately and periodically maintain their boundaries so that accidental violations will be minimized. In addition, monitoring will be easier for communities if the boundaries are clearly blazed and painted in the field. The plan currently contributes 2 or 6 cents per linear foot (depending on the maintenance level) of LCIP easement boundary maintained by the landowner of an LCIP conservation easement. The work must be conducted in accordance with standards developed by the LCIP. During FY01 funding was requested from the LCIP for marking the conservation easement boundary lines on two properties totaling 10.9 miles. LCIP local fee owned interests are not eligible for the program as the responsibility for boundary maintenance for these town-owned parcels rests with the community. Due to budget constraints, it is unlikely that funding will be available in FY 02.

Fiscal Year 2002 Planning

The FY2002 LCIP Monitoring Plan (*see **Attachment 2***) was presented to CORD at the May 3, 2001 meeting. The estimated net revenue available for use by the LCIP Monitoring Program remained at $115,000 for FY02. In addition we will contract with DRED to undertake monitoring efforts on their non-LCIP lands. These funds will incorporated into the LCIP budget. In general, most work tasks will continue as in FY01 with some significant additions as a result of the LCHIP program responsibilities assigned to the LCIP.

- Considerable effort will continue to be directed towards coordinating monitoring responsibilities with the Land and Community Heritage Investment Program which was passed into law in June, 2000. Coordination on approvals and financial reimbursement are areas which will require substantial effort.

- The LCIP will continue to develop an internal, web-based stewardship documentation system for all state-held LCIP conservation easements. This system will incorporate all photographic documentation and correspondence to date and will provide a means for maintaining this into future.

The LCIP will contract with DRED to undertake monitoring of eight existing DRED non-LCIP easements covering 5300 acres of land. This work will be undertaken over and above the existing workload by adding additional hours with additional funds to be provided by DRED. The purpose is

to ensure that the state's interests are being monitored by using the experience and efficiency of LCIP Monitoring Program, without use of the endowment funds (which are statutorily limited for use with LCIP interests).

MONITORING ASSISTANCE FOR LOCAL LCIP ACQUISITIONS

Local Lands Documentation

Interests in land acquired under the local component of the LCIP are monitored by individual communities. ***Attachment #3*** provides a list of the town, current owner, date of last LCIP field visit, date last monitored reported by the town, and status of each parcel (or conservation easement) acquired under the local program. The list provides the most recent information from those towns which have provided **written** documentation of the changes or of their actions. For some of the parcels which do not show a monitoring date, verbal or personal contact indicate that local monitoring programs are in effect, but no documentation has been submitted to OSP. The information on these sheets is generated from an update sheet for each parcel sent to each community. The information is generally requested at the end of September.

During this reporting period, 81% of the 78 participating towns returned the information request This performance is the best the LCIP has achieved since its inception and is a direct result of efforts by the Stewardship Assistant in encouraging and assisting communities with their submissions. We will continue to utilize pre-paid mailers, follow-up phone calls, re-mailing update sheets, etc. while striving for a 100% participation rate.

Community Visits and Field Visits

In an attempt to ensure that communities have the training and capabilities to continue to undertake their monitoring responsibilities, the LCIP is working towards visiting with each community once every three years. This level of assistance should provide adequate continuity concerning LCIP issues and training for new members. Additionally, the LCIP Administrative Rules require that "field visits" be conducted to LCIP local parcels once every ten years. The purpose of these field visits is to ensure that the LCIP lands are being used solely for conservation purposes. Based on the experience to date, the LCIP will be working towards conducting field visits on local properties once every five years. Until such time as local communities can provide adequate documentation and assurances that monitoring is being conducted on an regular basis, this level of effort is necessary to ensure that there is no degradation of conservation values on LCIP lands. The LCIP conducted 34 visits to 33 LCIP communities during the reporting period. Communities visited during this FY are listed below:

Acworth	8/2/2000	Keene	4/20/2001
Amherst	3/11/2001	Lancaster	7/12/2000
Atkinson	8/7/2000	Landaff	11/28/2000
Bedford	4/23/2001	Lebanon	3/8/2001
Canaan	9/11/2000	Lee	8/22/2000
Canterbury	1/16/2001	Manchester	4/23/2001
Charlestown	12/18/2000	Milford	4/12/2001
Chichester	2/20/2001	New Boston	11/16/2000
Cornish	8/23/2000	New London	11/30/2000
Deering	8/7/2000	New London	8/30/2000
Dunbarton	9/9/2000	Plainfield	10/12/2000
Exeter	9/20/2000	Plymouth	6/19/2001
Gilford	7/18/2000	Sunapee	8/8/2000
Hancock	11/6/2000	Swanzey	7/25/2000
Hanover	8/25/2000	Tamworth	7/10/2000
Hudson	5/11/2001	Weare	12/13/2000
Jefferson	4/17/2001	Windham	2/8/2001

The purpose of these visits varies from community to community but they generally involve going over the requirements of the LCIP, interpretation of easement deed language, monitoring documentation, baseline documentation, reading surveys, providing updates on statewide initiatives, and discussing other aspects of conservation easement monitoring. These visits often take place during evening conservation commission meetings. In several instances, the visit was conducted while conducting a monitoring/field visit to one of the town LCIP parcels with the local conservation commission, often on weekends. In other instances, subsequent to the community visit, a separate monitoring visit to one or more parcels was scheduled.

During the past year, 73 field visits were conducted to 71 local LCIP parcels. ***Attachment #4*** lists these parcels and brief results of the visits. Reports of field visits are completed by the LCIP and filed with the LCIP. Field visits conducted by the LCIP should not be considered monitoring visits as the general purpose is to ensure that the land uses are consistent with the LCIP statute. In many instances boundary lines are checked, but the communication with the landowner and documentation are not at the same levels as for a monitoring visit. Monitoring visits are the responsibility of the community.

Local Easement and Fee Owned Interpretation Issues

Several easement interpretation questions have come up on local LCIP interests during the reporting period. A synopsis of each issue is as follows:

Plainfield, Walker - A landowner called and asked if it was possible to subdivide an LCIP easement along a line different than that referred to "as depicted on the plan". (The deed provided for one subdivision into two parcels.) The LCIP considered the request, met with the Attorney General's Office and determined that, in this instance, the deed could be amended since no interest is being given up and no physical change occurs to the land or CE deed as a result. The land will still be managed in accordance with the deed. Assuming the new line provides for sufficient land and access for management purposes, that no conservation values would be impaired, etc., an amendment may be allowed. A formal request for the change was received on 10/12/01. The LCIP has conducted a sited visit and coordinated with the town to provide a response. Further action by the landowner is pending.

Weare, Alex - An employee of the Town of Weare called and asked whether the LCIP has strict policies in place that would clearly prohibit motorized vehicles on any LCIP lands. He asked this question in reference to the 96 acre Ferrin Pond (Alex) property. In reviewing his question, we told him that the LCIP does not have the clear right to dictate to a town whether motorized vehicles are to be allowed on local fee-held LCIP parcels, except in cases where the conservation values are being substantially diminished. In most cases, the landowner (be it the town or the private landowner) is the party that reserves the right to post against motorized vehicles. The question arose because there was great disagreement in town as to whether this town-owned LCIP property surrounding Ferrin Pond should allow ATV use. Some town leaders felt the property should be made available to multiple uses, included ATV use. Others were opposed, citing the fact that it was not a traditional use of the property. As this debate arose, it was clear that no current management plan was in place to guide decisions on what uses should be allowed. Ultimately, the decision came from a source unrelated to the LCIP (a Road to Public Waters petition dating from 1965). In examining the history of the access through this property, public access was granted in the form of a footpath only from Mountain Road up to Ferrin Pond. Thus, no motorized vehicles are allowed. No further action is expected.

Rye, First Essex Savings Bank, Inc. - The LCIP became aware that the Town of Rye was considering a cellular tower proposal on their 59 acre fee held LCIP parcel. This LCIP property was one of two town owned conservation areas in Rye under consideration for a cellular tower. The LCIP wrote a letter to the Rye Board of Selectmen and Rye Conservation Commission explaining the position of the LCIP that a cellular tower is inconsistent with the purposes for which the land was acquired and could not be allowed. No further correspondence has been received.

Lee, Foster - The Lee Conservation Commission (LCC) called to inform the LCIP that the current land manager of the 60 acre LCIP easement had plans to create a commercial cross country ski course on the property and construct a warming hut on the property to serve their

skiing customers. The Lee Conservation Commission asked for an interpretation of the deed. The LCC expected no problems in rectifying the situation but thought it advisable to provide the land manager with LCIP's written interpretation. In reviewing the deed, it is clear that commercial cross country skiing is not allowed. Recreational activities such as cross country skiing are allowed, but must remain non-commercial. A warming hut could be constructed on the property if it served a non-commercial public recreational opportunity (such as cross-county skiing), but not to serve a commercial use. No further correspondence has been received to date.

New Boston, Kingsbury Timber - Abutters to this parcel have necessitated the elimination of on street parking which has traditionally provided access to this parcel. Over the course of the year, the town has discussed plans for the 13 acre parcel which include the construction of a parking area on the conservation land. This has stimulated much discussion on the precedent of this action, if it was intended, if it's allowed, and if it can be limited if allowed. The LCIP met with the town and the abutters on-site in an attempt to mediate dispute and prevent litigation. The LCIP has suggested that the town develop a management plan for the property, create a plan on paper to depict what they propose, and to solicit comments from the public. The management plan, etc. is pending.

Lyme, Hewitt - A landowner has asked to shift the development area specified in a LCIP conservation easement deed. The hand drawn sketch which depicted the area was not clear in that the dimensions did not add up correctly. Given the ambiguity, a corrective deed was drawn up to slightly move the development area. The new location is actually in a preferable position when compared to the old position as it is farther from the river. Receipt of the corrective deed is pending.

Andover, Newman - In several separate calls, a prospective owner and his realtor asked a range of questions about allowed uses and restrictions on the Newman easement property. A first question concerned moving the location of an the existing 5 acre outlot to a new location. The LCIP informed him he would need to go through the legislature change the deed. A second series of questions related to motorized access by the landowner and the rights of the public to recreational access. The LCIP informed him that the landowner has the right to use motorized vehicles (as long as it is not detrimental to the conservation value of the easement). In addition, the landowner has the right to post against motorized access by the public except for snowmobile use on the designated snowmobile trail.

Deerfield, Pendleton - This parcel has transferred to the next generation and the new landowner requested that they be allowed to move the 5 acre excluded area so that she could construct a home. The LCIP met with the landowner and discussed the ramifications of the proposal and suggested ways to proceed. The LCIP conducted a follow-up visit and walked the entire boundary of the 5 acre lot and the interior as well locating a very satisfactory area to build which met all of the landowners goals. Given the topography, the landowner was informed that the LCIP would not likely support moving the location and we suggested they get a second opinion, which was in agreement with our assessment.

Hudson, Nash - On a joint LCIP field visit/local monitoring visit, it was discovered that substantial encroachment is suspected along one of the boundary lines. Since this is a town-owned LCIP property, the Town of Hudson is taking the lead in exploring the encroachment issue and developing a strategy to resolve any problems. An update from the Town of Hudson is pending.

Chichester, Blackman Parcels - On a LCIP field visit, POSTED signs were noted along much of the road frontage of these 3 easements. Trespassing has been blacked out in ink but had faded over the years, giving the appearance that all access was forbidden. In talking with the landowner and his son, the purpose of the signs was to discourage hunting, not all access. However, the terms of the easement do not allow the landowner to post against hunting, expect in fields when livestock are present and during active forestry. Arrangements were made for the NH Fish and Game Conservation Officer to work with the landowner and his son to sign the property with other types of signage (Caution, Livestock; Caution, Multiple Use Area, etc.). No further action is expected.

MONITORING STATE-HELD LCIP EASEMENTS

State Easement Documentation

75 of the 80 state-held LCIP easements are monitored by the Office of State Planning. Five are handled by NH F&G. These easements cover a land area of 25,881 acres. The LCIP initially acquired 72 state-held easements, but several have been subdivided, as allowed by the terms of the easement, generating new landowners to contact and records to maintain. Although the land area covered by the easements has not changed, an increasing level of effort is required to keep the larger number of landowners aware of the terms of the easement and reduce the chances of violations. The current monitoring effort schedules a visit once every 12-14 months. This provides for adequate visitation with the landowner, where possible, and allows the LCIP to view each parcel during different seasons.

Monitoring reports for each parcel are housed in the files at OSP and a copy is mailed to each landowner and holding agency (F&G, DRED, or DAMF). ***Attachment # 5*** provides a list of the town, current owner, date last monitored (on-the-ground) and status of the easement area. Other than those noted below, the current condition of all state easement parcels, in terms of compliance with the easement deeds, should be considered excellent.

Aerial Monitoring

Aerial monitoring is generally conducted each spring, before leaf out, and is an important component of the LCIP monitoring program. It ensures that the larger parcels with boundaries which are difficult to access are reviewed in terms of larger changes occurring (or not occurring) on the landscape surrounding the LCIP parcels. It is, however, no substitute for on the ground inspection and discussing the parcel (and future plans) with the landowners. This year flights were undertaken on April 26th and May 9th covering 95% of the parcels. While 10.0 hours of flight time were used

approximately 9 hours where attributable to the LCIP.

State Easement Violation/Interpretation Issues

All of the landowners of the state-held easements have, for the most part, been complying with the terms of their easements. Despite this, several easement parcels have had significant issues which have come up during the reporting period. A synopsis of significant issues/parcels is as follows:

Bakie Easement, Kingston - During the course of routine monitoring, a portion of a paint-ball course was found to be on or very close to the boundary of conservation easement property. The boundary lines in the area are not marked and do not appear to have been marked in the past, nor have any corner monuments been set. The LCIP, landowner, and F&G will work to mark the boundary lines in the vicinity of the potential infraction prior to determining the appropriate action. Cooperative Extension has been on site to assist. No permanent structures have been erected. Resolution is pending.

Canterbury Shaker Village, Canterbury - Several discussions were undertaken with the Director to go over plans for the Village. Plans for the newly constructed horse barn were reviewed and several on-site visits have been conducted. The Village continues to be very supportive and vigilant in its ensuring that activities are consistent with the easement.

Cheney Easements, Durham - These two easements, encompassing 9 acres of land on Great Bay, have been subdivided into 5 lots as allowed by the deed, and has restrictive language regarding the cutting of vegetation due to its proximity to the Bald Eagle winter habitat on Wilcox Point. The 9 acres of easement property are now owned by 5 different owners, one being an Association. One lot remains undeveloped.

During previous discussions with the realtor selling these lots, it was determined that one of the potential buyers was to retain an easement for a driveway and utilities through the State fee-owned Wilcox Point eagle habitat area. The issue was discussed with the realtor who agreed to retain to the rights to the access, and transfer it to the State, thereby extinguishing the interest to cross state lands. The deed extinguishing the right has been drawn up but transfer of the interest continues to be a pending action by NH F&G.

Cambridge Council Boy Scouts of America, Rindge - The Town of Rindge straightened a town road which impacted the LCIP conservation easement. This was a result of a great deal of mis-communication at the town, multiple changes of town administrators, changed of landowners, etc. Town requested the legislature to enact HB 1627 which exchanged .11 acres of land for the land taken. It was agreed that additional planting would be undertaken as well as restoring stone walls. The bill passed. The planting and stone work have been completed but a site inspection is pending.

The LCIP met with the new landowner (then interested buyer) of the camp, MA Audubon, on site to discuss their plans for the property and to ascertain if the easement would allow them to realize their goals. We discussed all aspects of the deed, where there was flexibility and

where there wasn't. MA Audubon subsequently acquired the property and has begun the process of restoring the camp to an environmentally friendly camp facility with up to date facilities.

Shugah Vale, Claremont - Routine monitoring located concrete slab and block used as stabilization on a portion of the Sugar River in an attempt to resolve a continuing erosion problem. The erosion has been minimized but the landowner is in violation of state law. The LCIP is working with the landowner and Natural Resource Conservation Service to develop a long range plan to eliminate the concrete and provide land for the river to flood over during flooding events, thereby minimizing the erosion over the long run. The outcome is pending.

On this same property (in a different area) DOT has proposed the upgrade of Route 11/103. The issues were resolved before the Council on Resources and Development (see comments below).

Windyhurst Farm, Westmoreland - During routine monitoring, the LCIP located a small tire dump in a depression at the edge of one of the fields. The tires appeared to have been deposited recently. The landowner indicated that they had been placed there for stabilization purposes a long time ago. The Department of Agriculture was notified and a request for removal was sent to the landowner. The landowner removed a number of other items but not the tires. A site visit was conducted in April 2001 prior to the leaves coming out and it was determined that there were approximately 4 times the number of tires in the depression and that they had been there a long time, well before the easement transferred to the state. On aerial monitoring on April 26, 2001, the tires could not be located from the air, even though their location was known. We had been relying on our previous aerial monitoring and photography as documentation that the tires were deposited recently. Site inspection, with the leaves off, was the only means of determining the extent of the dumped tires. Numerous photos have been taken to document the area and the landowner has indicated that tires haven't been dumped recently, and will not be dumped in the future.

Dorchester, Green Woodlands - The landowner of this property was interested in exercising one of his reserved rights concern barn construction. The deed indicated that the original footprint of the barn could not be increased by more than 50%. Upon examination, it was discovered that there were three ways to interpret this clause. We reached resolution and the landowner will begin the process of constructing the barn at some point in the future.

Lyme, Tullar - The landowner of the property requested assistance with local zoning issues related to subdivision of his property, building footprints, lot size, allowable uses, etc. The LCIP discussed with the town and the landowner various options which would be consistent with the intent of the conservation easement deed.

Newmarket, Smas - The town of Newmarket requested that they be allowed to undertake a saltmarsh restoration project on a portion of this property. The landowner did not have any problems with the work and desired to improve the drainage. The LCIP conducted a site visit

with the Department of Environmental Services and the contractor. There did not appear to be any need to undertake restoration efforts. The deed required that NRCS sign off on any wildlife habitat activities. NRCS has indicated that it is unlikely that they will support the project. The outcome is pending.

Acworth, Bascom Maple Farms, Inc. - The landowner requested information concerning whether or not he was allowed to construct a septic system on easement land to service agricultural building (barn) which was located off of the easement property. After much discussion, we informed the landowner that construction of the septic system to service a building in agricultural use would be allowable since the alternative would be to build both the barn and the septic system in the easement area, greatly increasing the impact. The downside of this decision is if the landowner converts the structure to residential use. Given the viability of the farm and the surrounding area, it is unlikely that this will occur.

Columbia, Hawkenson Trust - The landowners called to inform the LCIP that a plume of contaminants (acetone and methyl-ethyl keytone) from the adjacent town landfill in Colebrook is making its way towards the easement property and Lime Pond. The Town of Colebrook informed them of this situation and also asked for the landowners permission to place 4 new monitoring wells on the easement property. The Town, their consultant, the easement landowners, the NHFG, and the LCIP met at the easement property a few weeks later to discuss the contamination issue and the placement of the 4 new wells. These 4 wells and subsequent testing should provide a clearer picture of the plume's direction and severity, and provide data on what actions will be needed to resolve the problem. At the meeting the new landowners gave their permission for the 4 new wells to be placed. It also became clearly evident at the meeting that two existing monitoring wells had been placed on the easement property (near the boundary) some time in the last few years (noted on a LCIP monitoring report). This was done without the then current landowner's knowledge. The town acknowledged the mistake, citing that the consultant thought the wells were on Town property. No further action is expected on the siting of the two wells at this time. The LCIP also contacted DES to learn about the State's involvement in the situation. DES indicated that they are working with the town on both a source investigation to clean up any point sources in the landfill and to map out the flow of contaminants. Both the Town of Colebrook and DES agreed to inform the LCIP of any updates or changes in the situation. Further updates are pending.

INTERAGENCY COORDINATION AND OTHER CONSERVATION ACTIVITIES

General - Discussions and correspondence with the DAMF, DRED, and F&G continued to ensure that the LCIP Monitoring Program meets the needs of all agencies. Agencies are provided copies of all monitoring reports and related letters to owners. All information generated (reports, photos, etc.) as a result of inspections is filed with baseline documentation or parcel records with the LCIP.

The LCIP Coordinator and Stewardship Assistant met with the Council on Resources and

Development on November 9, 2000 and on May 3, 2001 to discuss the annual work plan and budget, to go over work accomplished, and to discuss the impact of legislative initiatives.

CORD Review Process for Release of LCIP Lands for Minor Highway Improvements- During the 1998 Legislative session, the general court passed a bill which authorize the Department of Transportation to acquire LCIP interests adjacent to state highways for minor road improvements. The LCIP drafted a review process, asked for comments from conservation organizations and brought the process before CORD for their adoption in 1999.

Shugah Vale, Claremont - On September 14, 2000, CORD authorized the first release of LCIP lands on the Shugah Vale (state easement) and Fletcher Properties (state fee) in Claremont. The CORD held a public hearing was held to allow CORD to release 250 square feet to build a retaining wall and 1400 square feet of easement to maintain it. Additionally, 250 square feet of DRED fee owned land was released for the same project. DOT provided a cash contribution in the amount of $500 to the LCHIP acquisition fund which was the value of the interests taken.

McKee, Canaan - On May 3, 2001, CORD held another hearing to authorize release of 10,890 square feet of LCIP conservation easement (local easement) land for right-of-way purposes in Canaan. In addition, temporary impacts and slope easements were necessary on another 46,610 square feet. DOT will provide monetary compensation to the town for the impacts. Prior to this action being taken, LCIP staff attended the public informational meeting in Canaan on September 11, 2000, the Natural Resources Agency meeting on September 20th, and the formal public hearing in Canaan on December 7, 2000. An additional meeting with the conservation commission was held as well.

Bean, Whitefield - This project involves widening of Route 3 and will impact the Bean state-held conservation easement. In addition to several meetings with DOT staff to discuss the project, LCIP staff attended the public informational meeting in Whitefield on November 15, 2000, a State historic preservation office meeting on March 1, 2001, and we organized a joint SHPO/LCIP meeting which was held on April 12. DOT is continuing to work on the project and expects to hold another public informational meeting in the fall of 2001.

Sewalls Falls, Concord - LCIP met with DOT officials on January 17th concerning the Sewalls Falls Bridge replacement project. The project is in the very early stages and will require some impacts to LCIP fee owned land managed by F&G.

Enfield Shaker Village, Enfield - LCIP staff met with the Attorney General's office on August 8th and September 6, 2001 to discuss title problems on the fee owned Enfield Shaker Village property managed by F&G. The purpose of the meetings was to ensure consistency in interpretation and actions concerning the release of land interests.

Land and Community Heritage Investment Program (LCHIP) - The LCIP is required, by statute, to oversee the monitoring of lands and buildings involved with LCHIP. As a result of this, the LCIP has a vested interest in how the projects are handled and how the program in developed. The LCIP has spent a great deal of time on LCHIP issues over the last year in an effort to help the program meet schedule driven goals for establishing the program. A brief synopsis is as follows:

LCHIP Authority - LCIP staff represented the OSP director on the Authority Board on September 28th, October 26th, November 9th, November 30th, December 7th and 14th, February 23rd, .

Criteria, Guidelines and Procedures (CGP) - LCIP staff sat on the LCHIP Authority subcommittee to assist in developing rules for the program. The subcommittee met on September 20th, October 4th and 17th, and November 2nd, and December 11th. LCIP staff also made the first presentation to the public of the LCHIP CGP to the land trust community on November 14th.

Ecological Reserve Steering Committee - The LCIP staff sit as a member of the steering committee and attended meetings of the Eco Reserves Land Protection Subcommittee on August 23rd, September 19th, November 1st, 28th, and 29th 2000, January 3, 2001y 10, and June 21 to assist in the development of the Project.

Agricultural Lands Preservation Committee - The LCIP staff represent the Office of State Planning on this committee and attended the meeting on November 29, 2000 and June 25, 2001.

DOT Highway Improvement Review - The Department of Transportation, and consultants on behalf of Towns, routinely notify the LCIP of all proposed road projects and request input as to potential impacts to LCIP lands. The LCIP responded to 37 such requests over the course of the year.

Forest Legacy Committee - The LCIP staff sit on the Forest Legacy Committee to provide advice the Department of Resources and Economic Development concerning applications for federal funds for land acquisition and attended meetings on January 11th and June 12, 2001.

Land Conservation Assistance Program - The LCIP sits as a member of the steering committee for this new program to ensure coordination of monitoring education aspects of the program. Meetings were attended on December 7, 2000, January 18th and March 15th, 2001. On June 21, 2001, LCIP staff met with the new Executive Director of this program to discuss goals and objectives of the program and to coordinate among agencies and activities.

Farmland Protection Program Advisory Committee - The LCIP was asked to sit in on the FPP application review to recommend allocation of funding to applicants. On March 27, 200 LCIP staff attended an all day meeting to review and discuss applications to provide recommendations. On June 12, 2001, the FPP met again to review projects and allocate $506,300 dollars to applicants.

MANAGEMENT/MONITORING OF STATE FEE PARCELS:

The management/monitoring efforts for state fee lands have been summarized by each agency and are included as ***Attachment #6*** for DRED and F&G. Questions related to activities on these specific parcels should be directed to the agency managing the parcel.

CONCLUSION

The LCIP Monitoring Program converted a part-time Stewardship Assistant to a new full time position late in the fiscal year last year to assist with monitoring responsibilities. It was expected that this position would be a net gain for the program and would improve our ability to reach out to communities to provide them with an appropriate level of technical assistance s incorporated. Having completed the first full year with this position, it is very clear that we have been able to increase all aspects of the local component of the LCIP Monitoring Program to the level which is appropriate for the need of the LCIP communities. The following table provides a brief example of improvements over the last year:

	FY 00	FY01
Return of LCIP Property Update Sheets	67%	81%
Field visits to check local LCIP parcels	49 visits to 46 parcels	73 visits to 71 parcels
Community Visits (to Cons. Commissions)	16 visits to 18 towns	34 visits to 33 towns

Even though FY 00 utilized part-time staff for only half of the year, and FY01 had a full-time staff for the entire year, the improvements are wonderful given the number of other activities the program has been required to take on as a result of past and recent legislative changes.

The addition of this second full time staff member has obviously enabled the LCIP to concentrate more time on local communities. This level of staffing appears to be sufficient to fulfill the LCIP goal of meeting with LCIP communities once every three years and conducting a field visit to each local LCIP property once every five years, more frequently if necessary or if requested by the community. During our community visits, we stress the importance of monitoring easements on a regular basis and give interested commissions the capabilities to undertake the stewardship activities necessary to protect their town's conservation lands.

Many conservation commissions continue to be overwhelmed with other assignments and responsibilities and often view annual stewardship visits to previously protected lands. However, in our discussions, there appears to be more interest in monitoring lately. This is probably a combined result of our improved contact as well as the potential of a new state acquisition program.

Monitoring state-held easements continues to work well. Although there have been some infractions, they continue to be minor in nature and, for the most part, easily resolved. The state-held easement monitoring continues to have a high degree of contact with the landowners which helps provide the LCIP with information about proposed activities prior to the work being undertaken.

The LCIP Monitoring Program has continues to foster the "single point of contact" concept and this has proven to be helpful to the general public as well as for promoting the need for monitoring of conservation easements throughout the state. The LCIP has worked with state agencies, local groups, industry groups (realtors/appraisers) and legislative committees to answer detailed questions about the LCIP as well as stewardship issues in general. While these activities may not be directly related to monitoring LCIP conservation easements, they serve a valuable purpose for the "big picture" of conservation easement stewardship for the state. To this end, the LCIP has taken every opportunity to help educate those involved with developing the Land and Community Heritage Investment Program on the needs for stewardship and the lessons learned from the LCIP.

State of New Hampshire
LAND CONSERVATION ENDOWMENT FUND

Non-Expendable Trust Fund
Budgetary Basis
Balance Sheet For the Fiscal Year Ended June 30, 2001

Assets	
Cash and Cash Equivalents	$147,227.06
Investments	$2,117,521.82
Interest Receivable	$29,532.53
Total Assets	$2,294,281.41
Liabilities	
Due to Other Funds - FY01 Operations	$2,624.60
Total Liabilities	$2,624.60
Fund Balances	
Trust Fund Principal - Designated	$1,500,110.00
Trust Fund Principal - Undesignated	$791,546.81
Total Fund Balances	$2,291,656.81
Total Liabilities and Fund Balances	$2,294,281.41

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Fiscal Year Ended June 30, 2001

Revenues	
Interest	$113,581.21
Additions to Fund	$0.00
Total Revenues	$113,581.21
Expenditures	
Program Operations through June 30, 2001	$105,740.56
Encumbered as of June 30, 2001	$2,624.60
Investment Management Fees	$0.00
Total Expenditures	$108,365.16
Net Operating Income	$5,216.05
Realized Gain/(Loss)	$60,633.00
Net Income	$65,849.05
Principal Fund Balance, July 1, 2000	$2,225,807.76
Principal Fund Balance, June 30, 2001	$2,291,656.81

RECEIVED
AUG 10 2001
OFFICE OF STATE PLANNING

ATTACHMENT #1

FY 2002 WORK PLAN

for

MONITORING STATE-HELD EASEMENTS AND LOCAL LANDS

acquired through the

LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

submitted to

the Council on Resources and Development

ATTACHMENT # 2

BACKGROUND:

Between the 1988 and 1993, the Land Conservation Investment Program (LCIP) acquired over 100,000 acres of land or interests in land. The State purchased a fee simple interest in approximately 50,000 acres (mostly the Nash Stream area). Of the remaining 50,000 acres, approximately one half is protected by state-held conservation easements and the other half is protected by local communities through conservation easements or fee simple ownership.

The LCIP monitoring program is funded by the interest generated from the Land Conservation Endowment Fund which was established to ensure that state-held easements and locally held interests acquired by the LCIP would be monitored in perpetuity. In accordance with Administrative Rule PART Land 1102.01, all activities related to State fee simple acquisitions under the LCIP are not to be funded with interest generated from trust fund.

The LCIP Monitoring Program has multiple responsibilities. OSP has been assigned responsibility for working with the 78 communities involved in the LCIP to ensure that they have adequate training and are conducting monitoring of the 236 local parcels acquired under the program. DRED, F&G, and DAMF each have been assigned responsibility for the 80 state-held conservation easements acquired under the program. The LCIP is unique in that, through CORD, the available resources have been pooled to have one organization undertake the required work.

In May 1994, OSP filled the Coordinator position for the monitoring component of the LCIP. In May, 2000, a second full time employee was hired to assist with LCIP activities and other contracted monitoring responsibilities. Seven years experience has shown the LCIP monitoring program to be an efficient means to ensure that there is a source of training available to communities, and that state-held easements are adequately and consistently monitored. It allows for sharing the experiences (good and bad) of all communities, requires only one database to maintain, provides a consistent interpretation of easement language and a single point of contact for questions from landowners and the general public.

BUDGET:

The proposed budget for FY 2002 is level funded and totals $118,000.00 of which $3,000. represents the amount of revenue anticipated from DRED for monitoring non-LCIP interests. Discussions with the Treasury Department indicate that we can expect the LCIP Monitoring Endowment to generate $115,000 of interest income for budgeting purposes for FY2002. All funds not utilized by the monitoring program are returned to the endowment fund. The book value of the endowment fund as of December 31, 2000 was $2,287,472.47. Actual expenses through 12/31/00 have been encumbered but will be deducted from the fund after July 1, 2001.

GENERAL OVERVIEW FOR FY 2002

FY 2002 is expected be a relatively stable year for the LCIP Monitoring Program with increased responsibilities assigned as a result of Land and Community Heritage Investment Program (LCHIP). Over time, the LCIP has matured, is well known around the state, and supports a wide range of activities related to monitoring. While these activities are important to the long-term operation of the LCIP Monitoring Program, many were not contemplated at the outset of the program. In FY 2002, we expect to continue monitoring activities as in the past, with the exception of the Boundary Line Maintenance Plan (BLMP). The BLMP will not be funded 2002 unless additional monies can be reprogrammed.

Effective January 1, 1999, RSA 162-C was amended to authorize NHDOT, in limited circumstances, to utilize LCIP lands adjacent to state highways for minor highway improvements. A review process for CORD was developed and utilized in FY 2001and we expect to utilize this review process again for some more potentially difficult reviews.

The LCIP has been assigned oversight responsibilities of stewardship activities on assets acquired through LCHIP. A LCHIP monitoring endowment will be established and a procedure to move funds from this endowment to the LCIP budget will need to be worked out with Treasury. Also, a mechanism to review LCHIP stewardship activities and process payments to communities and land trusts will need to be developed to ensure the LCIP is not overwhelmed by administrative tasks. A database system similar to the LCIP database will be developed to track the status and condition of LCHIP projects.

The LCIP Monitoring Program has contracted with the Department of Resources and Economic Development (DRED) to oversee the monitoring of all conservation interests held by DRED. This additional contract will not impact the quality of the LCIP Monitoring Program. The statutes governing the LCIP Monitoring Program preclude use of LCIP funds on non-LCIP lands. We expect this contractual arrangement to continue in FY 2002 and have planned for utilization of staff time for this purpose. These additional DRED conservation easements incorporate a total of 5300 acres of land involving eight easements.

STATE-HELD LCIP EASEMENTS

In accordance with Land 1102.02, all parcels will be monitored by the air or on the ground at least once per year and will include the following activities:

- On-ground monitoring of the 80 LCIP parcels on an average of once per 12-14 months;
- Aerial monitoring of parcels as needed during spring or fall.
- Meeting with landowners (as practicable) to review easement deed provisions/restrictions.
- Serving as contact point for landowner questions, easement interpretation, management inquiries, etc.
- Coordinating among agencies to document condition of land, ownership changes, etc.
- Resolving violations and conflicts with individual landowners as appropriate, requesting other agency assistance, as necessary.
- Limited operation of the LCIP Boundary Line Maintenance Plan.

ATTACH #7

LOCAL LCIP LANDS AND INTERESTS IN LAND

Land 1103.02 requires, among other things, that all local parcels be field checked at least once every ten years, or more frequently as resources permit. The FY2002 Work Plan will be working towards field checking local parcels on a schedule of once every five years. Work tasks related to these lands include the following:

- Developing and conducting training sessions for local conservation commissions on all aspects of monitoring protected lands.
- Contacting the local point of contact (at least) annually to update database and provide status of local monitoring efforts.
- Meeting with local conservation commissions as needed to assist with easement interpretation, monitoring procedures, development of baseline information, and other related training needs.
- Field checking approximately 50 parcels acquired under the local component of the program to verify that no activities are occurring on land which would contravene the purposes of RSA 221-A.
- Serving as the contact point for municipal inquiries related to easements and fee interests, interpretation, and monitoring procedures.
- Coordinating with communities and landowners to carry out work under the Boundary Line Maintenance Plan, for locally-held conservation easements only, and as funding is available.
- Working with communities to assess their needs related to monitoring LCIP lands and providing assistance where appropriate.
- Working with the newly developed Center for Land Conservation to provide stewardship information, training, etc. to increase the overall awareness of stewardship responsibilities and actions of land trusts and communities, with a primary focus on LCIP communities.

PUBLIC INFORMATION

Work tasks related to this topic include the following:

- Developing and distributing articles for newsletters pertinent to easement monitoring and LCIP activities.
- Conducting monitoring training workshops at the request of state, local, and non-profit organizations.
- Serving as the contact person for public information requests concerning the LCIP and the current monitoring program.
- Continuing to work with landowners and communities to install signs identifying LCIP lands.

AGENCY COORDINATION / ADMINISTRATION

Work task related to this topic include the following:

- Keeping CORD and the key agencies (Fish and Game, Agriculture, DRED) apprised of monitoring efforts and condition of parcels related to each interest.
- Utilizing the Department of Justice as necessary to assist in easement interpretation, enforcement, and legal issues related to LCIP interests.
- Maintaining contact with the Department of Treasury concerning budget and LCIP endowment fund estimates.
- Maintaining the database and files on state-held easements and local interests, updating contacts, landowner's name and address, etc.
- Continue development of a web based, digital document management system to ensure availability of parcel documentation over the long term.
- Developing monitoring activity reports for submission to CORD.
- Developing annual budget and work plan for submission to CORD. .
- Developing, processing and administering financial assistance contracts related to the LCIP Boundary Line Maintenance Plan, as funding is available.
- Serve as the OSP designee to the Agricultural Land Preservation Committee.
- Implement the multi-agency review and hearing procedure for CORD to process DOT applications which proposed to utilize LCIP lands for minor highway improvements. Develop rules for allocation of funds deposited into the non-lapsing fund established by this legislation, if necessary.
- Contract with DRED to begin monitoring eight state-held conservation easements encompassing 5300 acres.

LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP) ACTIVITY

- Develop a process with LCHIP Authority and Treasury to ensure transfer of stewardship funds to LCHIP stewardship endowment.
- Work with Administrative Services and Treasury to develop means to transfer funds to LCIP budget and to provide efficient payment procedures to LCHIP monitoring service providers.
- Develop review procedures to assess adequacy of community and land trust monitoring activities.
- Develop a database system to track status, ownership, address info, and condition of LCHIP parcels. Provide for tracking of payments on monitoring efforts by easement holders and fee interest owners of LCHIP properties.
- Coordinate with the LCHIP Authority to ensure that restrictions for assets acquired through the program are capable of being monitored and are enforceable.

ATTACH #2

Local LCIP Interests (by Town)

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Acworth								
Bascom Maple Farms, Inc.	E	102.68	10/27/2000	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	fields maintained, farm buildings in poor shape.
Paul and Verna Thibault	E	977.50	8/2/2000	Washington Street	RR 1 Box 209	Claremont	NH	some dumping at landing off Crane Brook Road
Acworth/Langdon								
Alvin L. & Nancy G. Clark	E	179.06	7/15/2000		RR 1 Box 151	Alstead	NH	fields in good shape, no problems. Chosen recer
Alvin, Nancy & David Clark	E	35.00	7/15/2000		RR 1 Box 151	Alstead	NH	Fields in good shape, no problems. Fruit trees pl
Alstead								
Office Of The Selectmen	F	273.70	11/10/2000	Town Of Alstead	Town Office	Alstead	NH	no changes
Alton								
Diana Eley	E	18.03			74 Mammoth St.	Brookline	MA	
Herbert R. & Carrie C. Jackson	E	85.92	4/22/1995		RR1 Box 180-D	Alton	NH	Land clrd for field,owner chg
Office Of The Selectmen	F	159.20		Town Of Alton	PO Box 659	Alton	NH	
Office Of The Selectmen	F	208.00		Town Of Alton	PO Box 659	Alton	NH	
Robert & Dorothy Seavey	E	22.44			79 Aberdeen Rd.	Weston	MA	
Robert & Dorothy Seavey	E	8.50			79 Aberdeen Rd.	Weston	MA	
Thomas & Anne Hoopes	E	14.10			Marsh Hill Road	Alton	NH	
Amherst								
Office Of The Selectmen	F	88.90	1/13/2001	Town Of Amherst	PO Box 960	Amherst	NH	188.7 mbf of lumber taken, skidder trail converte
Office Of The Selectmen	F	30.10	1/13/2001	Town Of Amherst	PO Box 960	Amherst	NH	188.7 mbf of lumber taken, skidder trail converte
Office Of The Selectmen	F	41.69	2/1/2001	Town Of Amherst	PO Box 960	Amherst	NH	will repair bank erosion adjacent to stairs at cano
Andover								
Leon Newman, Jr., Laura Hemm	E	696.62	12/12/1998					For sale. Children now own. Timber harvest.
Atkinson								
Office Of The Selectmen	F	59.19	10/1/1999	Town Of Atkinson	21 Academy Ave.	Atkinson	NH	bndry maint, trail work
Barnstead								
Fred Goodrich	E	116.00			255 John Tasker Ro	Barnstead	NH	
Lynn Goodrich Guenther	E	5.00			RR 1 Box 195	Ctr. Barnstea	NH	

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	6.32	1/15/1998	Town Of Barnstead	Route 126	Center Barns	NH	
Office Of The Selectmen	F	179.00	10/30/1999	Town Of Barnstead	Route 126	Center Barns	NH	Trail work, field maintenance, plus Eagle Scout p
Barrington								
James & Ann Schulz	E	47.57	6/11/2000	158 Scruton Pond R	RR 2	Barrington	NH	poison ivy, walked easement area II
Mrs. Pauline Boodey	E	149.50	7/2/2000		Old Canaan Road	Barrington	NH	no trespassing signs noted on Canaan Back Rd t
Richard Warren	E	243.00	6/3/2000	Warren Rd.	RR 1	Barrington	NH	boundaries clearly marked
Bath								
Raymond S. Burton	E	43.44	10/26/2000		338 River Road	Bath	NH	some pins not found, corn field now hay field, sel
Bedford								
Bedford Town Council	F	7.00	9/22/2000	Town Of Bedford	24 No. Amherst Rd.	Bedford	NH	
Boscawen								
Ernest and Lola Jones	E	32.80	10/25/2000		9 Goodhue Rd.	Boscawen	NH	unauthorized tree cutting (party not known)
Thomas & Melanie Cummings	E	140.70	10/25/2000		233 Water Street	Boscawen	NH	snowmobile iissues, discussed BLMP
Brentwood								
Merrill Heirs	E	95.00	10/22/2000	c/o Nancy C. Merrill	112 Front Street	Exeter	NH	75 lot subdivision near property
Canaan								
Cynthia Rauvens & Fran Murphy	E	231.90	3/1/1998		RR 1 Box 147	Canaan	NH	trail work, boundary maint.
Canterbury								
Donald W. & Lois P. Booth	E	15.15	10/25/1997		Shaker Rd.	Canterbury	NH	Subdivision and vista clearing
Frederick (Fritz) Hafer	E	1.75	10/25/1997	1 Oxbow Pond Road		Canterbury	NH	
Galen Beale	E	7.50	10/25/1997	Oxbow Road		Canterbury	NH	Vista clearing, tree planting
Office Of The Selectmen	F	68.70	10/25/1997	Town Of Canterbury	PO Box 500	Canterbury	NH	poison ivy control, mow access
Carroll								
Robert L. and Catherine B. Warr	E	66.20	8/12/1999	26 Governor's Terra		Lancaster	NH	No contact, or report filed. No report for 2000 eit
Charlestown								
David & Claire Sussman	E	41.60	11/1/2000		Borough Road	Charlestown	NH	agreement signed with Sussmans
James and Tine Heath	E	5.10	7/1/1999		1337 Borough Road	Charlestown	NH	Subdivided from Francis (allowed)
Sharon F. Francis	E	291.30	11/19/2000		PO Box 341	Charlestown	NH	timber harvest planned this winter.
Chichester								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
B. Joseph M. & Anne P. Drinon	E	144.90	9/27/1997		RR 10 Box 389	Concord	NH	Field maint.
Office Of The Selectmen	F	21.90	9/27/1997	Town Of Chichester	Town Offices	Chichester	NH	Mgmt plan in prep.
Office Of The Selectmen	F	7.90	9/27/1997	Town Of Chichester	Town Offices	Chichester	NH	Mgmt plan in prep.
Office Of The Selectmen	F	8.16	9/27/1997	Town Of Chichester	Town Offices	Chichester	NH	Mgmt plan in prep.
Rev. George & Marion Blackma	E	17.80	9/28/1997		Blackman Road	Chichester	NH	Bndry lines maintained.
Rev. George & Marion Blackma	E	72.70	9/28/1997		31 Blackman Road	Chichester	NH	Bndry maint.
Rev. George Blackman	E	25.70	9/28/1997		Blackman Road	Chichester	NH	Bndry & fields maintained.
Concord								
Robert Pollock, Planning Dept.	F	47.10	6/1/1996	City Of Concord	41 Green St.	Concord	NH	Trail work, guide completed.
Robert Pollock, Planning Dept.	F	47.10	1/15/2001	City Of Concord	41 Green St.	Concord	NH	ATV use on trails and off, some trail work
Robert Pollock, Planning Dept.	F	25.20	1/15/2001	City Of Concord	41 Green St.	Concord	NH	
Cornish								
Durwood and Suzanne Lenz	E	16.60	10/22/2000	RR2, Box 498A		Cornish	NH	east boundary difficult to follow
Fred & Gayle Covell	E	92.00	12/9/2000	RR 3, Box 74		Cornish	NH	2 new farm buildings, dredged pond, new concre
James Barker	E	39.40	10/22/2000	PO Box 75		Cornish Flat	NH	NW boundary should be marked better, 11 LCIP
Margaret E. & Joseph C. Meyett	E	188.40	12/12/2000		RR 2 Box 579	Cornish	NH	walked all but east and south bounds of tracts 1
Deerfield								
Al Jaeger	E	111.00	11/1/1998		12 Perry Road	Deerfield	NH	trail/field work, bdary maint
Helen Burbank	E	92.00	8/1/1998		RR 2 Box 2326-8	Brandon	VT	trail work, BLMP
Jim and Holly Tomilson	E	56.00	11/1/1998		76 Nottingham Rd.	Deerfield	NH	trail/field work, bndary maint
John & Helen Burbank	E	15.00	8/1/1998		RR 2 Box 2326-8	Brandon	VT	boundary maint(BLMP)
Penelope Beye	E	128.00	11/1/1998		76 Nottingham Road	Deerfield	NH	trail work,BLMP
Deerfield/Nottingh								
Paula Duchano	E	342.00	1/1/1998		Bean Hill Road	Deerfield	NH	field maint.
Deering								
Dudley Brook Cooperative	E	39.96	8/19/2000	Krista Helmboldt	595B East Deering	Deering	NH	trailwork, field maint.
Paul A and Lillian M Langlois	E	12.65	8/19/2000	223 Deering Center		Deering	NH	picnic table needs repair
Derry								
Jean	E	126.90	1/28/2001		370 Harantis Lake R	Chester	NH	New landowner was not aware of easement term
Dover								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Sam Bagdon & Kathryn Kirkwoo	E	105.41	12/1/1999		151 County Farm Cr	Dover	NH	Field between house and road mowed for hay
Dublin								
Office Of The Selectmen	F	12.00	8/15/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	15.75	8/15/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	45.60	8/16/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	95.75	10/9/1999	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	3.50	8/15/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	25.00	8/16/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	12.20	8/16/2000	Town Of Dublin		Dublin	NH	
Dunbarton								
Office Of The Selectmen	F	62.30	11/13/1999	Town Of Dunbarton	1011 School St.	Dunbarton	NH	
Office Of The Selectmen	F	13.60	9/19/2000	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	22.30	9/9/2000	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	17.00	9/9/2000	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	58.20	11/13/1999	Town Of Dunbarton	1011 School St.	Dunbarton	NH	
Office Of The Selectmen	F	49.80	10/15/2000	Town Of Dunbarton	1011 School St.	Dunbarton	NH	boundary maint
Office Of The Selectmen	F	269.00	9/9/2000	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	172.70	10/15/2000	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work; possible sale south of this parcel
Epsom								
Allice Kimball Smith-deceased	E	107.10	10/1/2000	% Stuart & Anne Sm	615 Rimini Road	Del Mar	CA	Grandmont (tenant and caretaker), meadow mai
David & Barbara	E	74.80	10/28/2000		Center Hill Road	Epsom	NH	no trespass signs removed, trailwork possible in
Office Of The Selectmen	F	318.00	10/8/2000	Town Of Epsom	PO Box 10	Epsom	NH	road repair, removed culvert, clearing of land
Exeter								
Exeter Country Club, Inc.	E	55.35	9/20/2000	% Chairman Of The	PO Box 1088	Exeter	NH	
Office Of The Selectmen	F	4.00	10/29/2000	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	141.50	10/29/2000	Town Of Exeter	10 Front St.	Exeter	NH	Part of town forest
Office Of The Selectmen	F	5.00	10/29/2000	Town Of Exeter	10 Front St.	Exeter	NH	Part of town forest
Office Of The Selectmen	F	8.70	10/29/2000	Town Of Exeter	10 Front St.	Exeter	NH	Part of town forest
Office Of The Selectmen	F	16.65	9/20/2000	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	28.80	10/29/2000	Town Of Exeter	10 Front St.	Exeter	NH	Part of town forest
Thomas B. Chamberlin	E	61.50	10/29/2000		54 Newfields Rd.	Exeter	NH	Part of town forest

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Francestown								
Constance C. & Harold A. Varnu	E	45.60	10/28/2000		Poor Farm Road	Francestown	NH	
Ellen M. Hill	E	134.90	10/28/2000		841 N. Main St.	Rockford	IL	
Office Of The Selectmen	F	388.00	10/28/2000	Town Of Francestow	Town Hall	Francestown	NH	timber harvest
Office Of The Selectmen	F	155.20	10/28/2000	Town Of Francestow	Town Hall	Francestown	NH	timber harvest continues, boundary maint.
Office Of The Selectmen	F	25.00	10/28/2000	Town Of Francestow	Town Hall	Francestown	NH	timber harvest
Gilford								
Elizabeth B. Carson	E	16.46			Route 3, Box 396	Lexington	VA	
Office Of The Selectmen	F	5.33		Town Of Gilford	47 Cherry Valley Rd.	Gilford	NH	
Grantham								
Kent Eisentraut	E	825.90	11/8/1997		816 Miller Pond Roa	Grantham	NH	3rd owner, ice damage from 1/98 storm
Kent Eisentraut	E	19.00	11/8/1997		816 Miller Pond Roa	Grantham	NH	3rd Owner Ice damage from 1/98 ice storm
Greenland								
L. Weeks & Descendents In US	E	30.55	5/6/2000	c/o Stephen D. Wee	144 Concord Ave.	Belmont	MA	no problems, future plans include trail, footbridge
Hampstead								
Office Of The Selectmen	F	73.54		Town Of Hampstead	11 Main St.	Hampstead	NH	
Office Of The Selectmen	F	48.80		Town Of Hampstead	11 Main St.	Hampstead	NH	
Office Of The Selectmen	F	31.31		Town Of Hampstead	11 Main St.	Hampstead	NH	
Walworth B. & Mary Louise Willi	E	8.89			PO Box 97	Hampstead	NH	
Walworth B. & Mary Louise Willi	E	3.35			PO Box 97	Hampstead	NH	
Hancock								
Charles E. & Mary K. Merrill	E	260.00	12/7/1996		5 Chestnut St.	Boston	MA	Aerial. Check RR ROW,need sign
Kenneth & Julie Brown	E	81.83	11/30/1996	John E. & E. Lorrain	Middle Rd.	Hancock	NH	For sale? Fields maintained
Hanover								
	E	7.00	8/25/2000	% Paul Olsen, Real	7 Lebanon St. #303,	Hanover	NH	mowed field
Hanover Improvement Soc.	E	19.40	8/25/2000	% Tom Byrne, Exec.	57 So. Main Street	Hanover	NH	abutting Steele property may be on market soon
Trustees Of Dartmouth College	E	16.74	8/25/2000	c/o Paul Olsen, Real	7 Lebanon St. #303,	Hanover	NH	approval given for small seasonal shelter, but no
Holderness								
Office Of The Selectmen	F	105.10	4/1/2000	Town Of Holderness	PO Box 203	Holderness	NH	trailwork, new bulletin board
Office Of The Selectmen	F	2.77	10/1/2000	Town Of Holderness	PO Box 203	Holderness	NH	trailwork, new bulletin board, may apply for LCHI

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Rev. James W. Crawford	E	37.22	11/13/1999		40 Taylor Crossway	Brookline	MA	
Hollis								
Office Of The Selectmen	F	51.60	12/13/2000	Town Of Hollis	7 Monument Square	Hollis	NH	trail work, will contuct timber harvest next year as
Hopkinton								
Office Of The Selectmen	F	95.52	9/1/2000	Town Of Hopkinton	330 Main Street	Hopkinton	NH	trail work
Office Of The Selectmen	F	92.54	11/20/2000	Town Of Hopkinton	330 Main Street	Hopkinton	NH	trail work
Hudson								
Office Of The Selectmen	F	189.00	10/16/1999	Town Of Hudson	12 School St.	Hudson	NH	
Office Of The Selectmen	F	203.50	10/16/1999	Town Of Hudson	12 School St.	Hudson	NH	
Jefferson								
Ronn Gifford & Mary Denison	E	39.97	9/4/2000		PO Box 208	Kents Hill	ME	field maint.
Keene								
Mr. & Mrs. Herbert B. Shaw, III	E	17.00	8/21/2000		712 Court Street	Keene	NH	
Office Of The City Council	F	25.10	9/26/2000	City Of Keene	3 Washington St.	Keene	NH	
Office Of The City Council	F	9.80	9/21/2000	City Of Keene	3 Washington St.	Keene	NH	only activity on foot trail and gravel maint. Road t
Kingston								
Mrs. Adine Bakie	E	12.86			35 Powwow River R	East Kingsto	NH	
Office Of The Selectmen	F	5.47		Town Of Kingston	163 Main St.	Kingston	NH	
Office Of The Selectmen	F	10.79		Town Of Kingston	163 Main St.	Kingston	NH	
Office Of The Selectmen	F	67.99		Town Of Kingston	163 Main St.	Kingston	NH	
Kingston/Newton								
George -son	E	82.80						
Lancaster								
John Smith	E	237.00	10/29/1999	Pleasant Valley Roa		Lancaster	NH	Trail work, field maintenance
Robert W. Christie	E	37.40	10/29/1999	North Rd.	RR 2 Box 241	Lancaster	NH	Field maintenance, clearing of land.
Thomas R. & Nancy Southworth	E	13.86	10/29/1999	Garland Rd.	RR 1	Lancaster	NH	
Town of Lancaster	E	2.33	9/12/1996					Sold to Town, Wtr Trtmnt Plnt
Landaff								
David and Tanya Tellman	E	19.80	11/28/2000	122 The Lane		Whitefield	NH	CC said they would contact new landowners
David W. & Brenda J. Clement	E	4.21	11/28/2000	% David W. Clement	709 Jockey Hill Rd.	Landaff	NH	

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Jockey Hill Farms, Inc.	E	364.40	11/28/2000	% David W. Clement	709 Jockey Hill Rd.	Landaff	NH	field maint.
Lebanon								
City of Lebanon	F	16.00	10/8/1998	51 North Park St.	51 N. Park Street	Lebanon	NH	trail work
Lee								
Harriett B. Claridge	E	75.78	8/29/2000		2 Lee Hill Road	Lee	NH	
Robert Keniston	E	48.74	8/29/2000	Rte 155	RR	Lee	NH	
Lee/Durham								
Mary Ellen Wilson	E	60.14	8/22/2000		51 Lake Ave.	Oyster Bay	NY	
Londonderry								
Doug and Laurie Johnson	E	87.60	12/3/2000		129 High Range Roa	Londonderry	NH	some trash along Royal Lane, managed as wooc
Loudon								
Bruce Yeaton	E	129.30	1/1/2000		113 Ring Road	Pittsfield	NH	
Colin and Paula Cabot	E	332.40	1/1/2000		7097 Sanborn Road	Pittsfield	NH	
James Yeaton	E	98.00	1/1/2000		12 Blake Road	Loudon	NH	
Kennelm Doak	E	34.00	1/1/2000		53 Stickney Hill Roa	Concord	NH	
Kennelm Doak	E	35.00	1/1/2000	53 Stickney Hill Roa		Concord	NH	
Office Of The Selectmen	F	152.00		Town Of Loudon	PO Box 7837	Loudon	NH	
Richard Merrill	E	272.60	1/1/2000		1359 Rt 129	Pittsfield	NH	
Loudon/Pittsfield								
Colin & Paula Cabot	E	189.40	1/1/2000	7097 Sanborn Road		Pittsfield	NH	
Lyme								
Alexander, David & Jonathan Cr	E	73.00	9/25/2000	310 W. 106th St.	Apt. 11-D	New York	NY	timber harvest on abutting property, some blowd
Amy Record	E	55.80	10/28/2000	18 East Thetford Rd		Lyme	NH	
Annette Schmitt	E	25.10	11/13/2000	c/o Willard Martin Jr.	Nighswander, 1 Mill	Laconia	NH	
Barbara Roby	E	26.50	10/12/2000		7 Bliss Lane	Lyme	NH	house to be built in adjacent lot in near future
Jennifer Cooke	E	32.20	12/13/2000	360 River Road		Lyme	NH	plowing a little more acreage for corn
John A. Menge	E	154.40	11/8/2000	61 Dartmouth Colleg	PO Box 162	Lyme	NH	
Katharine Hewitt, Bayne Steven	E	17.70	10/2/2000	Mary Ann Lewis	190 Baker Hill Road	Lyme	NH	Hewitts and Lewis's each plan to build a house o
Katherine Hewitt	E	33.77	10/12/2000	190 Baker Hill Road		Lyme	NH	town re-did map numbers
Mr. & Mrs. Stuart Smith	E	47.00	11/21/2000	70 Lamphire Hill Rd.		Lyme	NH	Tax map # now same as other Smith parcel (all 4

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Mr. & Mrs. Stuart Smith	E	65.00	11/21/2000	70 Lamphire Hill Rd.		Lyme	NH	tax map same as other Smith Prop.
Ms. Katherine P. Beal	E	62.00	11/13/2000	Kendall At Hanover	80 Lyme Road	Hanover	NH	
Ms. Katherine P. Beal	E	11.91	11/13/2000	Kendall At Hanover	80 Lyme Road	Hanover	NH	"these three parcels transferred to son George P
O. Ross & Jean McIntyre	E	30.40	12/13/2000	34 Lamphire Hill Rd.		Lyme	NH	
O. Ross & Jean McIntyre	E	8.10	10/28/2000	34 Lamphire Hill Rd.		Lyme	NH	monitor lost copy of deed...get them a new one?
Paul Beisswenger & Carolynne	E	14.80	11/2/2000	15 Recordridge Lane		Lyme	NH	Found only 5 pipes, electric fence along N and E
Madbury								
Office Of The Selectmen	F	18.00	10/28/2000	Town Of Madbury	13 Town Hall Rd.	Madbury	NH	LCIP boundary signs posted
Office Of The Selectmen	F	7.97	10/28/2000	Town Of Madbury	13 Town Hall Rd.	Madbury	NH	trail use, small LCIP boundary signs posted
Madbury/Barringt								
Gray and Kitty Cornwell	E	123.80	10/28/2000		42 Nute Road	Madbury	NH	fields planted in clover, no problems
Manchester								
Office Of The Mayor	F	1.08	10/1/2000	City Of Manchester	One City Hall Plaza	Manchester	NH	received PlanNH merit award
Office Of The Mayor	F	1.08	4/23/2001	City Of Manchester	One City Hall Plaza	Manchester	NH	Property in good shape, may acquire 2 lots acros
Marlborough								
Office Of The Selectmen	F	6.00	6/28/2000	Town Of Marlboroug	Box 487	Marlborough	NH	trailwork, boat landing and picnic area. Pictures,
SPNHF	E	5.50	6/28/2000	% Paul Doscher	54 Portsmouth St.	Concord	NH	field maint. Pictures, maps filed with reports. Lo
Mason								
Office Of The Selectmen	F	163.30	10/3/1998	Town Of Mason	Town Office	Mason	NH	trail work
Theodore Stewart, Jr.	E	71.80	10/5/1998		236 Jackson Rd.	Mason	NH	timber harvest; bdry maint
William Doonan	E	12.50	10/3/1998	Manager	23 Jarbrook Rd	Holliston	MA	
Meredith								
John Moulton	E	88.40	6/1/2000		RR 3 Box 251	Meredith	NH	encroachment issue OK, timber harvest, field ma
Stuart C. & Daniel S. Bushnell	E	22.00	10/30/1999	Keysar Rd.	RR 3	Meredith	NH	east line poorly marked (abutter to tag line)
Merrimack								
Office Of The Selectmen	F	87.72	11/18/2000	Town Of Merrimack	PO Box 940	Merrimack	NH	wildlife and walking trails, request for sewer ease
Milford								
Office Of The Selectmen	F	45.12	3/28/2001	Town Of Milford	1 Union Square	Milford	NH	trail work
Office Of The Selectmen	F	9.65	3/28/2001	Town Of Milford	1 Unipn Square	Milford	NH	trail work
New Boston								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	20.90	6/7/1998	Town Of New Bosto	Box 250	New Boston	NH	field maintenance undertaken
Office Of The Selectmen	F	21.08	7/26/1998	Town Of New Bosto	Box 250	New Boston	NH	sm. Amt of prple lstrf, deadfalls, trail planning
Office Of The Selectmen	F	13.40	7/26/1998	Town Of New Bosto	Box 250	New Boston	NH	Shrubs planted, trailwork pending, banks bare.
New London								
John F. & Ruth I. Clough	E	53.06	11/30/2000	Spring Ledge Farm	220 Main St.	New London	NH	extremely thorough reports!
W. Kidder Sr. & Hilary Cleveland	E	16.20	11/30/2000		PO Box 99	New London	NH	entire boundary needs extensive work (locating,
Newport								
Ben H. & Katherine G. Wells	E	47.65	8/21/2000		35 Westmoreland Pl	St. Louis	MO	selective cutting (looks good)
Doddridge & Jolyon Johnson	E	94.00	8/21/2000	Youngs Hill Road		Sunapee	NH	
Mrs. Barbara Yeomans	E	25.50	8/21/2000		Blueberry Ridge Rd.	Newport	NH	
Office Of The Selectmen	F	76.00	8/21/2000	Town Of Newport	15 Sunapee St.	Newport	NH	trails upgraded for bicycle races in town forest
Pembroke								
Office Of The Selectmen	F	26.62	4/5/1997	Town Of Pembroke	311 Pembroke St.	Pembroke	NH	
Peterborough								
Helen Land c/o Phil Dubois	E	198.19	10/18/1999	24 Gulf Road		Peterborough	NH	Timber harvest, field maintenance, clearing of la
Mary E. Monahon	E	40.50	1/21/2001		Granite Block	Peterborough	NH	trail work, selective cutting to follow
Mary E. Monahon	E	70.50	1/21/2001		Granite Block	Peterborough	NH	selective cutting to follow, trails well used.
Office Of The Selectmen	F	151.00	12/30/2000	Town Of Peterborou	1 Grove St.	Peterborough	NH	
Plainfield								
James & Helen Walker	E	216.00	10/12/2000	Sanborn Rd.	HC Box 220	Plainfield	NH	landowner still discussing location of driveway
Meadowsend Timberlands Ltd P	E	515.00	1/22/2001	PO Box 966		New London	NH	SW boundary difficult to see, no trespassing sigr
Misha Rosoff	E	304.00	10/12/2000					owner to build house in houselot in spring
Office Of The Selectmen	F	113.64	6/1/2000	110 Main Street	PO Box 380	Meriden	NH	bounds generally clear, tornado damage area re
Plymouth								
Alfred Fauver	E	104.60	12/7/2000	Old Hebron Rd.	Box 57	Plymouth	NH	timber harvest
Green Acres Woodlands, Inc.	E	1099.80	12/7/2000	% Mr. Robert Marcal	PO Box 444	Elmwood Par	NJ	timber harvest
Office Of The Selectmen	F	76.00	12/3/2000	Town Of Plymouth	Town Hall	Plymouth	NH	
Office Of The Selectmen	F	87.00	12/3/2000	Town Of Plymouth	Town Hall	Plymouth	NH	littering concerns, may gate Class 6 road.
Portsmouth								
Walter Hett	E	55.40	10/12/2000		305 Peverly Hill Roa	Portsmouth	NH	field maint, property bounds located.

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Rye								
Office Of The Selectmen	F	58.70	10/1/1998	Town Of Rye	10 Central Rd.	Rye	NH	dump cleanup,grading
Sanbornton								
Brian and Mary Mokler	E	86.33	11/19/2000	7200 Gladden N.E.		Albuquerque	NM	owners doing great job, managed as farmland/w
Sandwich								
	E	12.00						
Chris Read	E	13.00						
Denley W. Emerson	E	609.23	9/20/2000		PO Box 127	Center Sand	NH	cleared new field
George & Nancy Bates	E	264.20	9/16/2000		266 Glen Road	Weston	MA	trails maintained
Grace Henry	E	198.00	9/20/2000	Top Of The World R	PO Box 246	Ctr. Sandwic	NH	
Roger Coolidge	E	74.50	9/16/2000	Box 453		Epsom	NH	new flagging on northern boundary
Susan Boquist	E	430.00	9/16/2000	% Susan Boquist	PO Box 666	Bedford	MA	minor roadwork on driveway
Wilbur & Joan Cook	E	9.67	6/27/2000		Diamond Ledge Roa	Center Sand	NH	
Wilbur & Joan Cook	E	273.52	6/27/2000		Diamond Ledge Roa	Center Sand	NH	gravel operation
South Hampton								
Henry V. Crosby, Jr.	E	113.00	11/5/2000		PO Box 524	Kingston	NH	Problems with ATVs (ripping up trails)
Stratham								
David & Aurise Batchelder	E	57.73	11/12/2000		3 Barker Lane	Stratham	NH	trespassing by ATV's
Sunapee								
Joel & Joanna Harrison	E	3.50	12/29/2000	Joel and Joanna Har	Box 523	Sunapee	NH	field maintenance
Jolyon Johnson	E	176.50	12/29/2000		PO Box 596	Sunapee	NH	viewed property from road.
Jolyon Johnson	E	58.50	12/29/2000		PO Box 596	Sunapee	NH	field maint.
Jolyon Johnson	E	144.30	12/29/2000		PO Box 596	Sunapee	NH	field maint.
V-OZ Asset Management Co., L	E	75.70	12/29/2000	c/o Van O. Webb	524 Stagecoach Roa	Sunapee	NH	timber harvest, field maint.
Swanzey								
Bruce & Victoria Barlow	E	122.00	7/25/2000	60 Honey Hill Road	PO Box 10264	Swanzey	NH	abutting subdivision (tax map 45 lot 22), landown
Office Of The Selectmen	F	142.80	7/25/2000	Town Of Swanzey	PO Box 10009	Swanzey	NH	code enforcer resolved abutter problem. No new
Tamworth								
c/o Martha Carlson	E	297.01	8/19/2000	The Community Sch	Bunker Hill Road	South Tamw	NH	poor boundary markers, problems with abutter e
Joan T. Cave	E	742.00	1/14/2001		15 Kingsbury Road	Chestnut Hill	MA	timber harvest - emphasis on forest, wildlife habit

TOWN CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Scott	E	64.43	12/9/2000	Cleveland Hill Road	Box 188	Tamworth	NH	filling old gravel pit, stablization of yernal pools, c
Temple								
Dan & Heather Pratt	E	140.00	12/18/2000	West Road	RR 2 Box 3	Temple	NH	field maint.
Tuftonboro								
Dr Howard & Kathryn Shane	E	54.10	8/23/1999	Brick House	Rte 109	Mirror Lake	NH	
Office Of The Selectmen	F	33.00	8/23/1999	Town Of Tuftonboro	PO Box 98	Center Tufto	NH	
Walpole								
Office Of The Selectmen	F	16.60	8/15/2000	Town Of Walpole	PO Box 729	Walpole	NH	trail work
Office Of The Selectmen	F	29.40	8/15/2000	Town Of Walpole	PO Box 729	Walpole	NH	trail work
Weare								
Kingsbury Timber Corp.	E	106.60	10/21/2000	c/o Ken Super, Wag	PO Box 128	Lyme	NH	may need BLMP, some dumping (possibly from :
Office Of The Selectmen	F	96.10	11/6/2000	Town Of Weare	PO Box 190	Weare	NH	ATV use a concern, new trail developing from thi
Webster								
Abby A. Rockefeller	E	268.24	10/27/2000		105 Irving Street	Cambridge	MA	All corners and bounds signed and marked
Edward J.	E	13.00	6/25/2000	Pearson Hill Road	Box 5	Webster	NH	bndry maint
Harold W. & Elizabeth C. Janew	E	8.39	6/22/2000	225 Tyler Road		Webster	NH	
Harold W. & Elizabeth C. Janew	E	19.08	9/26/2000	225 Tyler Road		Webster	NH	drove all road frontage
Judith Riggs	E	15.50	6/22/2000	496 Battle Street		Webster	NH	
Office Of The Selectmen	F	58.90	6/25/2000	Town Of Webster	Town Office, RR 5	Webster	NH	bound. Maint
Office Of The Selectmen	F	51.10	10/16/2000	Town Of Webster	Town Office, RR 5	Webster	NH	
Windham								
Office Of The Selectmen	F	54.15	10/28/2000	Town Of Windham	3 No. Lowell Rd.	Windham	NH	trail work, minor dumping
Wolfeboro								
Donald H. McBride	E	23.00	6/16/2000	Kings Pine Road	PO Box 898	Wolfeboro Fa	NH	new conservation lands decals, new brochure
Office Of The Selectmen	F	10.71	6/21/2000	Town Of Wolfeboro	Box 629	Wolfeboro	NH	area to be developed for passive rec. as funds al
Total Number of Acres:		23502.96						
Total Number of parcels:		238						

LCIP Field Visits of Local Parcels - 7/1/00 through 6/30/01

mvDATE	*TOWN*	*ACRES*	*Fee/Esmt*	*OWNERS LAST NAME*	*STATUS*
7/11/2000	Barnstead	116	E	Goodrich	Excellent condition. Will donate another 13 acres in fall 2000.
7/12/2000	Barnstead	5	E	Guenther	
7/12/2000	Jefferson	39.97	E	Gifford & Denison	boundaries well marked, some blowdowns tree damage in forest
7/12/2000	Lancaster	13.86	E	Southworth	field has not been mowed recently, little activity on property
7/12/2000	Lancaster	37.4	E	Christie	property fine
7/12/2000	Lancaster	237	E	Smith	met with town mgr, CC member, saw dam, plant and drove to SE bndry
7/12/2000	Lancaster	2.33	E	Town of Lancaster	saw property while visiting pump station, dam area
7/18/2000	Gilford	5.33	F	Town of Gilford	Access fully developed, some trash along pondshore, 2 unclear boundary pins
7/18/2000	Gilford	16.46	E	Carson	property appears to be in good shape. No problems
7/20/2000	Andover	696.62	E	Newman	BSA campsite on property, heavy-handed abutter timber harvest in last yr
7/25/2000	Swanzey	122	E	Barlow	Walked to summit of Honey Hill. Both blue and yellow trails in good shape.
7/25/2000	Swanzey	142.8	F	Town of Swanzey	walked boundaries, no problems - abutters ok
8/2/2000	Acworth	977.5	E	Thibault	BLMP and Forest Mgmt plan may be pursued.
8/7/2000	Deering	12.65	E	Langlois	sign, bench placed by landowner for scenic view
8/7/2000	Deering	39.96	E	Dudley Brook Cooperative	new trail, old blazes almost faded on boundaries
8/8/2000	Sunapee	144.3	E	Johnson	met J. Johnson, checked west boundary (townline)
8/8/2000	Sunapee	58.5	E	Johnson	boundaries checked
8/8/2000	Sunapee	176.5	E	Johnson	fields maintained, everything looked fine
8/8/2000	Sunapee	3.5	E	Harrison	checked from car
8/8/2000	Sunapee	75.7	E	Webb	timber harvest
8/22/2000	Lee/Durham	60.14	E	Wilson	Active apple orchards, farm stand. CK outlot bndries in future
8/23/2000	Cornish	39.4	E	Barker	subdivided couple of yrs ago, trail use, old blazes.
8/23/2000	Cornish	92	E	Covell	New owners, new pond, active horse farm, mag North NOT true No.
8/23/2000	Cornish	16.6	E	Lenz	subdivided couple of yrs ago, trail use, old blazes.

mvDATE	TOWN	ACRES	Fee/Esmt	OWNERS LAST NAME	STATUS
8/25/2000	Hanover	16.74	E	Trustees of Dartmouth Col	well tended organic farm, trash pile (old windows, snowfencing)
8/25/2000	Hanover	7	E	Dartmouth College	old culverts, path is overgrown (poision ivy)
8/25/2000	Hanover	19.4	E	Hanover Improvement Soc.	bndries on survey vs. on the ground are unclear
8/25/2000	Lebanon	16	F	City of Lebanon	Trail marked and in good shape.
8/29/2000	Lee	48.74	E	Keniston	CK trash pile along stone wall yearly, otherwise good shape.
8/29/2000	Lee	75.78	E	Claridge	Interest in BLMP, new subdivision on border
8/30/2000	New London	20.6	E	Clough	Cked boundaries. Everything in good shape
8/30/2000	New London	16.2	E	Kidder & Cleveland	Trail in good shape, Ck boundaries in future (spring/fall)
8/30/2000	New London	53.06	E	Clough	Cked outlot boundaries
9/9/2000	Dunbarton	22.3	F	Town of Dunbarton	
9/9/2000	Dunbarton	17	F	Town of Dunbarton	
9/9/2000	Dunbarton	49.8	F	Town of Dunbarton	
9/9/2000	Dunbarton	62.3	F	Town of Dunbarton	
9/9/2000	Dunbarton	13.6	F	Town of Dunbarton	
9/9/2000	Dunbarton	269	F	Town of Dunbarton	
9/9/2000	Dunbarton	172.7	F	Town of Dunbarton	
9/9/2000	Dunbarton	58.2	F	Town of Dunbarton	
9/20/2000	Exeter	55.35	E	Exeter Country Club, Inc.	good shape, monuments need to be located
9/20/2000	Exeter	16.65	F	Town of Exeter	trail needs mowing
9/22/2000	Hopkinton	95.52	F	Town of Hopkinton	nice trail area, children's map
9/22/2000	Hopkinton	92.54	F	Town of Hopkinton	trails in good shape, ck southern boundary for encroachment
9/28/2000	Chichester	17.8	E	Blackman	land posted against hunting - needs attention
9/28/2000	Chichester	25.7	E	Blackman	land posted against hunting-needs attention
9/28/2000	Chichester	72.7	E	Blackman	land posted for hunting, trapping, needs attention
9/28/2000	Chichester	144.9	E	Drinon	ck burn pile occasionally
10/12/2000	Plainfield	216	E	Walker	looked at possible areas for driveway
10/12/2000	Plainfield	304	E	Rosoff	little activity, new house will be built in outlot

mvDATE	*TOWN*	*ACRES*	*Fee/Esmt*	*OWNERS LAST NAME*	*STATUS*
11/6/2000	Hancock	260	E	Merrill	No problems, hunting with permission
11/6/2000	Hancock	81.83	E	Brown	active horse farm, lots of debris
11/28/2000	Landaff	19.8	E	Tellman	new owners, marked 2 boundaries
11/28/2000	Landaff	4.21	E	Clement	nice farm
11/28/2000	Landaff	364.4	E	Jockey Hill Farms, Inc.	Nice farm, 2 of 3 outlots have houses
11/30/2000	New London	16.2	E	Kidder & Cleveland	began to check bounds. Difficult walking
11/30/2000	New London	53.06	E	Clough	located bounds that had yet to be found
3/28/2001	Lyme	17.7	E	Hewitt	Preparing for subdivision and house construction.
4/20/2001	Barnstead	179	F	Town of Barnstead	parcel in good shape
4/20/2001	Barnstead	6.32	F	Town of Barnstead	some trash, blow downs along trail and picnic area
4/23/2001	Bedford	7	F	Town of Bedford	Interpretive signs in good shape, LCIP sign will be placed
4/26/2001	Canterbury	7.5	E	Beale	visit to establish baseline
4/26/2001	Canterbury	15.15	E	Booth	Visit to establish baseline
4/26/2001	Canterbury	1.75	E	Hafer	visit to establish baseline
4/26/2001	Kingston	12.86	E	Bakie	Aerial review while doing Bakie 184 acre parcel. No problems. Clear view of property. FV to follow.
5/4/2001	Deerfield	56	E	Tomilson	Walked boundaries of outlot.
5/7/2001	Barrington	149.5	E	Boodey	no trespassing signs on Route 9 should be removed. Mrs. Boodey died 6/26/01
5/11/2001	Hudson	203.5	F	Town of Hudson	ATV use causing trail damage
5/11/2001	Hudson	189	F	Town of Hudson	Major encroachment suspected. Follow up required.
6/19/2001	Plymouth	87	F	Town of Plymouth	
6/19/2001	Plymouth	76	F	Town of Plymouth	
6/19/2001	Plymouth	1099.8	E	Green Acres Woodlands Inc	

Total Number of parcels visited: 73 *Total Number of Acres:* 8018.68

State LCIP Conservation Easements (by Town)

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Acworth							
Bascom Maple Farms, Inc.	113.40	8/23/2000	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	
Acworth/Charlest							
Bascom Maple Farms, Inc.	238.00	8/23/2000	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	
Acworth/Langdon							
Bascom Maple Farms, Inc.	398.90	8/23/2000	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	
Alton							
Judith E. Fry	251.00	5/14/2001	Stage Coach Road	RR1	Alton	NH	Met w/ Judy Fry, walked trails and woods road
Benton							
Edward & Janet Cadreact	315.22	1/5/2001		RR 1 Box 41	Pike	NH	Timber harvest undertaken.
Canterbury							
Canterbury Shaker Village, In	24.00	7/5/2001	% Scott Swank	288 Shaker Rd.	Canterbury	NH	
Canterbury Shaker Village, In	657.00	7/5/2001	% Scott Swank	288 Shaker Rd.	Canterbury	NH	BLMP check
Canterbury Shaker Village, In	13.00	7/5/2001	% Scott Swank	288 Shaker Rd.	Canterbury	NH	
Jill McCullough & Tim Meeh	451.80	9/7/2000	% Tim Meeh	317 Shaker Road	Canterbury	NH	New foot bridge and logging road
Tim & Greg Meeh	95.60	9/7/2000	% Tim Meeh	317 Shaker Road	Canterbury	NH	
Claremont							
Edward MacGlaflin	214.60	5/1/2001	R1, Box 336 F	East Mountain Rd.	Claremont	NH	River erosion across field.
Edward MacGlaflin	18.00	5/1/2001	R1, Box 336 F	East Mountain Rd.	Claremont	NH	
Columbia							
Tanya S. Tellman	353.50	6/20/2001	122 The Lane		Whitefield	NH	met to discuss contamination plume from Cole
Concord							
EJ Sullivan Trust	8.40	8/18/2000	James Sullivan, Trus	619 Washington Stre	Rye	NH	Unable to contact owner or rep.
Cornish/Plainfield							
Gael McKibben (& G. Yatsevit	173.05	4/25/2001	15 Walton Street		Portland	ME	
SPNHF (Yatsevitch)	800.14	4/25/2001	c/o Paul Doscher	54 Portsmouth Stree	Concord	NH	Outlot construction continues

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Dorchester							
Robert F. & Sandra K. Green	664.80	5/16/2001	PO Box 330		Lyme	NH	
Dorchester/Lyme							
George Evarts	2162.26	8/10/2000	1405 Buck Mountain		Earlysville	VA	Timber harvest being planned.
Durham							
Chris and Stephanie Daly	3.02	5/15/2000	551 Bay Road		Durham	NH	Harvest looked fine. Okayed limbing dead bra
Chris Daly, President	3.42	5/15/2000		551 Bay Road	Durham	NH	Pond level decreasing. Drop inlet leaking.
Firoze E. Katrak and Marie Ha	2.11	5/15/2000	6 Canal Park #706		Cambridge	MA	House mostly completed. Denied dock request
Gerhard & Ingeburg Brand	0.28	5/15/2000		Bay Road	Durham	NH	
Tyler C. and Marcia M. Tingle	0.46	5/15/2000	31 Elliot Street		Exeter	NH	
Enfield							
Museum At Lower Shaker Vill	17.83	7/27/2000	% Carolyn Smith	Route 4A	Enfield	NH	
Errol							
Hancock Timber	2258.85	10/9/2000	c/o Frosty Sobetzer	150 Orford Rd PO B	Lyme	NH	
Farmington							
Frank J. Scruton	589.81	6/11/2001		208 Meaderboro Rd.	Rochester	NH	cutting in Evan's Pasture will continue in Augus
Gilford							
Mark Mooney	308.33	8/18/2000		428 South Road	Belmont	NH	
Gilmanton/Alton/							
Boy Scouts Of America	3268.69	10/20/1999	Daniel Webster Cou	571 Holt Avenue	Manchester	NH	plans to rehab Camp Bell.
Goshen							
Northwoodlands, Inc.	25.10	4/26/2001	% Don Clifford, Presi	RR 2 Box 40	Newport	NH	aerial monitoring - no changes
Goshen/Newbury							
Northwoodlands, Inc.	2549.50	2/13/2001	% Don Clifford, Presi	RR 2 Box 40	Newport	NH	Working in area off Route 102, NE tract.
Hanover							
Samuel C. & Joanna M. Doyle	396.30	7/28/2000		PO Box 89	Hanover	NH	Additional 27 acres added.
Samuel C. & Joanna M. Doyle	42.80	7/28/2000		PO Box 89	Hanover	NH	
Haverhill							
Heirs of Martha C. Chamberli	183.00	8/11/2000	c/o Jane Bartrum	575 Hammet Hill Ro	East Montpe	VT	Minor abutting development.

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS			STATUS
Heirs of Martha C. Chamberli	68.47	8/11/2000	c/o Jane Bartrum	575 Hammet Hill Ro	East Montpe VT	
Miles Conklin	81.00	5/2/2001		Box 165, Court Stree	Haverhill NH	
Richard G. McDanolds	181.45	8/11/2000	Mace Hill Road	PO Box 275	No. Haverhil NH	Minor abutting development.
Hollis						
Brookdale Fruit Farm, Inc.	194.44	6/15/2001	Elwin Hardy, Preside	36 Broad St.	Hollis NH	
Hopkinton						
Hopkinton Independent Schoo	61.80	7/31/2000	c/o Cathy Chesley	20 Beech Hill Road	Hopkinton NH	
Hopkinton/Conco						
Robert Kimball	177.50	7/31/2000		107 Beech Hill Road	Hopkinton NH	
Kingston						
Mrs. Adine Bakie	184.00	12/13/2000	Rte. 107A	35 Pow Wow River	Kingston NH	No changes in paintball area. Boundary work n
Lancaster						
Alan (Micky) and Judy Forbe	237.67	9/27/2000		304 North Road	Lancaster NH	Good buffer, path left between corn
John E. & Marceline M. Nade	102.17	9/27/2000	South Lancaster Ro	RR 2 Box 662	Lancaster NH	
Loudon						
Harvey J. Bergeron	81.00	12/5/2000	364 Upper City Road	RFD 3	Pittsfield NH	
Loudon/Pittsfld/B						
David L. & Louise Osborne	738.00	12/5/2000	372 Upper City Rd.	RFD 3	Pittsfield NH	Metal siding in sand pit area.
Lyme						
B. Wayne Tullar, Jr.	18.30	12/1/2000	560 River Road		Lyme NH	
B. Wayne Tullar, Jr.	45.70	12/1/2000	560 River Rd.		Lyme NH	
B. Wayne Tullar, Jr.	46.10	12/1/2000	560 River Road		Lyme NH	
Madison						
The Nature Conservancy	341.01	10/26/2000	Mr. Daryl Burtnett	2 1/2 Beacon Street	Concord NH	abutter boundary same as before
Milton						
NH Farm Museum, Inc.	18.60	6/11/2001	% F. Curtis Johnston	Board of Trustees as		Parking in NE field must be discontinued. 2 sh
New Boston						
Continuity Family Trust	16.40	6/15/2001	Dorothy H. Marden,	100 Gregg Mill Rd.	New Boston NH	
Newbury						

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS			STATUS
Northwoodlands, Inc.	25.20	2/13/2001	% Don Clifford, Presi	RR 2 Box 40	Newport NH	
Newmarket						
Frank Smas	29.41	6/21/2000	Bay Road	RR 2	Newmarket NH	
Orford						
Ernest and Helen Daisy et al	17.25	5/2/2001	Cottonstone Farm	RR 1 Box 25	Orford NH	
Forrest Bunten	183.50	5/2/2001		RR Box 27	Orford NH	
Mildred Wilson	13.69	5/2/2001		RR Box 36	Orford NH	
Rendell Tullar	72.37	5/2/2001	Tullando East LLC	RR 1 Box 73	Orford NH	
Ossipee						
Ossipee Aggregates	14.20	10/26/2000	% David Campbell	20 Trafalgar Sq Suit	Nashua NH	part of boundary line repainted.
Piermont						
Hal Colvert	209.47	12/1/2000		327 River Road	Piermont NH	
Putnam Farm Of Piermont	15.90	8/11/2000	% Bill Putnam	15 Route 25	Piermont NH	Minor erosion of brook bank.
Putnam Farm Of Piermont	127.14	8/11/2000	% Bill Putnam	15 Route 25	Piermont NH	Small recreational structure constructed.
Verne E Batchelder & Jeanie	100.90	12/1/2000	River House	141 River Road	Piermont NH	New access road to rear of property. Excellent
Pittsburg						
John H. Amey	1246.70	6/27/2001		Box 523-A	Pittsburg NH	
Paul and Arcia Amey	61.06	6/27/2001	Tabor Rd.	Box 523	Pittsburg NH	
Roy Amey	286.70	6/27/2001	Tabor Rd.	Box 525	Pittsburg NH	
Richmond/Fitzwill						
Little Monadnock Realty Trust	1253.40	3/21/2001	c/o Chester Peirce	33 Hill Street	Lakeville MA	Timber harvest cont, north of Morgan Reserve
Rindge						
Cambridge Boy Scout Camp,	158.10	11/1/2000	% Tom Slavicek, Co	2326 Massachusetts	Cambridge MA	trailers and boat behind Uncle Georges Area
Shelburne						
Matthew S. and Lona G. Tas	279.00	8/25/2000	5 Reggio Avenue		Old Orchard ME	Minor dumping of old fence, resolution request
Stewartstown						
The Nature Conservancy	313.10	10/9/2000	Mr. Daryl Burtnett	2 1/2 Beacon St. Sui	Concord NH	Development on adjacent parcels
Stoddard						
SPNHF	126.85	8/23/2000	% Paul Doscher	54 Portsmouth St.	Concord NH	Abutter constructed access to parking area

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Stratham							
Florence Wiggin	30.00	6/21/2000		Squamscott Rd.	Stratham	NH	
Sutton							
Wagner Woodlands (for Kurt	117.85	1/4/2001	% Frosty Sobetzer	PO Box 160	Lyme	NH	Heavy timber harvest.
Swanzey							
Office of the Swanzey Select	13.00	9/8/2000	Town Of Swanzey	PO Box 10009	Swanzey	NH	
Office of the Swanzey Select	1.60	9/8/2000	Town Of Swanzey	PO Box 10009	Swanzey	NH	
Tamworth							
c/o Charles(Chip) Sterling(Trs	17.50	6/27/2000	State Street Bank	225 Franklin Street	Boston	MA	
Troy							
Little Monadnock Realty Trust	565.10	3/21/2001	c/o Chester Peirce	33 Hill Street	Lakeville	MA	
Westmoreland							
Marilyn S. Wingersky et al.	41.38	9/29/2000	% Patricia Porter Be	1281 River Rd.	Westmoreland	NH	
Windyhurst Farm Partnrshp	216.92	9/29/2000	Roger S. & Eleanor	19 Route 63	Westmoreland	NH	Tires, satelite dish need removal
Whitefield							
Bernie Bean	218.70	9/27/2000		59 Crane Road	Whitefield	NH	scrap metal to be removed, DOT widening Rou
Wilmot/Danbury							
Wagner Woodlands (Sands)	695.40	7/20/2001	% Frosty Sobetzer	PO Box 160	Lyme	NH	timber harvest on south side of New Canada R
Winchester							
William Kelly Jr.	234.73	4/20/2001	Kelly-View Farm	428 Old Westport Rd	Winchester	NH	
Total Number of Acres:	25881.9						
Total Number of parcels:	80						

MANAGEMENT/MONITORING ACTIVITIES ON FEE OWNERSHIP LCIP PROPERTIES

Assigned to

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

July 1, 2000 - June 30, 2001

Ammonoosuc River State Forest, Stark - 8.0 acres

No activity.

Big Island State Forest, Wentworth's Location - 350.0 acres

No activity.

Blue Job State Forest, Farmington - 116.6 acres
(Blue Job Mountain, Inc. Tract)

No activity.

Bowditch-Runnells State Forest, Tamworth - 83.1 acres
(Bowditch Estate Tract)

A timber sale started in the winter of 2000/2001 and is about 50% complete. Water testing in the Chocorua River continues to monitor water quality.

Cape Horn State Forest, Northumberland - 2062.3 acres

Six miles of boundary line maintenance (brush, blaze and paint lines) by contract with a private sector vendor.

New England Wildflower Society field review for rare species occurrences on the property.

Prescription cruising, layout and marking of a timber sale on 181 acres. Estimated volumes of 200 mbf sawlogs and 800 cds of pulp.

Devils Slide State Forest, Stark - 290.0 acres

Property corners located using GPS for entering into the GRANIT System.

ATTACHMENT #6 - DRED

Kearsarge Mountain State Forest, Warner - 976.1 acres
(Lowell and Goodnow Tracts)

Office computation summarizing forest inventory data and timber type mapping

Lang Station State Forest, New Boston - 226.3 acres

Boundary line maintenance (blaze, paint and brush lines)

The Town of New Boston installed a footbridge over the East Branch of the Piscataquag River under a Special Use Permit from DRED.

DRED maintenance crew replaced the roof on the Lang Railroad Station structure.

Forest inventory and management plan statement completed.

Livermore Falls State Forest, Campton/Holderness - 44.3 acres
(Livermore Falls Corp. and Durgin Tracts)

No activity.

Lochmere Archaeological Area, Belmont - 13.4 acres

Boundary line maintenance (blaze, paint and brush lines)

Nash Stream Forest, Odell, Stark, Columbia and Stratford - 39,460.3 acres

Timber sale on 400 acres in Compartment 22. Contractor has been given three winters to harvest 413 mbf of sawlogs and 1,800 cds of pulpwood.

Layout and preliminary marking of three timber sales in Compartments 26 and 27. Estimated 600 acres.

Crushing of 8,000 yards of gravel to resurface main road. Yearly road maintenance and upgrading including mowing, culvert replacement, ditching, grading and gravel replacement.

386 acres of forest inventory in Compartments 26 and 27.

7.5 miles of snowmobile trail re-routes located and constructed.

Locate and flag 12-mile long eastern boundary with International Paper in preparation for blazing contract.

ATTACHMENT #6 - DRED

Northwood Meadows State Park, Northwood - 662.0 acres
(Burtt Tract)

No activity

Odiorne State Park, Rye - 64.0 acres
(Ralph Brown Tract)

No activity

Ossipee Lake/Heath Pond Bog, Ossipee and Effingham - 1112.2 acres
(Merrow, Currier, Marston Industries, Inc. and Fleet Bank Tracts)

No activity

Percy State Forest, Stark - 77.5 acres

Boundary line maintenance (blaze, paint and brush lines).

Property corner location using GPS for entering into the GRANIT System

Pine River State Forest, Ossipee - 105.5 acres
(Ossipee Aggregate Tract)

The Division of Cultural Resources conducted archeological field studies.

Pisgah State Park, Chesterfield and Hinsdale - 344.6 acres
(Dort and Friends of Pisgah Tracts)

No activity.

Rhododendron State Park, Fitzwilliam - 153.8 acres
(Little Monadnock Development Trust Tract)

Develop site plan for Park Master Plan process.

Property corner location using GPS for entering into GRANIT System.

Smiths Ferry Heritage Park, Manchester - 17.1 acres

No activity.

ATTACHMENT #6 - DRED

Sugar River Recreation Trail, Claremont - 2.7 acres

Slope and drainage easement granted to NH Dept. of Transportation for NH Route 111 improvements.

Sunapee State Park, Newbury - 130.0 acres
(Bank Five Tract)

No activity.

Umbagog State Park, Errol and Cambridge - 1088.7 acres
(Pingree Associates, Oxford Paper, James River and Union Water Power Tracts)

Forest inventory completed on 700 acres. Field review and assessment of wind storm damage on 200 acres.

Wantastiquet Natural Area, Hinsdale - 90.6 acres
(Smith Tract)

No activity.

White Lake State Park, Tamworth - 148.7 acres
(Reed Tract)

Property corner location using GPS for entering into GRANIT System.

lciprop2001

ATTACHMENT #6 - DRED

OFFICE OF STATE PLANNING
STATE OF NEW HAMPSHIRE
2½ BEACON STREET - CONCORD 03301-4497
TELEPHONE: 603-271-2155
FAX: 603-271-1728

December 3, 2002

Karen Wadsworth, House Clerk
NH House of Representatives
State House, Room 317
Concord, New Hampshire 03301

Dear Ms. Wadsworth:

Attached you will find a copy of the *Land Conservation Investment Program (LCIP) Monitoring & Enforcement Activities* report for FY02. This report was accepted by the Council on Resources and Development (CORD) on November 7, 2002, and is submitted to you in accordance with NH Administrative Rules Part Land 1104.02(d) and RSA 162-C (formerly RSA 221-A). There is no need for further action on your part.

While most people seem to be focusing on the Land and Community Heritage Investment Program (*LCHIP),* it is important to remember that the LCIP protected over 100,000 acres of land between 1988 and 1993. 50,000 acres are held in fee by the State, 25,000 acres are privately owned land with conservation easements held by the State, and the remaining 25,000 acres consist of both fee interests and conservation easements acquired on behalf of 78 municipalities. In the nine years since the acquisition component of the LCIP ended, the LCIP Monitoring Program has been actively working with communities and private landowners to ensure that the conservation values of these special places are preserved into the future.

If you have any questions concerning the report or the current status of the LCIP Monitoring Program, I would be pleased to brief you.

Sincerely,

Jeffrey H. Taylor, Chairman
Council on Resources and Development

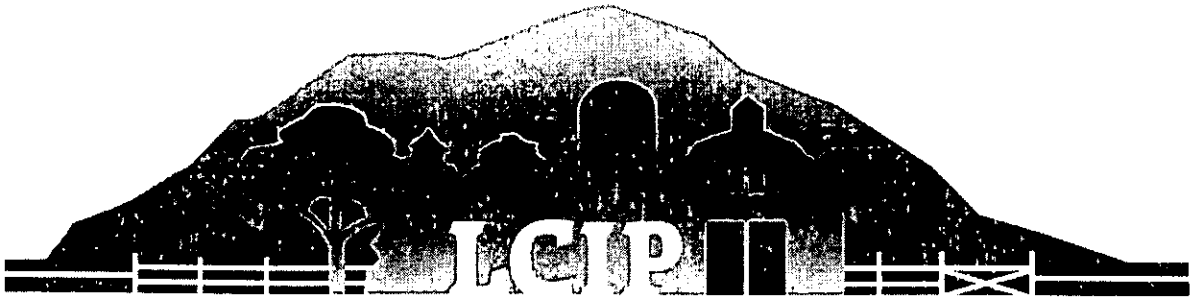
JHT/PSH:jlm
Attachment

SB 401

PL 245

2000

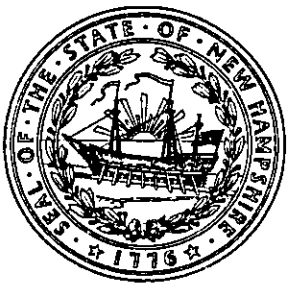
Report to
The Council on Resources and Development
for



Land Conservation Investment Program

Monitoring & Enforcement Activities

During the period July 1, 2001
Through June 30, 2002



LAND CONSERVATION INVESTMENT PROGRAM ACTIVITIES

July 1, 2001 - June 30, 2002

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ATTACHMENTS

Attachment #1 - Accounting of LCIP Endowment Fund
Attachment #2 - Documented Local Lands Monitoring Status
Attachment #3 - FY02 Local Field Visits
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LAND CONSERVATION INVESTMENT PROGRAM ACTIVITIES

July 1, 2001 - June 30, 2002

BACKGROUND:

On July 1, 1993, the Council on Resources and Development (CORD) assumed responsibility for the Land Conservation Investment Program (LCIP) in accordance with RSA 221-A (now RSA 162-C). This responsibility requires perpetual monitoring of the State-held easement acquisitions, and providing for technical assistance for locally held interests acquired through the LCIP. The LCIP Monitoring Endowment Fund, which is used to fund this program, was established by the Legislature and the LCIP Board of Directors for this purpose.

Rules governing the LCIP Monitoring Program have been adopted by the Joint Legislative Committee on Administrative Rules (LAND 1100 MONITORING). Under PART Land 1102.01, 1102.02, and 1103.02, state agencies are required to submit annual reports to CORD summarizing any management activities undertaken, the status of any actions related to violations found, and a general update on the activities of the monitoring program. Under Land 1101.02(f) and (g), the Office of State Planning (OSP) is responsible for oversight of expenditures of income and execution of all endowment responsibilities, with the exception of financial management, which is to handled by the Treasury Department.

Monitoring responsibilities for all components of this program have been assigned to the Office of State Planning. This arrangement minimizes duplication of effort, gives the public a single point of contact regarding LCIP issues, and provides a consistent interpretation of easement language for the landowners and communities.

On June 8, 2000, the legislature approved the Land and Community Heritage Investment Program (RSA 227-M) which established a monitoring endowment for LCHIP purposes (RSA 227-M:12) for which CORD has custody. It is anticipated that the LCIP will undertake oversight monitoring for those state interests acquired by LCHIP

This report is a compilation of the information submitted by the agencies involved: Dept. of Agriculture, Markets and Food (DAMF), Fish & Game Dept. (F&G), OSP, and the Dept. of Resources and Economic Development (DRED). It is intended to briefly highlight some of the significant activities undertaken by the LCIP Monitoring Program during the reporting period. If more information is needed or if there are additional questions, please contact Pete Helm, LCIP Coordinator or Steve Walker, Stewardship Specialist at:

Office of State Planning/LCIP
2 ½ Beacon Street
Concord, NH, 03301
(603)271-2155
Email: nhlcip@osp.state.nh.us

*Although reporting requirements for State fee-owned land require the respective state agencies to submit reports to CORD, OSP has consolidated all reports related to the LCIP under one cover. Questions on State fee-owned LCIP lands should be directed to the agency managing the land.

PROGRAMMATIC ACTIVITIES:

General

The general goal of the LCIP Monitoring Program is to ensure that the conservation values of the state-held easements and locally held interests acquired by the LCIP are not diminished over time. To b accomplish this, landowner consultation and on-ground monitoring visits of state-held easements continue to be conducted on average every 12 -14 months. Technical assistance is offered to landowners and communities on an on-going basis and annually as part of a report of activities on locally held lands. With the understanding that local communities are conducting annual monitoring visits, LCIP visits to local lands are scheduled approximately once every 5 years, unless there is a reason to go sooner. We are attempting to visit with individual conservation commissions once every three years to ensure that they are aware of need for annual monitoring. Where possible, the field visits and the commission visits are coordinated into one trip to the community. In addition, aerial monitoring is generally conducted on an annual basis with emphasis given to the larger, more remote, state-held easement lands. State or local properties which may need photo documentation as a result of changing conditions are also photographed as necessary. Since the inception of the LCIP Monitoring Program, we have received no additional state funds for salary or health benefit increases.

Workshops & Activities

The LCIP Coordinator and Stewardship Specialist (SS) presented information and/or attended the following monitoring/land protection workshops and sessions related to easement monitoring:

Date	Activity	Attended
9/18/01	Met with Vermont Land Trust stewardship staff, Woodstock VT	Coor. & SS
9/29/01	Attended National Land Trust Alliance 2001 Rally, Baltimore MD	Coordinator
10/10/01	Met with DES to discuss well sighting procedures	Coordinator
10/26/01	Attended Arcview Users Group, SPNHF, Concord	Coor. & SS
11/4/01	Presented Map & Compass Sessions to NHACC Annual Mtg	Coor. & SS
11/7/01	Participated in federal review of Great Bay NERR	Coordinator
11/16/01	Attended Large Scale Easements Workshop, NEFF, Orange, MA	Coor. & SS
1/9/02	Attended Landscape Scale Conservation in NH Workshop	Coor. & SS
1/14/02	Met with UNH Coop Extension Community Resources staff	Coor. & SS
1/25/02	Attended Arcview Users Group, Kingman Farm	Coor. & SS
3/6/02	Attended DES Regulations Workshop	Coor. & SS
4/5/02	Attended Saving Community Landmarks Conference	Coordinator
4/13/02	Presented at NH Land Protection Conference, Bristol, NH	Coor. & SS
5/16/02	Met with Conservation Fund and Vermont LT staff, Montp.VT	Coordinator
5/20/02	Presented at UVLSRPC Muni Training Series, Charlestown	Coordinator
5/29/02	Presented at UVLSRPC Muni Training Series, Orford	Coordinator

Database Operation and Record Maintenance

All information pertaining to each parcel continues to be maintained as we are notified of changes occurring in areas such as ownership, addresses, contact persons, phone numbers, etc. The database is updated to reflect the new information as well as keep track of historical information. Currently, there are eight tables which are linked together. These tables include information on owners and alternate contacts, past and current monitoring and field visit dates and status, town contact information, technical assistance provided to communities, past and current interpretation issues for each parcel, and a record of which communities have responded to the annual information update request.

The LCIP has developed and continues to modify a digital record management system which will provide us with easy access to all parcel information from the computer. This system includes all baseline documentation, monitoring reports, aerial photographs, past correspondence, monitoring, etc. To develop this system, selected information on each property has been scanned into a digital format. We are now concentrating on being able to retrieve digital copies of monitoring reports and correspondence.

In addition, GIS software is being utilized to develop dynamic coverages of each property. These coverages include available GRANIT layers and newly created photo layers. These new photo data layers contain baseline and monitoring photopoints which are positioned at specific sites on the property and then hyperlinked to photographs taken in the field. Once complete, these GIS coverages will be linked to record management system so that all information about the properties can be accessed from one location. Work on this project continues as time is available.

The LCIP utilizes fireproof filing cabinets, the state archives, and offsite copies of documents to ensure that records will be available over time. We encourage communities to send up monitoring reports on LCIP lands as well to provide additional protection for there intersts.

LCIP Endowment Fund

Enclosed as ***Attachment # 1*** is a copy the Department of Treasury's accounting of the LCIP Endowment Fund. The figures show that the fund generated $117,959.76 of revenue during the past year of which $109,277.81 were utilized for operation of the monitoring program. This resulted in a net operating income of $8,681.95 to be added to the endowment fund. As of June 30, 2002, the value of the investments had increased by $1,823.65 leaving a net income of $10,505.60 to be added to the principal. The principal fund balance as of June 30, 2002 is $2,302,162.41. The fund is managed for both operating income as well as continued growth of the principal to cover future cost increases. Given that the fund balance is based partially on the market value of the equity holdings, it is important to remember that this balance may shift up or down depending on overall market conditions and that the figure for June 30th is just a snapshot of the value at that time.

Custodial Trust Account Agreement

The LCIP met with the Deputy Treasurer on August 14, 2001, February 21, 2002, and April 29, 2002 to discuss the status of the trust account agreement and various budgeting issues.

Boundary Line Maintenance Plan

Funding The LCIP Boundary Line Maintenance Plan was not available in FY 02 due to budgetary constraints. The purpose of the plan is to encourage landowners to adequately and periodically maintain their boundaries so that accidental violations will be minimized. In addition, monitoring will be easier for municipalities if the boundaries are clearly blazed and painted in the field. The LCIP feels that prevents problems and helps build communication among landowners and communities. We will be working to incorporate this program again in FY 03.

Fiscal Year 2003 Planning

The FY2003 LCIP Monitoring Plan was presented to CORD at the March 7, 2002 meeting. The estimated net revenue available from the endowment for use by the LCIP Monitoring Program is $120,000 for FY03. In addition we will again contract with DRED to undertake monitoring efforts on their non-LCIP lands. These funds will be incorporated into the LCIP budget. In general, most work tasks will continue as in FY02 with some significant additions as noted below.

- Considerable effort will continue to be directed towards coordinating monitoring responsibilities with the Land and Community Heritage Investment Program which was passed into law in June, 2000.

- The LCIP will contract with DRED to undertake monitoring of 12 existing DRED non-LCIP easements covering 40,100 acres of privately owned land on which the state holds conservation easements. This represents an additional 34,800 acres over FY02. The purpose is to ensure that DRED's interests are being monitored by using the experience and efficiency of LCIP Monitoring Program, without use of the endowment funds (which are statutorily limited for use with LCIP interests). The DRED contract is necessary to maintain two full time staff as the LCIP endowment alone will not cover all expenses.

MONITORING ASSISTANCE FOR MUNICIPAL LCIP ACQUISITIONS

Local Lands Documentation

Interests in land acquired under the local component of the LCIP are monitored by individual communities. ***Attachment #3*** provides a list of the town, current owner, date of last LCIP field visit, date last monitored reported by the town, and status of each parcel (or conservation easement) acquired under the local program. The list provides the most recent information from those towns which have provided **written** documentation of the changes or of their actions. For some of the parcels which do not show a monitoring date, verbal or personal contact indicate that local monitoring programs are in effect, but no documentation has been submitted to OSP. The information on these sheets is generated from an update sheet for each parcel sent to each community. The information is generally requested at the end of September.

During this reporting period, 88% of the 78 participating towns returned the information request This performance is again the best the LCIP has achieved since its inception, up from last year's 81%. It is a direct result of efforts by the Stewardship Specialist in encouraging and assisting communities with their submissions. We will continue to utilize pre-paid mailers, follow-up phone calls, re-mailing update sheets, etc. while striving for a 100% participation rate.

Community Visits, Technical Assistance, and Field Visits

In an attempt to ensure that communities have the training and capabilities to continue to undertake their monitoring responsibilities, the LCIP is working towards visiting with each community once every three years. This level of assistance should provide adequate continuity concerning LCIP issues and training for new members. Additionally, the LCIP Administrative Rules require that "field visits" be conducted to LCIP local parcels once every ten years. The purpose of these field visits is to ensure that the LCIP lands are being used solely for intended conservation purposes. Based on the experience to date, the LCIP will be working towards conducting field visits on local properties once every five years. Until such time as local communities can provide adequate documentation and assurances that monitoring is being conducted on an regular basis, this level of effort is necessary to ensure that there is no degradation of conservation values on LCIP lands. The LCIP conducted 17 visits to LCIP communities during the reporting period. This number is dramatically lower than earlier years due to the loss of staff to another position for March through June. Communities visited during this FY are listed below:

Andover	3/27/02	Hopkinton	1/22/02
Bath	10/9/01	Kingston	1/28/02
Boscawen	10/24/02	Lyme	4/19/02
Carroll	12/14/01	Madbury	3/25/02
Chichester	4/17/02	Mason	12/12/01
Derry	11/12/01	Pembroke	8/2/01
Epsom	3/21/02	Rye	3/15/02
Hampstead	2/6/02	Webster	3/19/02
Holderness	11/27/01		

The tasks involved with each of these visits varies from community to community but they generally involve going over the requirements of the LCIP, interpretation of easement deed language, monitoring documentation, baseline documentation, reading surveys, providing updates on statewide initiatives, and discussing other aspects of conservation easement monitoring. These visits often take place during evening conservation commission meetings. In several instances, the visit was conducted while conducting a monitoring/field visit to one of the town LCIP parcels with the local conservation commission, often on weekends. In other instances, subsequent to the community visit, a separate monitoring visit to one or more parcels was scheduled.

During the past year, 43 field visits were conducted on local LCIP parcels. ***Attachment #3*** lists these parcels and brief results of the visits. Reports of field visits are completed by the LCIP and filed with the LCIP. Field visits conducted by the LCIP are not be considered monitoring visits as the general purpose is to ensure that the land uses are consistent with the LCIP statute. In many instances boundary lines are checked, but the communication with the landowner and documentation are not at the same levels as for a monitoring visit. Monitoring visits are the responsibility of the community.

Local Easement and Fee Owned Interpretation Issues

Several easement interpretation questions have come up on local LCIP interests during the reporting period. A synopsis of each issue is as follows:

New Boston, Kingsbury Timber - Conservation Use Disagreement
There has been continued communication concerning a parking area proposal on this 13 acre fee-owned property held by the Town of New Boston. The New Boston Conservation Commission has determined that a small parking area is needed for public access to this area. The LCIP has determined that the Town of New Boston as the landowner has the right to construct a small parking area for public recreational use of this property. However, the parking area should limited to a small size (2 cars, 1 being handicap accessible) and screened from abutters. This has stimulated much discussion on the precedent of this action, if it was intended, if it's allowed, and if it can be limited if allowed. The LCIP met with the town and the abutters on-site in an attempt to mediate dispute and prevent litigation

An abutter is challenging this proposal legally, saying instead that there is adequate parking at the nearby Town Hall and that no part of a LCIP land should be used for parking. His interpretation is that this land should only be used for "Conservation purposes" and a parking area to serve the public use of a conservation area does not qualify. The abutter has filed an injunction against the Town to stop construction of the parking area. The LCIP has met with the abutter's attorney as well as the Attorney General's Office. A court date of July 12, 2002 has been set.

(Note: The Superior Court found in favor of the Town of New Boston. Since that time the abutter has appealed to the NH Supreme Court.).

Hudson, Nash - Boundary Encroachment
On a joint LCIP field visit/local monitoring visit, it was discovered that substantial encroachment is suspected along one of the boundary lines. Since this is a town-owned LCIP property, the Town of Hudson is taking the lead in exploring the encroachment issue and developing a strategy to resolve any problems. An update from the Town of Hudson is pending.

Kingston, Mayhew - OHRV/ Hunting
The LCIP met with the current landowner along with a representative from the Kingston Conservation Commission and the New Hampshire Fish and Game Department to discuss problems with motorized vehicle use and hunting. A great deal of the problem stems from the railroad ROW abutting the easement property. OHRV's and trucks illegally drive along the ROW to cut over to the Class VI road and woods roads that run through the easement property. The current landowner has noted problems, especially during hunting season, with motorized access and parking on the easement property and excessive hunting pressure. Off-season he has also had problems with dumping, OHRV use on woods roads, and illegal killing of wildlife (porcupine).

During opening day of all-rifle season this past year, over a dozen vehicles were parked on the easement property without his permission. He also had concern that this small easement area cannot safely sustain such a high density of hunters. He requested that the area be limited to archery-only hunting and assistance be given in deterring OHRV use on the easement property.

The NHFG Conservation Officer for Kingston is currently assisting the landowner in posting OHRV signs to deter motorized access and will be patrolling the ROW more frequently. The Class VI Road will be kept open to all access. Also because the new Amtrak service uses this rail corridor, there will be additional patrolling efforts made by the railroad as well as by local police. Limiting hunting to archery-only will be allowed on a temporary basis to help reduce existing pressure and to maintain public safety. The LCIP expects that full hunting will be reestablished within the next couple of seasons as illegal vehicle use is curtailed. The archery-only limit will be reviewed by the LCIP and NHFG on an annual basis.

Carroll, Livingstone - Posting Against Access
Met with the current landowner of the Livingstone property and the Town of Carroll Administrator to walk the easement property. The landowner has posted much of the property to hunting (allowed under the terms of the easement) and has posted No Trespassing signs along the access road (not allowed) and has put up a barrier along the access road. Her rationale for posting these signs/barrier was to discourage the public from thinking they could use or park along the access road because this essentially serves as their driveway to their abutting non-restricted land. While this access road does double as a driveway, it is not permissible to post against all public access. The landowner can post against hunting or motorized access, but pedestrian access is still allowable under the terms of the easement.

Based on this, the LCIP requested the landowner in writing to remove the No Trespassing signs in favor of No Hunting or No Motorized Access signs. The Town of Carroll's Board of Selectmen was copied on this letter and the Town Administrator will continue to monitor the property for compliance.

Hampstead, RUMA - Boundary Encroachment
Met with a member of the Conservation Commission to walk several LCIP properties in town. A section of the town fee-owned RUMA property has an unclear boundary along Page Lane. The granite post monumentation on the ground does not match the existing survey (stone wall). However, with some investigation it is clear that the monumentation on the ground is correct and that there is an encroachment problem. An abutter is parking/storing a car on the LCIP property. The Conservation Commission member will inform the town of this problem and the vehicle's owner will be notified that this is town property and should remove the vehicle. It was also suggested that the survey be updated to clarify the correct boundaries along Page Lane.

Hopkinton, Johnson Memorial Forest - Boundary Encroachment
The LCIP conducted a routine follow-up visit to this parcel and found that abutter had continued to store inappropriate materials over the boundary line into the town owned land. The LCIP met with the conservation commission to inform them of the problem. The CC suggested the LCIP contact the selectmen. The LCIP contacted the selectmen, who wrote a letter to the abutter asking for removal and suggesting that the LCIP be contacted if questions. The LCIP met with the landowner to show him the problem. In the meantime the town had flagged the boundary line (previously unmarked) and the problem was evident. The abutter indicated that he would pull the material back. Resolution is expected but another follow-up visit is pending.

Amherst, Scott - Boundary Encroachment
During a field visit to this parcel, the boundary with the abutting school was examined. There is some uncertainty about the correct location of the boundaries near the baseball field. The monumentation and the survey do not appear to correspond. If the survey was correct, the school's baseball field may be encroaching on the LCIP property. The LCIP conducted another visit to the site and based on this investigation felt the survey was incorrect. Upon returning to the office, the LCIP contacted the surveyor who verified our findings. However, there is continued disturbance near the line and this parcel will required more frequent monitoring by the town, and better communication among the various departments.

Francestown, Hill - Additional Easement
Discussed management plan options with landowner as well as the potential to further restrict property through an additional conservation easement. She intends to manage her property as a natural area with no active timber harvesting. Personally, she would prefer that her property remain as a natural

area in perpetuity with no active forestry or agriculture ever allowed. As currently written, however, the easement allows the property to be used for active agriculture or forestry if a landowner so chooses.

Her concern is that some future landowner might decide to conduct a timber harvest in a way that does not fit with her vision for her land. The cut may be too heavy, or extend across too much of the property, etc. With this concern in mind, she inquired if she could further restrict the easement property to limit forestry or ideally, completely restrict forestry activity in perpetuity.

One of the main purposes given for the Town of Francestown to acquire this easement was to conserve this area as open space that could be used for active forestry. In light of this, the LCIP reasoned that restricting future landowners' rights to practice all forestry was too restrictive. Our recommendation instead was to improve the forestry language in the existing conservation easement deed so it demands a forest management plan be in place before harvesting begins and requires the landowner have a forester review harvesting and follow BMP's and reference books available at the time (i.e. "Good Forestry in the Granite State"). As is, the existing LCIP easement deed only requires the landowner to follow best management practices to the extent reasonably practical. There is no requirement for a forest management plan or a licensed forester to be involved in harvesting. This stronger forestry language should help protect against poor timber management but still allow future landowners the right to pursue forestry.

Francestown, Varnum - Request for Change of Grantee

An original grantor of an easement to the Town of Francestown under the LCIP questioned whether she could change who held their easement. They expressed some concern that they and the current grantee (Town of Francestown) did not hold the same conservation values. We met with the landowners to discuss their concerns and the logistics of changing a 'grantee' on an easement deed. The 'grantee' in this case has been upholding their responsibilities to monitor the conservation easement and has been providing adequate documentation of their stewardship to the LCIP. Because there is no challenge that the 'grantee' is negligent in their responsibilities to this easement, the grantee cannot be forced to give up this easement to another government entity or qualified conservation organization. Any decision to give this easement to another group must be made by the grantee (Town). Also, given current state law, they must go through Town Meeting to request the Town to 'release' their interest in this property.

Francestown, Crotched Mt. Town Forest - Forest Managment

Two landowners with LCIP easements in Francestown objected to a timber harvest conducted by the Town of Francestown on a local fee-owned parcel acquired through the LCIP. They questioned the harvest, believing it was too heavy and was not consistent with the original management plan for the property. They indicated that the original management plan focused more on public recreation than on timber harvesting. Subsequently, a forest management plan has been drafted for this property.

After a field visit to the site, it appeared that the biomass harvest did produce a noticeable visual impact on the property. However the biomass harvest did leave many good timber trees and seed trees, and followed the existing forest management plan. The main drawback was that there was no trail buffer, and all of the trees left standing were marked with paint. This is visually distracting and not ideal for a forest also used as a recreational area. This problem was acknowledged by the Conservation Commission and said they were assured that the paint should fade in the next year or two. The Francestown Con Comm is in the process of revising a full management plans for several town forests, including a section on trails and recreation, to speak to the concern voiced by these landowners.

Sandwich, Cook - Additional Easement
The landowner requested an amendment to the easement to restrict all buildings from field areas of the easement, as well as restricting it from growing Christmas trees or similarly sized vegetation. The Town had no objection to the restrictions. The LCIP met with the town and landowners to develop language which was tailored to their goals, as well being more monitorable and enforceable. Rather than an amendment, an additional easement was layered over the LCIP easement. The town has full responsibility for the new easement..

Lyme, Menge - Burial Site
This landowner passed away and had always planned to be buried on the property. The easement language was silent on the issue. The LCIP worked with the family and the town to revise the location of the burial site so that it would not interfere with the agricultural values of the property.

Meredith, Moulton - Commercial Development/Road Construction
The construction of a new large church across Rt 25 required that the road be rebuilt. Engineers for the church requested that a portion of the widening and turning lane addition be placed on the easement property to align it with DOT's "proposed" plans. The LCIP reviewed the parcel, talked to the landowner and reviewed the statute. DOT's plans were far from being developed and the statute required that DOT take the land. DOT was not prepared to go through the process in the time frame that the church needed the improvements. The engineer for the church was notified of this conclusion and they were required to place all improvements off of the conservation property.

Pembroke, Anderson - Forestry Access
This town owned parcel provided a legal access to another parcel of abutting land. The owner of the abutting parcel wanted to cut timber and requested access over the property. The town requested LCIP assistance in determining if the timber access was required to go through the access designated in the deed, or could they use an existing woods road. The LCIP determined that the access provided in the contemplated residential development. Since the town had the right to harvest timber, the LCIP felt that the abutter could be allowed to use the existing road, subject to conditions placed by the town, rather than cutting a new access through the property.

Meredith, Bushnell - Utility Right-of-Way
The LCIP worked with NH Electric Cooperative to ensure that all utility poles and guy wires were placed in the state right-of-way for a proposed upgrade of electric service to the area. (This is a result of the church construction noted earlier.) Additionally, there was some question about cutting trees within and outside of their utility ROW.

Sunapee, Webb - Subdivision
The LCIP contacted the town after being notified this property had been subdivided. The CE language restricted "subdivision" but did not require that the parcel be sold in its entirety. Since the property consisted of two lots since 1949, technically there was no subdivision. The Attorney General's Office had earlier indicated that these circumstances could not be prevented. More recent LCIP language provides that the parcel must be sold in its entirety, regardless of how many tract make up the easement parcel.

MONITORING STATE-HELD LCIP EASEMENTS

State Easement Documentation

80of the 81 state-held LCIP easements are monitored by the Office of State Planning. One is handled by NH F&G. These easements cover a land area of 25,881 acres. The LCIP initially acquired 72 state-held easements, but several have been divided, as allowed by the terms of the easement, generating new landowners to contact and records to maintain. The LCIP calculated that 42 more authorized divisions can occur as allowed by the terms of the existing easement documents. Additional divisions over and above the 42 may also occur due to unclear easement language, but it is difficult to calculate this future liability. Although the land area covered by the easements has not changed, an increasing level of effort is required to keep the larger number of landowners aware of the terms of the easement and reduce the chances of violations. The current monitoring effort schedules a visit once every 12-14 months. This provides for adequate visitation with the landowner, where possible, and allows the LCIP to view each parcel during different seasons.

Monitoring reports for each parcel are housed in the files at OSP and a copy is mailed to each landowner and holding agency (F&G, DRED, or DAMF). ***Attachment # 4*** provides a list of the town, current owner, date last monitored (on-ground) and status of the easement area. Other than those noted below, the current condition of all state easement parcels, in terms of compliance with the easement deeds, should be considered excellent.

Aerial Monitoring

Aerial monitoring is generally conducted each spring, before leaf out, and is an important component of the LCIP monitoring program. It ensures that the larger parcels with boundaries which are difficult to access are reviewed in terms of larger changes occurring (or not occurring) on the landscape surrounding the LCIP parcels. It is, however, no substitute for on ground inspection and discussing the parcel (and future plans) with the landowners. This year flights were undertaken by LCIP staff on April 18th, April 24th, May 8th, and June 7th covering 95% of the parcels, including parcels monitored for DRED. Color oblique photography is taken as necessary which provides valuable documentation in the event there are conflicts.

State Easement Violation/Interpretation Issues

All of the landowners of the state-held easements have, for the most part, been complying with the terms of their easements. Several easement parcels have had significant issues which have come up during the reporting period. A synopsis of significant issues/parcels is as follows:

Bakie Easement, Kingston - Boundary/Survey
During the course of routine monitoring, a portion of a paint-ball course was found to be on or very close to the boundary of conservation easement property. The boundary lines in the area are not marked and do not appear to have been marked in the past, nor have any corner monuments been set. The LCIP, landowner, and F&G will work to mark the boundary lines in the vicinity of the potential infraction prior to determining the appropriate action. Cooperative Extension has been on site to assist. No permanent structures have been erected. The landowner of the abutting property has moved out of state and we are researching the possibility of acquiring the abutting land as a cheaper, more permanent solution to attempting to resolve the survey discrepancies in this area. Resolution continues to be pending.

Rindge, Cambridge Council Boy Scouts of America (now owned by Massachusetts Audubon Society - Review for Allowed Development
The LCIP continues to meet with the new landowner of the camp to their ongoing rebuilding and upgrading of the camp facility plans. We have discussed all aspects of the deed, where there was flexibility and where there wasn't.

Newmarket, Smas - Wetland/Saltmarsh Restoration
The Town of Newmarket proposed "marsh restoration" work on the salt marshes of this property. The landowner was somewhat supportive of the project as a means to improve drainage. The LCIP conducted a site visit and saw no need for restoration work. The deed called for NRCS wildlife biologist approval for this type of work. The LCIP contacted NRCS and voiced concerns. While the marsh had been impacted by drainage ditches in the past, there were invasive plants anywhere in the creek or surrounding marsh system. NRCS agreed with the LCIP, did not give approval, and the project was denied.

Shugah Vale, Claremont - Shoreland Protection/Wetlands Violation
Routine monitoring located concrete slab and block used as stabilization on a portion of the Sugar River in an attempt to resolve a continuing erosion problem. The erosion has been minimized but the landowner is in violation of state law. The LCIP has worked with a number of agencies to research all reasonable alternatives and ideas for removal of the concrete. No solutions have been deemed adequate. The LCIP is in discussion with the Attorney General's Office regarding disposition of the case. The outcome is pending.

Columbia, Hawkenson Trust - Groundwater Contamination
Over a year ago, the landowners called to inform the LCIP that a plume of contaminants (acetone and methyl-ethyl keytone) from the adjacent town landfill in Colebrook is making its way towards the easement property and Lime Pond. The Town of Colebrook informed them of this situation and also asked for the landowners permission to place 4 new monitoring wells on the easement property. The LCIP is working closely with the landowner, the town, and DES to ensure that the easement is upheld, while ensuring to the extent practical, that the remedial measures are undertaken. Further updates are pending.

Acworth, Bascom Maple Farms, Inc. - Utility Improvement
The abutter to this parcel inquired about moving utilities (electric/phone) from an existing cross country line to a line along the road. The result was that all poles and utility lines would be within the town right-of-way and not on the easement property.

Winchester, Kellyview Farm - Dry Hydrant Installation
The town had requested of the owner for the ability to construct a dry hydrant. The landowner called to verify that it would be okay, since he could construct fire pond. The LCIP agreed that the hydrant would be less impacting and achieve a similar purpose.

INTERAGENCY COORDINATION AND OTHER CONSERVATION ACTIVITIES

General - Discussions and correspondence with the DAMF, DRED, and F&G continued to ensure that the LCIP Monitoring Program meets the needs of all agencies. Agencies are provided copies of all monitoring reports and related letters to owners. All information generated (reports, photos, etc.) as a result of inspections is filed with baseline documentation or parcel records with the LCIP.

Council on Resources and Development (CORD) - The LCIP Coordinator and Stewardship Specialist met with CORD on October 4, 2001 and on March 7, 2002 to discuss the annual work plan and budget, to go over work accomplished, and to discuss the impact of legislative initiatives.

House Bill 522 - The Office of State Planning supported HB 522 which authorized the LCIP to carry forward into the next fiscal year funds that were budgeted but unused. This was a very important piece of legislation for the LCIP because it will allow the LCIP to plan for needed expenditures which cannot be funded under annual budgets. For example, high quality aerial photography was completed in 1992 and 1993 and should be updated within the next several years. The cost of this cannot be absorbed in any annual budget, but by utilizing unexpended funds over several years, we should be able to plan for such expenses. The bill was passed.

CORD Review Process for Release of LCIP Lands for Minor Highway Improvements- During the 1998 Legislative session, the general court passed a bill which authorize the Department of Transportation to acquire LCIP interests adjacent to state highways for minor road improvements. The LCIP drafted a review process, asked for comments from conservation organizations and brought the process before CORD for their adoption in 1999.

Shugah Vale, Claremont - On September 14, 2000, CORD authorized the first release of LCIP lands on the Shugah Vale (state easement) and Fletcher Properties (state fee) in Claremont. The CORD held a public hearing was held to allow CORD to release 250 square feet to build a retaining wall and 1400 square feet of easement to maintain it. Additionally, 250 square feet of DRED fee owned land was released for the same project. DOT provided a cash contribution in the amount of $500 to the LCHIP acquisition fund which was the value of the interests taken. LCIP staff meet with DOT on December 19, 2001 and were notified that minor amounts of land to be taken had changed as a result of final design. In accordance with the statute, the LCIP notified all interested parties and a public hearing was held by CORD on March 7, 2002. The minor changes were approved.

McKee, Canaan -. The project has been put on hold by the DOT.

Bean, Whitefield - This project involves widening of Route 3 and will impact the Bean state-held conservation easement. In addition to several meetings with DOT staff to discuss the project, LCIP staff attended the public informational meeting in Whitefield on November 15, 2000, a State historic preservation office meeting on March 1, 2001, and we organized a joint SHPO/LCIP meeting which was held on April 12, 2001. Another public informational meeting was held on November 29, 2001. The LCIP met with DOT staff on February 5, 2002 to discuss the outcome of the public meeting and next steps. The LCIP agreed to pull together the statewide conservation organizations and agencies to go over the project as it stands and to come to some consensus on next steps. Information was mailed and a meeting was held at DOT on May 3, 2002. The project was discussed and it was agreed that barring a change in DOT policy, the project would go through roughly as designed. Mitigation and compensation issues remain

Land and Community Heritage Investment Program (LCHIP) - It has been anticipated that the LCIP will oversee the monitoring of lands and buildings involved with LCHIP. As a result of this, the LCIP has invested a great deal of time learning how the projects are handled and how the program is developed. The LCIP currently reviews the specific details of all of the natural resource projects handled by LCHIP and provides recommendations to LCHIP concerning the conservation easement deed, baseline documentation, survey and stewardship plan. The recommendations are not binding. We met with LCHIP staff (and others as needed) on the following occasions:

7/3/01	Discuss Nashua fee acquisition specifics
7/18/01	Review of Sunnycrest parcel
8/6/01	Meet with LCHIP and DHR, and NH Preserv. Alliance @ DHR
8/22/01	Meet at Treasury with LCHIP
11/5/01	To discuss Criteria, Guidelines and Procedures
11/15/01	Meet with LCHIP and DHR to discuss historic pres program
11/29/01	To discuss cultural easement language
2/13/02	To discuss baseline documentation
2/25/02	To discuss historic pres program with DHR and Pres. Alliance.
4/26/02	To discuss easement language changes.
5/6/02	To discuss stewardship issues
5/13/02	To review Ferguson Farm easement
6/25/02	To review stewardship status

Ecological Reserve Steering Committee - The LCIP staff continues to work with a landowner who is interested in donating an easement to the State of NH as an eco reserve. Easement language has been discussed and we are now working with DRED to see if it satisfies the guidelines.

Agricultural Lands Preservation Committee - The LCIP represents the Office of State Planning on this committee and attended a hearing in Milford on the Savage Farm on 11/27/01. A follow-up meeting of the full committee was held on 12/4/01 and again on 12/12/01. Another meeting of the committee was held on 5/23/02 to hear the Rattee application. The LCIP conducted a follow up meeting on-site as a member of a subcommittee on 6/14/02.

DOT Highway Improvement Review - The Department of Transportation, and consultants on behalf of Towns, routinely notify the LCIP of all proposed road projects and request input as to potential impacts to LCIP lands. The LCIP responded to 42 such requests over the course of the year.

Forest Legacy Committee - The LCIP staff sit on the Forest Legacy Committee to provide advice the Department of Resources and Economic Development concerning applications for federal funds for land acquisition. LCIP staff attended meetings on 12/5/01, 1/28/02 and 5/13/02. On 2/28/02, LCIP participated in a review by the US House Appropriations Committee Survey and Inspection Unit during a review of the Forest Legacy program.

Land Conservation Assistance Program - The LCIP sits as a member of the steering committee for this program to ensure coordination of monitoring education aspects of the program. Meetings were attended on September 5, 2001, November 13, 2001, February 7, 2002 and June 12, 2002.

Farmland Protection Program Advisory Committee - The LCIP was asked to sit in on the FPP application review to recommend allocation of funding to applicants. On March 8, 2001 LCIP staff attended an all day meeting to review and discuss applications to provide recommendations. The FPP committee met again on May 31, 2002. Funding allocations from this meeting are pending.

US Forest Service Grant - The LCIP has received a grant from the US Forest Service to undertake hire a remote sensing consultant to process satellite imagery in order to detect changes in vegetation on conservation easement lands in New Hampshire. The goal of the project is to determine the cost effectiveness and usefulness of this remote sensing technique on focusing annual on-ground monitoring on conservation lands.

Connecticut River Headwaters Project - The LCIP has been involved with the state's acquisition of the International Paper lands with respect to monitoring this easement. The LCIP attended hearings at the State House and participated in meeting at DRED on 2/7/02 concerning the endowment funding. On 5/10/02, LCIP staff participated in a meeting to determine what information is necessary for the baseline documentation for this tract. On 6/3/02, LCIP staff traveled to the easement parcel to review the data collection process in the field and to assist in determining details about the baseline documentation.

MANAGEMENT/MONITORING OF STATE FEE PARCELS:

The management/monitoring efforts for state fee lands have been summarized by each agency and are included as ***Attachment*** **#5** for DRED and F&G. Questions related to activities on these specific parcels should be directed to the agency managing the parcel.

CONCLUSION

The LCIP Monitoring Program continues to meet and or exceed its responsibilities. The level of staffing using LCIP funds remains sufficient at the current level of obligations. DRED and LCHIP programs are expected to increase the number of properties added to the LCIP monitoring program. Development on abutting lands, property ownership changes, and the allowed subdivisions on easements are requiring increases in the number of responses by program staff on an annual basis. The investment returns on the monitoring endowment (our sole revenue source for LCIP activities) have dropped due to the current interest rates. Managing the endowment under these circumstances has become increasingly important to be sure that we adequately protect the State's investment conservation properties acquired through the LCIP.

The LCIP maintains a high degree of contact with landowners and LCIP communities. This level of on-site communication is widely accepted as the highest monitoring standard and is key to avoiding more costly problems from developing. Community representatives with whom we work consist of mostly volunteers (generally conservation commission members). Since we rely on this ever changing field of volunteers to protect the State's investment, much of our work is focused on training new individuals on the basics of easement monitoring. We meet with communities once every three years and conduct a field visit to each local LCIP property once every five years, more frequently if necessary or if requested by the community. During these community visits, we stress the importance of monitoring easements on a regular basis. We provide technical assistance to interested commissions to improve their ability to undertake the stewardship activities required to protect their town's conservation lands.

The LCIP has invested a great deal of time serving as a resource to the Land & Community Heritage Investment Program (LCHIP) since its inception and over the course of the last year. This has involved numerous meetings and communications with LCHIP staff, reviews of project documents, and explanations to communities and landowners. By association, these activities become directly related to monitoring LCIP conservation easements in the eyes of the conservation community. LCIP experiences with the post-acquisition "consequences" , both positive and negative, are a key factor in structuring and supporting the LCHIP program so that the stewardship aspects of the LCHIP program will run as smoothly as possible.

Monitoring state-held easements continues to work well. Although there have been some infractions, they continue to be minor in nature and, for the most part, easily resolved. The state-held easement monitoring continues to have a working relationship with most landowners which helps provide the LCIP with information about proposed activities prior to the work being undertaken. Skilled professionals handling the easement monitoring provide consistency and continuity and this has been an important element in the demonstrated success of the program. This centralized or coordinated effort, maintains consistency of interpretation and operation, maintains high standards of efficiency, and results in cost savings in government. The LCIP continues to serve as a resource to state agencies, local groups, industry groups (realtors/appraisers), legislative committees, the conservation community and the general public.

State of New Hampshire
LAND CONSERVATION ENDOWMENT FUND

Non-Expendable Trust Fund
Budgetary Basis
Balance Sheet For the Fiscal Year Ended June 30, 2002

Assets	
Cash and Cash Equivalents	$116,058.72
Investments	$2,264,464.83
Interest Receivable	$30,916.67
Total Assets	$2,411,440.22
Liabilities	
Due to Other Funds - FY02 Operations	$109,277.81
Total Liabilities	$109,277.81
Fund Balances	
Trust Fund Principal - Designated	$1,500,110.00
Trust Fund Principal - Undesignated	$802,052.41
Total Fund Balances	$2,302,162.41
Total Liabilities and Fund Balances	$2,411,440.22

Statement of Revenues, Expenditures and Changes in Fund Balances
For the Fiscal Year Ended June 30, 2002

Revenues	
Interest	$117,959.76
Additions to Fund	
Total Revenues	$117,959.76
Expenditures	
Program Operations through June 30, 2002	$109,277.81
Encumbered as of June 30, 2002	$0.00
Investment Management Fees	$0.00
Total Expenditures	$109,277.81
Net Operating Income	$8,681.95
Realized Gain/(Loss)	$1,823.65
Net Income	$10,505.60
Principal Fund Balance, July 1, 2001	$2,291,656.81
Principal Fund Balance, June 30, 2002	$2,302,162.41

Local LCIP Interests (by Town)

TOWN / *CURRENT OWNER*	*FEE/ ESM*	*ACRES*	*DATE LAST MONITORED*	*ADDRESS*				*STATUS*
Acworth								
Bascom Maple Farms, Inc.	E	102.68	10/27/2000	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	fields maintained, farm buildings in poor shape.
Paul and Verna Thibault	E	977.50	3/21/2001	Washington Street	RR 1 Box 209	Claremont	NH	walked boundary w/ Charest
Acworth/Langdon								
David W.	E	35.00	7/15/2000		14 Currier Road	Langdon	NH	Fields in good shape, no problems. Fruit trees pl
David W.	E	179.06	7/15/2000		14 Currier Road	Langdon	NH	fields in good shape, no problems. Chosen recer
Alstead								
Office Of The Selectmen	F	273.70	12/1/2001	Town Of Alstead	Town Office	Alstead	NH	race track proposal nearby, also possible 550 ac
Alton								
Diana Eley	E	18.03			74 Mammoth St.	Brookline	MA	
Herbert R. & Carrie C. Jackson	E	85.92	4/22/1995		RR1 Box 180-D	Alton	NH	Land clrd for field,owner chg
Office Of The Selectmen	F	159.20		Town Of Alton	PO Box 659	Alton	NH	
Office Of The Selectmen	F	208.00		Town Of Alton	PO Box 659	Alton	NH	
Robert & Dorothy Seavey	E	22.44			79 Aberdeen Rd.	Weston	MA	
Robert & Dorothy Seavey	E	8.50			79 Aberdeen Rd.	Weston	MA	
Thomas & Anne Hoopes	E	14.10			Marsh Hill Road	Alton	NH	
Amherst								
Office Of The Selectmen	F	41.69	7/13/2001	Town Of Amherst	PO Box 960	Amherst	NH	bank erosion repaired. Snowmobile activity note
Office Of The Selectmen	F	88.90	9/28/2001	Town Of Amherst	PO Box 960	Amherst	NH	Timber harvest continues. Qualifies as tree farm
Office Of The Selectmen	F	30.10	9/28/2001	Town Of Amherst	PO Box 960	Amherst	NH	Timber harvest continues. Qualifies as tree farm.
Andover								
George and Alice Tombarello	E	696.62	12/1/2001	63 Providence Road		Atkinson	NH	some timber harvesting, ATV use by landowner a
Atkinson								
Office Of The Selectmen	F	59.19	10/1/1999	Town Of Atkinson	21 Academy Ave.	Atkinson	NH	bndry maint, trail work
Barnstead								
Fred Goodrich	E	116.00			255 John Tasker Ro	Barnstead	NH	
Lynn Goodrich Guenther	E	5.00			RR 1 Box 195	Ctr. Barnstea	NH	

TOWN CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	6.32	1/15/1998	Town Of Barnstead	Route 126	Center Barns	NH	
Office Of The Selectmen	F	179.00	10/3/2001	Town Of Barnstead	Route 126	Center Barns	NH	town will prepare forest plan. Hope to perform w
Barrington								
James & Ann Schulz	E	47.57	8/6/2001	158 Scruton Pond R	RR 2	Barrington	NH	
Mrs. Pauline Boodey	E	149.50	5/7/2001		Old Canaan Road	Barrington	NH	Mrs Boodey died in June, property will be for sal
Richard Warren	E	243.00	10/7/2001	Warren Rd.	RR 1	Barrington	NH	abutting property acquired for water supply prote
Bath								
Raymond S. Burton	E	43.44	10/9/2001		338 River Road	Bath	NH	some pins missing, house build on abutting land
Bedford								
Bedford Town Council	F	7.00	10/1/2001	Town Of Bedford	24 No. Amherst Rd.	Bedford	NH	trail work
Boscawen								
Ernest and Lola Jones	E	32.80	10/25/2001		9 Goodhue Rd.	Boscawen	NH	field maint. Interested in boundary maint.
Thomas & Melanie Cummings	E	140.70	10/24/2001		233 Water Street	Boscawen	NH	road/trail maint
Brentwood								
Merrill Heirs	E	95.00	10/28/2001	c/o Nancy C. Merrill	112 Front Street	Exeter	NH	asked for boundary markers
Canaan								
Cynthia Rauvens & Fran Murphy	E	231.90	10/1/2001		RR 1 Box 147	Canaan	NH	owners still posting against hunting - may need a
Canterbury								
Frederick (Fritz) Hafer	E	1.75	11/1/2001	1 Oxbow Pond Road		Canterbury	NH	property will be sold March '02
Galen Beale	E	7.50	11/1/2001	Oxbow Road		Canterbury	NH	new benches next/over to easement line, called I
Office Of The Selectmen	F	68.70	11/1/2001	Town Of Canterbury	PO Box 500	Canterbury	NH	
Carroll								
Robert and Catherine Warren	E	66.20	12/14/2001	44 Middle Street		Lancaster	NH	forester wil mark boundary lines
Charlestown								
David & Claire Sussman	E	41.60	11/16/2001		Borough Road	Charlestown	NH	needs help finding some boundary markers
James and Tine Heath	E	5.10	11/12/2001		1337 Borough Road	Charlestown	NH	small amount of wood cutting - personal use
Sharon F. Francis	E	291.30	11/12/2001		PO Box 341	Charlestown	NH	timber harvest, difficulty locating southern bound
Chichester								
B. Joseph M. & Anne P. Drinon	E	144.90	5/2/2001		RR 10 Box 389	Concord	NH	Field maint.

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	8.16	10/4/2001	Town Of Chichester	Town Offices	Chichester	NH	
Office Of The Selectmen	F	21.90	10/4/2001	Town Of Chichester	Town Offices	Chichester	NH	possible eagle scout project: put in gravel road a
Office Of The Selectmen	F	7.90	10/4/2001	Town Of Chichester	Town Offices	Chichester	NH	
Rev. George & Marion Blackma	E	17.80	5/4/2001		Blackman Road	Chichester	NH	
Rev. George & Marion Blackma	E	72.70	5/4/2001		31 Blackman Road	Chichester	NH	field maint
Rev. George Blackman	E	25.70	5/4/2001		Blackman Road	Chichester	NH	field maint
Concord								
Robert Pollock, Planning Dept.	F	25.20	3/17/2002	City Of Concord	41 Green St.	Concord	NH	
Robert Pollock, Planning Dept.	F	47.10	3/17/2002	City Of Concord	41 Green St.	Concord	NH	access gate destroyed and vehicles driving on pr
Cornish								
Durwood and Suzanne Lenz	E	16.60	1/18/2002	RR2, Box 498A		Cornish	NH	encouraging abutters to place easements on the
Fred & Gayle Covell	E	92.00	2/2/2002	RR 3, Box 74		Cornish	NH	pond dam has been rebuilt
James Barker	E	39.40	1/18/2002	PO Box 75		Cornish Flat	NH	
Margaret E. & Joseph C. Meyett	E	188.40	1/25/2002		RR 2 Box 579	Cornish	NH	field maint, christmas tree harvesting - small sca
Deerfield								
Al Jaeger	E	111.00	11/1/1998		12 Perry Road	Deerfield	NH	trail/field work, bdary maint
Helen Burbank	E	92.00	8/1/1998		RR 2 Box 2326-8	Brandon	VT	trail work, BLMP
Jim and Holly Tomilson	E	56.00	11/1/1998		76 Nottingham Rd.	Deerfield	NH	trail/field work, bndary maint
John & Helen Burbank	E	15.00	8/1/1998		RR 2 Box 2326-8	Brandon.	VT	boundary maint(BLMP)
Penelope Beye	E	128.00	11/1/1998		76 Nottingham Road	Deerfield	NH	trail work,BLMP
Deerfield/Nottingh								
Paula Duchano	E	342.00	1/1/1998		Bean Hill Road	Deerfield	NH	field maint.
Deering								
Dudley Brook Cooperative	E	39.96	9/27/2001	Krista Helmboldt	595B East Deering	Deering	NH	land for sale, owners planning to post easement
Paul A and Lillian M Langlois	E	12.65	9/23/2001	223 Deering Center		Deering	NH	No easement signs to date.
Derry								
Jean Gagnon	E	126.90	11/12/2001		370 Harantis Lake R	Chester	NH	boundary maint.
Dover								
Sam Bagdon & Kathryn Kirkwoo	E	105.41	12/1/2001		151 County Farm Cr	Dover	NH	ffield maint.
Dublin								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	12.00	8/15/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	12.20	8/16/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	3.50	8/15/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	15.75	8/15/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	45.60	8/16/2000	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	95.75	10/9/1999	Town Of Dublin		Dublin	NH	
Office Of The Selectmen	F	25.00	8/16/2000	Town Of Dublin		Dublin	NH	
Dunbarton								
Office Of The Selectmen	F	58.20	9/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	269.00	8/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	17.00	9/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	49.80	8/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	62.30	8/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	13.60	9/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	22.30	9/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	trail work
Office Of The Selectmen	F	172.70	9/1/2001	Town Of Dunbarton	1011 School St.	Dunbarton	NH	
Epsom								
David & Barbara Stewart	E	74.80	8/18/2001		Center Hill Road	Epsom	NH	
Office Of The Selectmen	F	318.00	10/1/2000		PO Box 10	Epsom	NH	road repair, removed culvert, clearing of land - ha
Stuart and Anne Smith	E	107.10	10/1/2000		615 Rimini Road	Del Mar	CA	Grandmont (tenant and caretaker), meadow mai
Exeter								
Exeter Country Club, Inc.	E	55.35	9/20/2000	% Chairman Of The	PO Box 1088	Exeter	NH	
Office Of The Selectmen	F	16.65	9/20/2000	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	4.00	10/13/2001	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	141.50	10/13/2001	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	5.00	10/13/2001	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	8.70	10/13/2001	Town Of Exeter	10 Front St.	Exeter	NH	
Office Of The Selectmen	F	28.80	10/13/2001	Town Of Exeter	10 Front St.	Exeter	NH	
Thomas B. Chamberlin	E	61.50	10/13/2001		54 Newfields Rd.	Exeter	NH	trailwork
Francestown								
Constance C. & Harold A. Varnu	E	45.60	10/27/2001		Poor Farm Road	Francestown	NH	

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS			STATUS
Ellen M. Hill	E	134.90	10/27/2001		841 N. Main St.	Rockford	IL	
Office Of The Selectmen	F	25.00	10/27/2001	Town Of Francestow	Town Hall	Francestown	NH	
Office Of The Selectmen	F	155.20	10/27/2001	Town Of Francestow	Town Hall	Francestown	NH	
Office Of The Selectmen	F	388.00	10/27/2001	Town Of Francestow	Town Hall	Francestown	NH	
Gilford								
Elizabeth B. Carson	E	16.46			Route 3, Box 396	Lexington	VA	
Office Of The Selectmen	F	5.33		Town Of Gilford	47 Cherry Valley Rd.	Gilford	NH	
Grantham								
Kent Eisentraut	E	19.00	11/15/2001		816 Miller Pond Roa	Grantham	NH	
Kent Eisentraut	E	825.90	11/15/2001		816 Miller Pond Roa	Grantham	NH	
Greenland								
L. Weeks & Descendents In US	E	30.55	5/12/2001	c/o Stephen D. Wee	144 Concord Ave.	Belmont	MA	timber harvest, trailwork
Hampstead								
Office Of The Selectmen	F	31.31	2/6/2002	Town Of Hampstead	11 Main St.	Hampstead	NH	
Office Of The Selectmen	F	48.80	2/6/2002	Town Of Hampstead	11 Main St.	Hampstead	NH	tar/pavement issue on Parcel A
Office Of The Selectmen	F	73.54	2/6/2002	Town Of Hampstead	11 Main St.	Hampstead	NH	
Walworth B. & Mary Louise Willi	E	3.35	2/4/2002		PO Box 97	Hampstead	NH	
Walworth B. & Mary Louise Willi	E	8.89	2/6/2002		PO Box 97	Hampstead	NH	
Hancock								
Charles E. & Mary K. Merrill	E	260.00	12/7/1996		5 Chestnut St.	Boston	MA	Aerial. Check RR ROW,need sign
Kenneth & Julie Brown	E	81.83	11/30/1996	John E. & E. Lorrain	Middle Rd.	Hancock	NH	For sale? Fields maintained
Hanover								
	E	7.00	10/18/2001	% Paul Olsen, Real	7 Lebanon St. #303,	Hanover	NH	less poison ivy noted. Path well maintained.
Hanover Improvement Soc.	E	19.40	10/18/2001	% Tom Byrne, Exec.	57 So. Main Street	Hanover	NH	road thru field to dam still actively used, informal
Trustees Of Dartmouth College	E	16.74	10/18/2001	c/o Paul Olsen, Real	7 Lebanon St. #303,	Hanover	NH	material pile mentioned previously has been rem
Holderness								
Office Of The Selectmen	F	105.10	7/1/2001	Town Of Holderness	PO Box 203	Holderness	NH	
Office Of The Selectmen	F	2.77	7/1/2001	Town Of Holderness	PO Box 203	Holderness	NH	
Rev. James W. Crawford	E	37.22	10/1/2001		40 Taylor Crossway	Brookline	MA	
Hollis								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	51.60	12/15/2001	Town Of Hollis	7 Monument Square	Hollis	NH	planned timber harvest, boundary maint, trailwork
Hopkinton								
Office Of The Selectmen	F	95.52	9/1/2001	Town Of Hopkinton	330 Main Street	Hopkinton	NH	trailwork
Office Of The Selectmen	F	92.54	9/1/2001	Town Of Hopkinton	330 Main Street	Hopkinton	NH	sign placed on Rollins Rd., trailwork, field maint.
Hudson								
Office Of The Selectmen	F	203.50	5/11/2001	Town Of Hudson	12 School St.	Hudson	NH	abutter was told to remove debris (debris from in
Office Of The Selectmen	F	189.00	5/11/2001	Town Of Hudson	12 School St.	Hudson	NH	abutter was told to remove debris (debris from in
Jefferson								
John S & Kim Ennis	E	39.97	12/5/2001		683 Owl's Hgwy	Jefferson	NH	CC walked property w/ new landowners. Landow
Keene								
Mr. & Mrs. Herbert B. Shaw, III	E	17.00	10/2/2001		712 Court Street	Keene	NH	
Office Of The City Council	F	25.10	10/2/2001	City Of Keene	3 Washington St.	Keene	NH	
Office Of The City Council	F	9.80	10/2/2001	City Of Keene	3 Washington St.	Keene	NH	
Kingston								
Mrs. Adine Bakie	E	12.86			35 Powwow River R	East Kingsto	NH	
Office Of The Selectmen	F	67.99		Town Of Kingston	163 Main St.	Kingston	NH	
Office Of The Selectmen	F	5.47		Town Of Kingston	163 Main St.	Kingston	NH	
Office Of The Selectmen	F	10.79		Town Of Kingston	163 Main St.	Kingston	NH	
Kingston/Newton								
Bill Newman	E	82.80		7 Webster Green Ro		Newton	NH	
Lancaster								
John Smith	E	237.00	10/29/1999	Pleasant Valley Roa		Lancaster	NH	Trail work, field maintenance
Robert W. Christie	E	37.40	10/29/1999	North Rd.	RR 2 Box 241	Lancaster	NH	Field maintenance, clearing of land.
Thomas R. & Nancy Southworth	E	13.86	10/29/1999	Garland Rd.	RR 1	Lancaster	NH	
Town of Lancaster	E	2.33	9/12/1996					Sold to Town, Wtr Trtmnt Plnt
Landaff								
David and Tanya Tellman	E	19.80	10/1/2001	122 The Lane		Whitefield	NH	
David W. & Brenda J. Clement	E	4.21	11/20/2001	% David W. Clement	709 Jockey Hill Rd.	Landaff	NH	
Jockey Hill Farms, Inc.	E	364.40	11/20/2001	% David W. Clement	709 Jockey Hill Rd.	Landaff	NH	
Lebanon								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
City of Lebanon	F	16.00	2/26/2002	51 North Park St.	51 N. Park Street	Lebanon	NH	trailwork, field maint.
Lee								
Harriett B. Claridge	E	75.78	7/19/2001		2 Lee Hill Road	Lee	NH	still talking w/ landowner about BLMP
Robert Keniston, Jr.	E	48.74	7/19/2001	Rte 155	RR	Lee	NH	field maint. Trash pile same as before.
Lee/Durham								
Mary Ellen Wilson	E	60.14	6/26/2001		51 Lake Ave.	Oyster Bay	NY	charging for skiing will stop. CC talked w/ landov
Londonderry								
Mrs. Nathan Plummer	E	87.60	12/11/2001	See alt owner	192 Pillsbury Road	Londonderry	NH	
Loudon								
Bruce Yeaton	E	129.30	1/1/2000		113 Ring Road	Pittsfield	NH	needs to be rewalked this year
Colin and Paula Cabot	E	332.40	1/1/2002		7097 Sanborn Road	Pittsfield	NH	
James Yeaton	E	98.00	1/1/2000		12 Blake Road	Loudon	NH	needs to be rewalked this year
Kennelm Doak	E	34.00	1/1/2001		53 Stickney Hill Roa	Concord	NH	
Kennelm Doak	E	35.00	1/1/2002	53 Stickney Hill Roa		Concord	NH	Note said to talk with Colin Cabot about this prop
Office Of The Selectmen	F	152.00	1/1/2002	Town Of Loudon	PO Box 7837	Loudon	NH	
Richard Merrill	E	272.60	1/1/2002		1359 Rt 129	Pittsfield	NH	
Loudon/Pittsfield								
Colin & Paula Cabot	E	189.40	1/1/2000	7097 Sanborn Road		Pittsfield	NH	
Lyme								
Alexander, David & Jonathan Cr	E	73.00	10/24/2001	310 W. 106th St.	Apt. 11-D	New York	NY	new posted signs on abutting property (North), st
Amy Record	E	55.80	10/28/2001	18 East Thetford Rd		Lyme	NH	
Annette Schmitt	E	25.10	10/10/2001	c/o Willard Martin Jr.	Nighswander, 1 Mill	Laconia	NH	
Barbara Roby	E	26.50	10/8/2001		7 Bliss Lane	Lyme	NH	house will be built on adjacent lot, will be well aw
Jennifer Cooke	E	32.20	11/21/2001	360 River Road		Lyme	NH	
John A. Menge (passed away 2/	E	154.40	12/11/2001	61 Dartmouth Colleg	PO Box 162	Lyme	NH	
Katharine Hewitt, Bayne Steven	E	17.70	11/2/2001	Mary Ann Lewis	190 Baker Hill Road	Lyme	NH	house will be built this coming spring/summer
Katherine Hewitt	E	33.77	10/8/2001	190 Baker Hill Road		Lyme	NH	property may be sold as part of the estate
Mr. & Mrs. Stuart Smith	E	47.00	11/2/2001	70 Lamphire Hill Rd.		Lyme	NH	new trails
Mr. & Mrs. Stuart Smith	E	65.00	11/2/2001	70 Lamphire Hill Rd.		Lyme	NH	new trails
Ms. Katherine P. Beal	E	11.91	10/9/2001	Kendall At Hanover	80 Lyme Road	Hanover	NH	
Ms. Katherine P. Beal	E	62.00	10/9/2001	Kendall At Hanover	80 Lyme Road	Hanover	NH	

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
O. Ross & Jean McIntyre	E	8.10	10/28/2001	34 Lamphire Hill Rd.		Lyme	NH	
O. Ross & Jean McIntyre	E	30.40	11/21/2001	34 Lamphire Hill Rd.		Lyme	NH	
Paul Beisswenger & Carolynne	E	14.80	11/15/2001	15 Recordridge Lane		Lyme	NH	new owner?
Madbury								
Office Of The Selectmen	F	7.97	10/29/2001	Town Of Madbury	13 Town Hall Rd.	Madbury	NH	trail use by hikers and mountain bikers
Office Of The Selectmen	F	18.00	1/24/2001	Town Of Madbury	13 Town Hall Rd.	Madbury	NH	light trail use, some hunting
Madbury/Barringt								
Gray and Kitty Cornwell	E	123.80	2/11/2001		42 Nute Road	Madbury	NH	hunting w/ permission only signs (consistent w/ e
Manchester								
Office Of The Mayor	F	1.08	10/5/2001	City Of Manchester	One City Hall Plaza	Manchester	NH	moose sited on property in 9/01!
Marlborough								
Office Of The Selectmen	F	6.00	6/28/2001	Town Of Marlboroug	Box 487	Marlborough	NH	boundary maintenance
SPNHF	E	5.50	6/28/2000	Director	54 Portsmouth St.	Concord	NH	field maint. Pictures, maps filed with reports. Lo
Mason								
Office Of The Selectmen	F	163.30	8/11/2001	Town Of Mason	Town Office	Mason	NH	town sponsored walk w/ county forester
Theodore Stewart, Jr.	E	71.80	10/5/1998		236 Jackson Rd.	Mason	NH	timber harvest, bdry maint
William Doonan	E	12.50	12/12/2001	Manager	23 Jarbrook Rd	Holliston	MA	
Meredith								
John Moulton	E	88.40	10/10/2001		RR 3 Box 251	Meredith	NH	field maintenance, violations cured
Stuart C. & Daniel S. Bushnell	E	22.00	10/10/2001	Keysar Rd.	RR 3	Meredith	NH	field maintenance, parcel is 90% visible from Rte
Merrimack								
Office Of The Selectmen	F	87.72	12/15/2001	Town Of Merrimack	PO Box 940	Merrimack	NH	
Milford								
Office Of The Selectmen	F	9.65	5/1/2001	Town Of Milford	1 Union Square	Milford	NH	trailwork
Office Of The Selectmen	F	45.12	5/8/2001	Town Of Milford	1 Union Square	Milford	NH	boundary maint, trail work, repaired foot bridge.
New Boston								
Office Of The Selectmen	F	13.40	12/10/2001	Town Of New Bosto	Box 250	New Boston	NH	Abutter Morrissey has filed injunction to prevent
Office Of The Selectmen	F	21.08	7/1/1999	Town Of New Bosto	Box 250	New Boston	NH	trash along road frontage, noted otter slides alon
Office Of The Selectmen	F	20.90	7/1/1999	Town Of New Bosto	Box 250	New Boston	NH	

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
New London								
John F. & Ruth I. Clough	E	53.06	12/26/2001	Spring Ledge Farm	220 Main St.	New London	NH	complete boundary check, could not locate a few
John F. & Ruth I. Clough	E	20.60	11/11/2001	Spring Ledge Farm	220 Main St.	New London	NH	well managed ag land
W. Kidder Sr. & Hilary Cleveland	E	16.20	11/17/2001		PO Box 99	New London	NH	thorough boundary check. Could not find severa
Newport								
Ben H. & Katherine G. Wells	E	47.65	6/28/2001		35 Westmoreland Pl	St. Louis	MO	
Doddridge & Jolyon Johnson	E	94.00	6/28/2001	Youngs Hill Road		Sunapee	NH	
Mrs. Barbara Yeomans	E	25.50	6/28/2001		Blueberry Ridge Rd.	Newport	NH	
Office Of The Selectmen	F	76.00	6/28/2001	Town Of Newport	15 Sunapee St.	Newport	NH	
Pembroke								
Office Of The Selectmen	F	26.62	4/5/1997	Town Of Pembroke	311 Pembroke St.	Pembroke	NH	
Peterborough								
Helen Land c/o Phil Dubois	E	198.19	10/18/1999	24 Gulf Road		Peterborough	NH	Timber harvest, field maintenance, clearing of lar
Mary E. Monahon	E	40.50	1/21/2001		Granite Block	Peterborough	NH	trail work, selective cutting to follow
Mary E. Monahon	E	70.50	1/21/2001		Granite Block	Peterborough	NH	selective cutting to follow, trails well used
Office Of The Selectmen	F	151.00	8/5/2002	Town Of Peterborou	1 Grove St.	Peterborough	NH	
Office Of The Selectmen	F	151.00	12/30/2000	Town Of Peterborou	1 Grove St.	Peterborough	NH	
Plainfield								
James & Helen Walker	E	216.00	11/12/2001	Sanborn Rd.	HC Box 220	Plainfield	NH	boundary maint, no further action on driveway or
Meadowsend Timberlands Ltd P	E	515.00	12/1/2001	PO Box 966		New London	NH	no trespassing signs removed, installed new acc
Misha Rosoff	E	304.00	11/24/2001	142 Meriden		Meriden	NH	house construction underway on outlot
Office Of The Selectmen	F	113.64	11/11/2001	110 Main Street	PO Box 380	Meriden	NH	apple tree release work, trailwork
Plymouth								
Alfred Fauver	E	104.60	10/1/2001	Old Hebron Rd.	Box 57	Plymouth	NH	
Green Acres Woodlands, Inc	E	1099.80	10/1/2001	% Mr. Robert Marcal	PO Box 444	Elmwood Par	NJ	internal bounds need to be checked
Office Of The Selectmen	F	76.00	11/1/2001	Town Of Plymouth	Town Hall	Plymouth	NH	
Office Of The Selectmen	F	87.00	11/1/2001	Town Of Plymouth	Town Hall	Plymouth	NH	trailwork, boundary maint.
Portsmouth								
Walter Hett	E	55.40	10/12/2000		334 Hudson Road	Stow	MA	field maint, property bounds located.
Rye								

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Office Of The Selectmen	F	58.70	12/1/2001	Town Of Rye	10 Central Rd.	Rye	NH	marked trails, cleared brush along trails
Sanbornton								
Brian and Mary Mokler	E	86.33	12/28/2001	7200 Gladden N.E.		Albuquerque	NM	field maint.
Sandwich								
	E	12.00	11/18/2001					
Chris Read	E	13.00	11/18/2001					field maint
Denley W. Emerson	E	609.23	11/18/2001		PO Box 127	Center Sand	NH	field maint
George & Nancy Bates	E	264.20	11/18/2001		266 Glen Road	Weston	MA	use of borrow pit to improve roads and trails
Grace Henry	E	198.00	11/18/2001	Top Of The World R	PO Box 246	Ctr. Sandwic	NH	
Roger Coolidge	E	74.50	11/18/2001	Box 453		Epsom	NH	
Susan Boquist	E	430.00	11/18/2001	% Susan Boquist	PO Box 666	Bedford	MA	
Wilbur & Joan Cook	E	9.67	11/18/2001		468 Diamond Ledge	Center Sand	NH	
Wilbur & Joan Cook	E	273.52	11/18/2001		468 Diamond Ledge	Center Sand	NH	normal gravel operations continue
South Hampton								
Henry V. Crosby, Jr.	E	113.00	11/1/2001		PO Box 524	Kingston	NH	trailwork
Stratham								
David & Aurise Batchelder	E	57.73	11/24/2001		3 Barker Lane	Stratham	NH	still trespassing by ATVs, field maint.
Sunapee								
Joel & Joanna Harrison	E	3.50	12/7/2001	Joel and Joanna Har	PO Box 122	Sunapee	NH	field maintenance
Jolyon Johnson	E	176.50	12/7/2001		PO Box 596	Sunapee	NH	fields maintained, woodlot left to grow
Jolyon Johnson	E	144.30	12/7/2001		PO Box 596	Sunapee	NH	fields maintained
Jolyon Johnson	E	58.50	12/7/2001		PO Box 596	Sunapee	NH	field maintenance
RH Webb Forest Preserve, LLC	E	31.50	12/7/2001	c/o Van Webb	524 Stagecoach Roa	Sunapee	NH	Outstanding Tree Farm in 2000. Subdivided from
V-OZ Asset Management Co., L	E	44.20	12/7/2001	c/o Van O. Webb	524 Stagecoach Roa	Sunapee	NH	divided into two parcels, received 2000 Outstand
Swanzey								
Bruce & Victoria Barlow	E	122.00	12/29/2001	60 Honey Hill Road	PO Box 10264	Swanzey	NH	posting against biking, town wants verification th
Office Of The Selectmen	F	142.80	7/25/2000	Town Of Swanzey	PO Box 10009	Swanzey	NH	code enforcer resolved abutter problem No new
Tamworth								
c/o Martha Carlson	E	297.01	8/19/2000	The Community Sch	Bunker Hill Road	South Tamw	NH	poor boundary markers, problems with abutter er
Joan T. Cave	E	742.00	1/14/2001		15 Kingsbury Road	Chestnut Hill	MA	timber harvest - emphasis on forest, wildlife habi

TOWN / CURRENT OWNER	FEE/ ESM	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Scott	E	64.43	12/9/2000	Cleveland Hill Road	Box 188	Tamworth	NH	filling old gravel pit, stablization of vernal pools, c
Temple								
Dan & Heather Pratt	E	140.00	2/23/2002	West Road	RR 2 Box 3	Temple	NH	field maint
Tuftonboro								
Dr Howard & Kathryn Shane	E	54.10	7/1/2001	Brick House	Rte 109	Mirror Lake	NH	needs to be reblazed
Office Of The Selectmen	F	33.00	5/26/2001	Town Of Tuftonboro	PO Box 98	Center Tufto	NH	needs to be reblazed, timber harvest on abutting
Walpole								
Office Of The Selectmen	F	29.40	7/1/2001	Town Of Walpole	PO Box 729	Walpole	NH	"ongoing monitoring" - no date reported. No ATV
Office Of The Selectmen	F	16.60	7/1/2001	Town Of Walpole	PO Box 729	Walpole	NH	"ongoing monitoring" - no date reported. No ATV
Weare								
Kingsbury Timber Corp.	E	106.60	10/21/2001	c/o Ken Super, Wag	PO Box 128	Lyme	NH	blazes fading, CC took dozen photos to illustrate
Office Of The Selectmen	F	96.10	11/4/2001	Town Of Weare	PO Box 190	Weare	NH	ATV issues still an issue, many ruts and a degra
Webster								
Abby A. Rockefeller	E	268.24	11/16/2001		105 Irving Street	Cambridge	MA	
Edward J.	E	13.00	11/17/2001	Pearson Hill Road	Box 5	Webster	NH	
Harold W. & Elizabeth C. Janew	E	8.39	11/17/2001	225 Tyler Road		Webster	NH	trailwork
Harold W. & Elizabeth C. Janew	E	19.08	11/17/2001	225 Tyler Road		Webster	NH	boundary maint, trailwork
Judith O'Donnell	E	15.50	11/17/2001	496 Battle Street		Webster	NH	trailwork
Office Of The Selectmen	F	51.10	11/17/2001	Town Of Webster	Town Office, RR 5	Webster	NH	
Office Of The Selectmen	F	58.90	11/17/2001	Town Of Webster	Town Office, RR 5	Webster	NH	
Windham								
Office Of The Selectmen	F	54.15	12/24/2001	Town Of Windham	3 No. Lowell Rd.	Windham	NH	some litter, tires, CC will clean up area.
Wolfeboro								
Donald H. McBride	E	23.00	10/11/2001	Kings Pine Road	PO Box 898	Wolfeboro Fa	NH	
Office Of The Selectmen	F	10.71	9/1/2001	Town Of Wolfeboro	Box 629	Wolfeboro	NH	bndry maint, trailwork, 3 car gravel parking area
Total Number of Acres:		23611.23						
Total Number of parcels:		238						

LCIP Field Visits of Local Parcels - 7/1/01 through 6/30/02

mvDATE	TOWN	ACRES	Fee/Esmt	OWNERS LAST NAME	STATUS
7/27/2001	Hampstead	8.89	E	Williams	
7/27/2001	Hampstead	3.35	E	Williams	
7/30/2001	Grantham	825.9	E	Eisentraut	boundary line maint. work needed - check for available funds for FY 2003.
7/30/2001	Grantham	19	E	Eisentraut	walked property w/ landowner Kent Eisentraut
8/2/2001	Pembroke	26.62	F	Town of Pembroke	
8/7/2001	Francestown	155.2	F	Town of Francestown	ck condition of timber harvest.
8/7/2001	Francestown	388	F	Town of Francestown	ck condition of timber harvest
8/8/2001	Sunapee	31.5	E	Webb Forest Preserve	
9/24/2001	Francestown	134.9	E	Hill	nice property, little activity
10/4/2001	Chichester	8.16	F	Town of Chichester	Assisted in developing baseline for parcel
10/4/2001	Chichester	21.9	F	Town of Chichester	assisted in developing baseline for parcel
10/4/2001	Chichester	7.9	F	Town of Chichester	Assisted in developing baseline for parcel
10/9/2001	Bath	43.44	E	Burton	needs boundary maint.
10/24/2001	Boscawen	140.7	E	Cummings	fields maint, timber road brush hogged annually
10/25/2001	Boscawen	32.8	E	Jones	recent timber harvest, property looks good.
11/6/2001	Meredith	22	E	Bushnell	fields maintained. No probs.
11/12/2001	Derry	126.9	E	Gagnon	Road frontage posted. Otherwise fine.
11/21/2001	Wolfeboro	10.71	F	Town of Wolfeboro	boundary markers in place
11/27/2001	Holderness	37.22	E	Crawford	visit with CC Chair
12/12/2001	Mason	163.3	F	Town of Mason	walked with Bob Larochelle of CC. Great shape
12/12/2001	Mason	12.5	E	Doonan Family LLC	boundaries still visible.
12/12/2001	Mason	71.8	E	Stewart, Jr.	bounds in good shape, little activity.
12/14/2001	Carroll	66.2	E	Warren	trespassing signs posted along Range Road
1/28/2002	Kingston/Newton	82.8	E	Newman	cked problems with motorized access/hunting, will post OHRV signs, archery only for 1 yr

mvDATE	TOWN	ACRES	Fee/Esmt	OWNERS LAST NAME	STATUS
2/6/2002	Hampstead	31.31	F	Town of Hampstead	quick field visit with Karen Hanides (CC). No changes from previous summer
2/6/2002	Hampstead	48.8	F	Town of Hampstead	Page Lane boundary has parked car, pavement (Parcel A) - NOTE preexisting (1989)
2/20/2002	Acworth/Langdon	179.06	E	Clark	property in good shape, active sugaring operation
2/20/2002	Acworth/Langdon	35	E	Clark	property in good shape, active sugaring operation
3/1/2002	Amherst	88.9	F	Town of Amherst	nice woods, recent timber harvest, active trail maint.
3/1/2002	Amherst	30.1	F	Town of Amherst	nice woods, recent timber harvest, active trail maint.
3/1/2002	Amherst	41.69	F	Town of Amherst	recheck boundary around ball fields for possible encroachment
3/1/2002	Milford	9.65	F	Town of Milford	nice trails
3/1/2002	Milford	45.12	F	Town of Milford	small brush fire along powerlines (firepit), trails in good shape
3/8/2002	Acworth	102.68	E	Bascom Maple Farms, Inc.	active sugaring on section of property, house removed, barn in poor shape
3/8/2002	Walpole	16.6	F	Town of Walpole	trails in good shape, no hunting, motorized vehicles allowed (Natural Area signs)
3/8/2002	Walpole	29.4	F	Town of Walpole	trails in good shape, no hunting, motorized vehicles allowed (Natural Area signs)
3/15/2002	Rye	58.7	F	Town of Rye	walked property w/ CC member, trails blazed.
3/19/2002	Webster	58.9	F	Mock Irrevocable Trust	trail work, nice woods
3/19/2002	Webster	13	E	Phelps	trail work
3/19/2002	Webster	19.08	E	Janeway	drove road frontage w/ Betsy Janeway - she has marked boundaries
3/19/2002	Webster	51.1	F	Town of Webster	upcoming boy scout (eagle scout) project will improve trail
4/17/2002	Chichester	72.7	E	Blackman	checked boundaries with Jeff Andrews.
4/19/2002	Hopkinton	92.54	F	Town of Hopkinton	Walked boundary encroachment with abutter. Line blazed, pin set. Await removal.

Total Number of parcels visited: 43 *Total Number of Acres:* 3466.02

State LCIP Conservation Easements (by Town)

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Acworth							
Bascom Maple Farms, Inc.	113.40	10/9/2001	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	
Acworth/Charlest							
Bascom Maple Farms, Inc.	238.00	10/9/2001	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	
Acworth/Langdon							
Bascom Maple Farms, Inc.	398.90	10/9/2001	c/o Bruce Bascom	RR 1 Box 138	Alstead	NH	
Alton							
Judith E. Fry	251.00	5/14/2001	Stage Coach Road	RR1	Alton	NH	Met w/ Judy Fry, walked trails and woods road
Benton							
Edward & Janet Cadreact	315.22	5/1/2002		RR 1 Box 41	Pike	NH	
Canterbury							
Canterbury Shaker Village, In	24.00	7/5/2001	% Scott Swank	288 Shaker Rd.	Canterbury	NH	
Canterbury Shaker Village, In	657.00	7/5/2001	% Scott Swank	288 Shaker Rd.	Canterbury	NH	BLMP check
Canterbury Shaker Village, In	13.00	7/5/2001	% Scott Swank	288 Shaker Rd.	Canterbury	NH	
Jill McCullough & Tim Meeh	451.80	10/2/2001	% Tim Meeh	317 Shaker Road	Canterbury	NH	
Tim & Greg Meeh	95.60	10/2/2001	% Tim Meeh	317 Shaker Road	Canterbury	NH	
Claremont							
Edward MacGlaflin	214.60	6/17/2002	R1, Box 336 F	East Mountain Rd.	Claremont	NH	follow up on concrete embankment 8/02
Edward MacGlaflin	18.00	6/17/2002	R1, Box 336 F	East Mountain Rd.	Claremont	NH	follow up on concrete embankment 8/02
Columbia							
Tanya S. Tellman	353.50	6/20/2001	122 The Lane		Whitefield	NH	met to discuss contamination plume from Cole
Concord							
EJ Sullivan Trust	8.40	8/28/2002	James Sullivan, Trus	619 Washington Stre	Rye	NH	
Cornish/Plainfield							
Gael McKibben (& G. Yatsevit	173.05	6/28/2002	15 Walton Street		Portland	ME	
SPNHF (Yatsevitch)	800.14	6/28/2002	c/o Paul Doscher	54 Portsmouth Stree	Concord	NH	Monitor K. Foster "garden" area

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
Dorchester							
Robert F. & Sandra K. Green	664.80	5/15/2001	PO Box 330		Lyme	NH	
Dorchester/Lyme							
George Evarts	2162.26	11/8/2001	1405 Buck Mountain		Earlysville	VA	Timber harvest around sugar hill area OK
Durham							
Chris and Stefanie Daly	3.02	9/4/2002	551 Bay Road		Durham	NH	discussed moving trail for hunting, Stevens &
Chris Daly, President	3.42	9/6/2002		551 Bay Road	Durham	NH	fine though Katrak using as yard
Firoze E. Katrak and Marie Ha	2.11	9/4/2002	6 Canal Park #706		Cambridge	MA	using Shankhassic as yard area, outlet box still
Gerhard & Ingeburg Brand	0.28	9/4/2002		Bay Road	Durham	NH	quick visit w/ Brands
Tyler C. and Marcia M. Tingle	0.46	9/4/2002	31 Elliot Street		Exeter	NH	no devlopment yet
Enfield							
Museum At Lower Shaker Vill	17.83	7/27/2000	% Carolyn Smith	Route 4A	Enfield	NH	
Errol							
USFWS Umbagog Refuge	2258.85	9/11/2001	Paul Casey				
Farmington							
Frank J. Scruton	589.81	6/21/2002		208 Meaderboro Rd.	Rochester	NH	
Gilford							
Mark Mooney	308.33	8/2/2002		428 South Road	Belmont	NH	
Gilmanton/Alton/							
Boy Scouts Of America	3268.69	3/6/2002	Daniel Webster Cou	571 Holt Avenue	Manchester	NH	new barn, admin and others at Camp Bell
Goshen							
Northwoodlands, Inc.	25.10	5/7/2002	% Don Clifford, Presi	RR 2 Box 40	Newport	NH	
Goshen/Newbury							
Northwoodlands, Inc.	2549.50	5/7/2002	% Don Clifford, Presi	RR 2 Box 40	Newport	NH	
Northwoodlands, Inc.	25.20	5/7/2002	% Don Clifford, Presi	RR 2 Box 40	Newport	NH	
Hanover							
Samuel C. & Joanna M. Doyle	396.30	3/13/2002		PO Box 89	Hanover	NH	
Samuel C. & Joanna M. Doyle	42.80	3/13/2002		PO Box 89	Hanover	NH	
Haverhill							

TOWN / CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS			STATUS
Heirs of Martha C. Chamberli	183.00	9/7/2001	c/o Jane Bartrum	575 Hammet Hill Ro	East Montpel VT	
Heirs of Martha C. Chamberli	68.47	9/7/2001	c/o Jane Bartrum	575 Hammet Hill Ro	East Montpel VT	
Miles Conklin	81.00	8/8/2002		Box 165, Court Stree	Haverhill NH	
Richard G. McDanolds	181.45	9/7/2001	Mace Hill Road	PO Box 275	No. Haverhill NH	Burned out car to be removed.
Hollis						
Brookdale Fruit Farm, Inc.	194.44	6/15/2001	Elwin Hardy, Preside	36 Broad St.	Hollis NH	
Hopkinton						
Hopkinton Independent Schoo	61.80	8/22/2001	c/o Cathy Chesley	20 Beech Hill Road	Hopkinton NH	
Hopkinton/Conco						
Robert Kimball	177.50	8/22/2001		107 Beech Hill Road	Hopkinton NH	
Kingston						
Mrs. Adine Bakie	184.00	2/20/2002	Rte. 107A	35 Pow Wow River	Kingston NH	No changes in paintball area. Boundary work n
Lancaster						
Alan (Micky) and Judy Forbe	237.67	10/12/2001		304 North Road	Lancaster NH	
John E. & Marceline M. Nade	102.17	10/12/2001	South Lancaster Ro	RR 2 Box 662	Lancaster NH	
Loudon						
Harvey J. Bergeron	81.00	1/23/2002	364 Upper City Road	RFD 3	Pittsfield NH	
Loudon/Pittsfield						
Nancy Bates & Anthony ReSa	19.09	2/26/2002	39 Range Road		Pittsfield NH	new landowners, very aware of easement
Loudon/Pittsfld/B						
David L. & Louise Osborne	718.91	1/23/2002	372 Upper City Rd.	RFD 3	Pittsfield NH	
Lyme						
B. Wayne Tullar, Jr.	45.70	1/4/2002	560 River Rd.		Lyme NH	
B Wayne Tullar, Jr.	18.30	1/4/2002	560 River Road		Lyme NH	
B. Wayne Tullar, Jr.	46.10	1/4/2002	560 River Road		Lyme NH	
Madison						
The Nature Conservancy	341.01	11/21/2001	Mr. Daryl Burtnett	2 1/2 Beacon Street	Concord NH	new boundary markers (signs) noted
Milton						
NH Farm Museum, Inc.	18.60	6/21/2002	% F. Curtis Johnston	Board of Trustees as		follow up on stump pile in NE corner 10/02

TOWN CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS			STATUS
New Boston						
Continuity Family Trust	16.40	8/9/2002	Dorothy H. Marden,	100 Gregg Mill Rd.	New Boston NH	
Newmarket						
Frank Smas	29.41	9/4/2002	Bay Road	RR 2	Newmarket NH	
Orford						
Ernest and Helen Daisy et al	17.25	8/8/2002	Cottonstone Farm	RR 1 Box 25	Orford NH	
Forrest Bunten	183.50	8/8/2002		RR Box 27	Orford NH	
George Jr. (Pat) and Sherre T	13.69	8/8/2002		RR1 Box 71	Orford NH	
Rendell Tullar	72.37	8/8/2002	Tullando East LLC	RR 1 Box 73	Orford NH	
Ossipee						
Ossipee Aggregates	14.20	11/21/2001	% David Campbell	20 Trafalgar Sq Suit	Nashua NH	
Piermont						
Hal Colvert	209.47	1/4/2002		327 River Road	Piermont NH	
Putnam Farm Of Piermont	15.90	9/7/2001	% Bill Putnam	15 Route 25	Piermont NH	Erosion continues despite hardening.
Putnam Farm Of Piermont	127.14	9/7/2001	% Bill Putnam	15 Route 25	Piermont NH	Camp/shed to be cleaned up
Verne E Batchelder & Jeanie	100.90	1/4/2002	River House	141 River Road	Piermont NH	
Pittsburg						
John H. Amey	1246.70	6/27/2001		Box 523-A	Pittsburg NH	
Paul and Arcia Amey	61.06	6/27/2001	Tabor Rd.	Box 523	Pittsburg NH	
Roy Amey	286.70	6/27/2001	Tabor Rd.	Box 525	Pittsburg NH	
Richmond/Fitzwill						
Little Monadnock Realty Trust	1253.40	5/24/2002	c/o Chester Peirce	33 Hill Street	Lakeville MA	Combined N & S parcels.
Rindge						
c/o Bob Wilber	158.10	9/26/2002	208 South Great Ro		Lincoln MA	interpretation of easement terms, response to
Shelburne						
Matthew S. and Lona G. Tas	279.00	9/27/2001	5 Reggio Avenue		Old Orchard ME	Continued minor issue with dumping. Resoluti
Stewartstown						
The Nature Conservancy	313.10	6/4/2002	Mr. Daryl Burtnett	2 1/2 Beacon St. Sui	Concord NH	
Stoddard						

TOWN CURRENT OWNER	ACRES	DATE LAST MONITORED	ADDRESS				STATUS
SPNHF	126.85	7/27/2002	% Paul Doscher	54 Portsmouth St.	Concord	NH	
Stratham							
Florence Wiggin	30.00	9/4/2002		Squamscott Rd.	Stratham	NH	met w/ Flossie Wiggin first
Sutton							
Daniel J. Holland	117.65	1/4/2001	230 Lazell Street		Hingham	MA	Heavy timber harvest.
Swanzey							
Office of the Swanzey Select	1.60	8/22/2001	Town Of Swanzey	PO Box 10009	Swanzey	NH	
Office of the Swanzey Select	13.00	8/22/2001	Town Of Swanzey	PO Box 10009	Swanzey	NH	minor paint ball use
Tamworth							
c/o Charles(Chip) Sterling(Trs	17.50	8/2/2002	State Street Bank	225 Franklin Street	Boston	MA	
Troy							
Little Monadnock Realty Trust	565.10	5/24/2002	c/o Chester & Doroth	33 Hill Street	Lakeville	MA	Combined report for N & S parcels
Westmoreland							
Marilyn S. Wingersky et al.	41.38	12/28/2001	% Patricia Porter Be	1281 River Rd.	Westmoreland	NH	
Windyhurst Farm Partnrshp	216.92	12/28/2001	Roger S. & Eleanor	19 Route 63	Westmoreland	NH	
Whitefield							
Bernie Bean	218.70	10/12/2001		59 Crane Road	Whitefield	NH	Potential DOT impacts (3.8 +\- acres)
Wilmot/Danbury							
Wagner Woodlands (Sands)	695.40	9/8/2002	% Frosty Sobetzer	PO Box 160	Lyme	NH	no timber harvest activity
Winchester							
William Kelly Jr.	234.73	8/8/2002	Kelly-View Farm	428 Old Westport Rd	Winchester	NH	
Total Number of Acres:	25881.9						
Total Number of parcels:	81						

MANAGEMENT/MONITORING ACTIVITIES ON FEE OWNERSHIP LCIP PROPERTIES
Assigned to
DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT
July 1, 2001 - June 30, 2002

Ammonoosuc River State Forest, Stark - 8.0 acres

No activity.

Big Island State Forest, Wentworth's Location - 350.0 acres

No activity.

Blue Job State Forest, Farmington - 116.6 acres
(Blue Job Mountain, Inc. Tract)

Resource inventory, prescribed burn (P1-369) on +/- 64 acres for wildlife habitat improvement, brontosaurus brush hogging of +/- 12 acres of same project area done in partnership w/Fish & Game and NRCS.

Bowditch-Runnells State Forest, Tamworth - 83.1 acres
(Bowditch Estate Tract)

Timber sale (P2-317). Water testing in the Chocorua River continues to monitor water quality.

Cape Horn State Forest, Northumberland - 2062.3 acres

A 181-acre timber sale of 234 MBF and 1,250 cords was marked and sold – to be operated in summer 2002.

103-acre "Ellingwood" acquisition in process.

Devils Slide State Forest, Stark - 290.0 acres

No activity.

Kearsarge Mountain State Forest, Warner - 976.1 acres
(Lowell and Goodnow Tracts)

Office computation summarizing forest inventory data and timber type mapping on-going.

Lang Station State Forest, New Boston - 226.3 acres

Forest inventory and management plan statement completed, timber sale (P1-439) in progress.

Livermore Falls State Forest, Campton/Holderness - 44.3 acres
(Livermore Falls Corp. and Durgin Tracts)

No activity.

Lochmere Archaeological Area, Belmont - 13.4 acres

No activity.

Nash Stream Forest, Odell, Stark, Columbia and Stratford - 39,460.3 acres

Marked 250-acre timber sale in Bungy. Marked volumes of 420 MBF and 1,080 cords, scheduled for sale in this fall and operation in winter 2002-2003.

Layout and preliminary marking of three timber sales in Compartments 26 and 27. Estimated 600 acres.

Spread 6" of new gravel on 4.5 miles of Nash Stream Main Road, and replaced numerous culverts and re-dug ditches along same.

Repaired two (2) miles of washouts and drainage problems on the 14 and ½ Road.

Yearly road maintenance and upgrading including mowing, culvert replacement, ditching, grading and gravel replacement.

New snowmobile trails constructed in Bungy and Trio Ponds areas.

Pilot ATV-Use Program initiated August 1st in Southwest portion of the forest.

A forest resource inventory was completed on 990 acres in Compartment 3.

ATTACHMENT #C 2 of 7

Northwood Meadows State Park, Northwood - 662.0 acres
(Burtt Tract)

No activity

Odiorne State Park, Rye - 64.0 acres
(Ralph Brown Tract)

No activity

Ossipee Lake/Heath Pond Bog, Ossipee and Effingham - 1112.2 acres
(Merrow, Currier, Marston Industries, Inc. and Fleet Bank Tracts)

No activity

Percy State Forest, Stark - 77.5 acres

No activity

Pine River State Forest, Ossipee

The Division of Cultural Resources conducted archeological field studies around Lost Ponds.

Pisgah State Park, Chesterfield and Hinsdale - 344.6 acres
(Dort and Friends of Pisgah Tracts)

No activity.

Rhododendron State Park, Fitzwilliam - 153.8 acres
(Little Monadnock Development Trust Tract)

Completed resource inventory.

Smiths Ferry Heritage Park, Manchester - 17.1 acres

No activity.

Sugar River Recreation Trail, Claremont - 2.7 acres

No activity

Sunapee State Park, Newbury - 130.0 acres
(Bank Five Tract)

No activity.

Umbagog State Park, Errol and Cambridge - 1088.7 acres
(Pingree Associates, Oxford Paper, James River and Union Water Power Tracts)

Completed forest inventory on 606 acres of Black Island Cove and Thurston Cove compartments.

Wantastiquet Natural Area, Hinsdale - 90.6 acres
(Smith Tract)

Completed resource inventory.

White Lake State Park, Tamworth - 148.7 acres
(Reed Tract)

Completed resource inventory and type mapping.

ATTACHMENT #5 P64

STATE OF NEW HAMPSHIRE
Inter-department Communication

To: Pete Helm
LCIP Coordinator
Office of State Planning

Date: March 27, 2002

From: Tracey Sweeney
Land Agent

Office: Fish and Game Department
Access & Engineering Div.

Subject: LCIP Fee Simple acquisitions reporting period September 2000 through March 2002.

Brookfield, Jones Brook Wildlife Management Area:
This property is being managed as wildlife management area hunting; fishing and passive recreations are activities, which are allowed to occur. A snowmobile trail has recently been constructed from Mountain Lake to the Jones Brook Pond. The dam in Mountain Lake has been reconstructed.

Campton-Thornton, Pemigewasset River Wildlife Management Area:
This property is being managed as a wildlife management area hunting, fishing and passive recreational activities are allowed to occur. The golf course has been constructed on the east side of Route 93. The access to the property is now located along the perimeter of the Golf Course for the pedestrians and access by authorized personnel will be over an existing golf cart path. Brush hogging has been completed on approximately 7 to 8 acres. Nut tree and fruit tree release work has been completed on approximately 2-3 acres.

Concord, Sewalls Fall Wildlife Management Area:
This property is being managed under the Statewide Public Access Program. Members of the public for shore bank angling and passive recreational pursuits utilize the surrounding property.

Dover, Bellamy River Wildlife Management Area:
This property is being managed as wildlife management area hunting, fishing, and passive recreational activities are allowed to occur. A management plan is being implemented for this property. Management activities include two agricultural use agreements; hay and corn crops are being harvested.

Durham, Wilcox Point Parcels:
This property is being managed as a portion of the Great Bay National Estuarine Research Reserve program. This area has been utilized as a winter roosting areas by eagles. The property is being monitored and management by Department staff. New development of a large single family home has occurred on the abutting property.

Enfield, Lower Shaker Village Wildlife Management Area:

This property is being managed as wildlife management area hunting, fishing, and passive recreational activities are allowed to occur. The fields continue to be mowed and three people are tapping maple trees on this property. A timber inventory is in the process of being completed. A Golf course is being constructed on the abutting property and the title problem has been resolved with a land swap.

Franklin, Webster Lake Wildlife Management Area:
This property is being managed as wildlife management area hunting, fishing, and passive recreational activities are allowed to occur.

Haverhill, Wood Pond Access Site:
This property is being managed under the Statewide Public Access Program. A gravel roadway, parking lot, and hiking trail have been allowing access to the pond.

Hooksett, Merrimack River Access:
This property is being managed under the Statewide Public Access Program. This property allows the public access to the river and also the opportunity for shore bank fishing.

Kingston, Powwow Pond Access Site:
This property is being managed under the Statewide Public Access Program. 4 acres of abutting land has been purchased to facilitate the construction of a boat launch.

Litchfield, Merrimack River Access:
This property is being managed under the Statewide Public Access Program. At the present time there has been no changes to the property.

Northwood, Forest Peters Tract:
This property is being managed as wildlife management area hunting, fishing, and passive recreational activities are allowed to occur.

Stratham/Greenland, Great Bay Estuarine Research Reserve:
This property is being managed as a portion of the Great Bay National Estuarine Research Reserve program. The Sandy Point Discovery Center is located on this property and educational programs are offered at this facility.

Tamworth, Hackett Hill Wildlife Management Area:
This property is being managed as wildlife management area hunting, fishing, and passive recreational activities are allowed to occur.

Thornton Ballou Parcel:
This property is being managed under the Statewide Public Access Program. This property abuts the Department of Transportation's boat access site and also allows approximately

3000 feet of access to the Pemigewasset River for shore bank fishing.

Walpole, Hubbard Farms Wildlife Management Area:

This property is being managed as a wildlife management area hunting, fishing, and passive recreational activities are allowed to occur. This property is also being managed under the Statewide Public Access Program. The cartop boat launching facility allows sportsmen access to the Connecticut River. An agricultural use agreement has been issued on this property and the farmer is raising corn.

Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on SB 401-FN-A-LOCAL

BILL TITLE: **establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.**

DATE: 4/26/00

LOB ROOM: 305

Amendments:

Sponsor: Rep. Blanchard/Spang — OLS Document #: 2000 4259h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Roberts

Seconded by Rep. Fields

Vote: 18-1 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Blanchard

Seconded by Rep. Fortnam

Vote: 18-1 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Richard T. Cooney, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on SB 401-FN-A-LOCAL

BILL TITLE: **establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.**

DATE: 4/26/00

LOB ROOM: 305

Amendments:

Sponsor: Rep. BLAYCHARD/SPATTS OLS Document #: 2000-4259h AS AM

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. ROBERTS

Seconded by Rep. FIEDS

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. BLAYCHARD

Seconded by Rep. FORTMAN

Vote: 18-1 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: REG CAL

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

BLURB

Respectfully submitted,

ROYCE/BLAYCHARD

Rep. Richard T. Cooney, Clerk

OFFICE OF THE HOUSE CLERK 2000 SESSION

RESOURCES, RECREATION AND DEVELOPMENT

Bill #: SB 401 **Title:** LCHIP

PH Date: / / Exec Session Date: 4/26/00

Motion: OTP/A Amendment #: 2000-4240h

MEMBER	YEAS	NAYS
Royce, H Charles, Chairman	X	
Lawton, David M, V Chairman	X	
Whalley, Michael D	X	
Cooney, Richard T, Clerk	X	
Kibbey, David D	X	
Mirski, Paul M		ABS
Lavoie, Gerard H	X	
O'Connell, Timothy D	X	
Corbin, C David		
Roberts, William E	X	
Fields, Dennis H	X	
Czech, Stanley E	X	
Gallus, John T	X	
Russell, David H	X	
Blanchard, MaryAnn N	X	
Downing, Michael W	X	
Williams, Carol A	X	
Lefebvre, Roland J	X	
Robb-Theroux, Amy E		X
Fortnam, Janet W	X	
Glines, Sara B		
Spang, Judith T	X	

TOTAL VOTE: 18-1
Printed: 3/28/2000

OFFICE OF THE HOUSE CLERK 2000 SESSION

RESOURCES, RECREATION AND DEVELOPMENT

Bill #: SB 401 Title: _____

PH Date: ___/___/___ Exec Session Date: 4/26/00

Motion: AMEND Amendment #: _____

MEMBER	YEAS	NAYS
Royce, H Charles, Chairman	X	
Lawton, David M, V Chairman	X	
Whalley, Michael D	X	
Cooney, Richard T, Clerk	X	
Kibbey, David D	X	
Mirski, Paul M		ABSTAIN
Lavoie, Gerard H	X	
O'Connell, Timothy D	X	
Corbin, C David		
Roberts, William E	X	
Fields, Dennis H	X	
Czech, Stanley E	X	
Gallus, John T	X	
Russell, David H	X	
Blanchard, MaryAnn N	X	
Downing, Michael W	X	
Williams, Carol A	X	
Lefebvre, Roland J	X	
Robb-Theroux, Amy E		X
Fortnam, Janet W	X	
Glines, Sara B		
Spang, Judith T	X	

TOTAL VOTE: 18-1

Printed: 3/28/2000

OFFICE OF THE HOUSE CLERK 2000 SESSION

RESOURCES, RECREATION AND DEVELOPMENT

Bill #: SB 401 **Title:** _____

PH Date: ___/___/___ **Exec Session Date:** 4/26/00

Motion: GALLUS MOTION **Amendment #:** _____

MEMBER	YEAS	NAYS
Royce, H Charles, Chairman		X
Lawton, David M, V Chairman	X	
Whalley, Michael D		X
Cooney, Richard T, Clerk		X
Kibbey, David D	X	
Mirski, Paul M	X	
Lavoie, Gerard H	X	
O'Connell, Timothy D		X
Corbin, C David		
Roberts, William E		X
Fields, Dennis H		X
Czech, Stanley E	X	
Gallus, John T	X	
Russell, David H		X
Blanchard, MaryAnn N		X
Downing, Michael W		X
Williams, Carol A		X
Lefebvre, Roland J		X
Robb-Theroux, Amy E		X
Fortnam, Janet W		X
Glines, Sara B		
Spang, Judith T		X
TOTAL VOTE: 6-14		

Printed: 3/28/2000

OFFICE OF THE HOUSE CLERK 2000 SESSION

RESOURCES, RECREATION AND DEVELOPMENT

Bill #: SB 401 Title: _____

PH Date: ___/___/___ Exec Session Date: 4/26/00

Motion: LAWTON MOTION Amendment #: _____

MEMBER	YEAS	NAYS
Royce, H Charles, Chairman	X	
Lawton, David M, V Chairman	X	
Whalley, Michael D	X	
Cooney, Richard T, Clerk	X	
Kibbey, David D	X	
Mirski, Paul M	X	
Lavoie, Gerard H	X	
O'Connell, Timothy D		X
Corbin, C David		
Roberts, William E	X	
Fields, Dennis H	X	
Czech, Stanley E		X
Gallus, John T	X	
Russell, David H	X	
Blanchard, MaryAnn N		X
Downing, Michael W	X	
Williams, Carol A	X	
Lefebvre, Roland J		X
Robb-Theroux, Amy E		X
Fortnam, Janet W		X
Glines, Sara B		
Spang, Judith T		X

TOTAL VOTE: 13-7
Printed: 3/28/2000

Committee Report

MAJORITY
COMMITTEE REPORT

COMMITTEE: **Resources, Recreation and Development**

BILL NUMBER: **SB 401-FN-A-LOCAL**

TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

DATE: April 27, 2000 CONSENT CALENDAR YES ☐ NO ☒

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Senate Bill 401, as amended, establishes the Land and Community Heritage Investment Program (LCHIP) to conserve and preserve New Hampshire's most important natural, cultural and historical resources. LCHIP would provide matching grants to municipalities and nonprofit organizations for the conservation, preservation and restoration of these critical resources. There will be an authority composed of 18 members of whom 12 are voting (quorum of 7) and includes the designees of 6 state agencies who are nonvoting members. This board shall establish criteria for acquisition of lands and other natural, cultural and historical resources. The committee amended the bill to provide a 50 percent match. By doing this the amendment eliminates the preferential treatment given in the original bill to those property wealthy communities better able to increase their percentage of the match. The committee also amended the bill to eliminate the participation of state agencies because it believes it to be unfair for the state agencies, which can come to the legislature with capital requests anyway, to compete with municipal and nonprofit applicants for these limited resources. Also, state agencies continue to have the ability to seek federal matching grants. LCHIP respects private property rights: all projects are willing seller and willing buyer only. Senate Bill 401 as amended confers no new regulatory authority to the state and prohibits LCHIP from using the state's power of eminent domain to enter any resource into the program. The majority of the Resources, Recreation and Development Committee believes that the LCHIP will go down in history as a milestone -- a moment when we acted together on behalf of this wonderful place we call New Hampshire. Periodically, the people of this state have banded together with their officials to do something truly visionary with the state's natural resources. In 1901, we joined hands to create the White Mountain National Forest. In the 1930's, we worked together to establish the State Parks System. In the 1960's, it was Current Use Assessment. And in the 1980's, it was the Trust for New

Hampshire Lands and the LCIP, which conserved 100,000 acres. Once again in 2000, the enactment of Land and Community Heritage Investment Program will be one of those major milestones.

Vote 18-1.

Rep. H. Charles Royce &
Mary Ann N. Blanchard
FOR THE MAJORITY

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Resources, Recreation and Development

SB 401-FN-A-LOCAL, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

Rep. H. Charles Royce & Mary Ann N. Blanchard for Resources, Recreation and Development: Senate Bill 401, as amended, establishes the Land and Community Heritage Investment Program (LCHIP) to conserve and preserve New Hampshire's most important natural, cultural and historical resources. LCHIP would provide matching grants to municipalities and nonprofit organizations for the conservation, preservation and restoration of these critical resources. There will be an authority composed of 18 members of whom 12 are voting (quorum of 7) and includes the designees of 6 state agencies who are nonvoting members. This board shall establish criteria for acquisition of lands and other natural, cultural and historical resources. The committee amended the bill to provide a 50 percent match. By doing this the amendment eliminates the preferential treatment given in the original bill to those property wealthy communities better able to increase their percentage of the match. The committee also amended the bill to eliminate the participation of state agencies because it believes it to be unfair for the state agencies, which can come to the legislature with capital requests anyway, to compete with municipal and nonprofit applicants for these limited resources. Also, state agencies continue to have the ability to seek federal matching grants. LCHIP respects private property rights: all projects are willing seller and willing buyer only. Senate Bill 401 as amended confers no new regulatory authority to the state and prohibits LCHIP from using the state's power of eminent domain to enter any resource into the program. The majority of the Resources, Recreation and Development Committee believes that the LCHIP will go down in history as a milestone -- a moment when we acted together on behalf of this wonderful place we call New Hampshire. Periodically, the people of this state have banded together with their officials to do something truly visionary with the state's natural resources. In 1901, we joined hands to create the White Mountain National Forest. In the 1930's, we worked together to establish the State Parks System. In the 1960's, it was Current Use Assessment. And in the 1980's, it was the Trust for New Hampshire Lands and the LCIP, which conserved 100,000 acres. Once again in 2000, the enactment of Land and Community Heritage Investment Program will be one of those major milestones. Vote 18-1.

MAJORITY
COMMITTEE REPORT

COMMITTEE: **Resources, Recreation and Development**

BILL NUMBER: **SB 401FN-A-LOCAL**

TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

DATE: April 27, 2000 CONSENT CALENDAR YES ☐ NO ☒

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

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Changes per Leadership 4/27/00 Chairman Roger

Vote 18-1.

Rep. H. Charles Royce &
Mary Ann N. Blanchard
FOR THE MAJORITY

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Resources, Recreation and Development

SB 401FN-A-LOCAL, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT

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The majority of the Resources, Recreation and Development Committee believes that the LCHIP will go down in history as a milestone -- a moment when we acted together on behalf of this wonderful place we call New Hampshire. Periodically, the people of this

state have banded together with their officials to do something truly visionary with the state's natural resources ~~once again~~. In 1901, we joined hands to create the White Mountain National Forest. In the 1930's, we worked together to establish the State Parks System. In the 1960's, it was Current Use Assessment. And in the 1980's, it was the Trust for New Hampshire Lands and the LCIP, which conserved 100,000 acres. Once again in 2000, the enactment of LCHIP ~~is~~ will be one of those major milestones.

I Shelton

C Rogers and MaryAnn N. Blanchard

MINORITY
COMMITTEE REPORT

COMMITTEE: **Resources, Recreation and Development**

BILL NUMBER: **SB 401-FN-A-LOCAL**

TITLE: establishing the New Hampshire land and community heritage investment program and making an appropriation therefor.

DATE: April 27, 2000 CONSENT CALENDAR YES ☐ NO ☒

☒ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

SB 401 is arguably the most important conservation legislation that this House has considered in the last decade. There is tremendous bi-partisan, broadbased support for this legislation: 250 attended the hearing on the bill, over 5,000 pledge cards supporting SB 401 were presented at the hearing, and 104 communities from Coos to the sea passed town meeting or city council resolutions supporting this initiative. It is the product of over two years of hard work by a legislatively created commission and coalition supported by 116 organizations. The bill as amended and supported by the majority of the committee represents a hard fought and fragile compromise. The minority believes it is important for the House to know what was left out of the bill as the result of this compromise. First, the bill eliminated any opportunity for state agencies, most notably DRED and Fish and Game, to submit applications and compete for land conservation funding. While the focus of the program is appropriately on community based projects, the minority feels strongly that there will be potential state park or wildlife refuge projects that are best initiated by our state land managing agencies. In addition, New Hampshire, which annually sends much more in tax dollars to Washington, D.C. than receive, may lose the opportunity to compete for millions in federal matching funds by not allowing state agencies to participate in this program. Second, the bill changes the municipal match percentage from 40:60 to 50:50. This change will make it more difficult for the communities with less property wealth to compete for matching funds. Because the program is strictly voluntary, the minority favors restoring the 40:60 match percentage recommended by the NH Land and Community Heritage Commission. The concessions made by the majority of the committee to get this legislation to the full House compromises the integrity of the bill and the work of the NH Land and Community Heritage Commission.

Vote

Rep. Amy E. Robb-Theroux
FOR THE MINORITY

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Resources, Recreation and Development

SB 401-FN-A-LOCAL, establishing the New Hampshire land and community heritage investment program and making an appropriation therefor. OUGHT TO PASS

Rep. Amy E. Robb-Theroux for Resources, Recreation and Development: SB 401 is arguably the most important conservation legislation that this House has considered in the last decade. There is tremendous bi-partisan, broadbased support for this legislation: 250 attended the hearing on the bill, over 5,000 pledge cards supporting SB 401 were presented at the hearing, and 104 communities from Coos to the sea passed town meeting or city council resolutions supporting this initiative. It is the product of over two years of hard work by a legislatively created commission and coalition supported by 116 organizations. The bill as amended and supported by the majority of the committee represents a hard fought and fragile compromise. The minority believes it is important for the House to know what was left out of the bill as the result of this compromise. First, the bill eliminated any opportunity for state agencies, most notably DRED and Fish and Game, to submit applications and compete for land conservation funding. While the focus of the program is appropriately on community based projects, the minority feels strongly that there will be potential state park or wildlife refuge projects that are best initiated by our state land managing agencies. In addition, New Hampshire, which annually sends much more in tax dollars to Washington, D.C. than receive, may lose the opportunity to compete for millions in federal matching funds by not allowing state agencies to participate in this program. Second, the bill changes the municipal match percentage from 40:60 to 50:50. This change will make it more difficult for the communities with less property wealth to compete for matching funds. Because the program is strictly voluntary, the minority favors restoring the 40:60 match percentage recommended by the NH Land and Community Heritage Commission. The concessions made by the majority of the committee to get this legislation to the full House compromises the integrity of the bill and the work of the NH Land and Community Heritage Commission. Vote .

Amy E Robb-Theroux

Minority Report — SB401 April, 27th 2000

Charlie and Mary Ann,
I would appreciate you not editing this blurb. Would you call me and let me know that you received it and it is a go as is. Thank you for all your hard work! Amy

SB401 is arguably the most important conservation legislation that this House has considered in the last decade. There is tremendous bi-partisan, broad-based support for this legislation: 250 attended the hearing on the bill, over 5,000 pledge cards supporting SB401 were presented at the hearing, and 104 communities from Coos to the sea passed town meeting or city council resolutions supporting this initiative. It is the product of over two years of hard work by a legislatively created commission and coalition supported by 116 organizations.

The bill as amended and supported by the majority of the committee represents a hard fought and fragile compromise. The minority believes it is important for the House to know what was left out of the bill as the result of this compromise. First, the bill eliminated any opportunity for state agencies, most notably DRED and Fish and Game, to submit applications and compete for land conservation funding. While the focus of the program is appropriately on community based projects, the minority feels strongly that there will be potential state park or wildlife refuge projects that are best initiated by our state land managing agencies. In addition, New Hampshire, which annually sends much more in tax dollars to Washington, D.C. ~~that~~ than we receive, may lose the opportunity to compete for millions in federal matching funds by not allowing state agencies to participate in this program.

Second, the bill changes the municipal match percentage from 40:60 to 50:50. This change will make it more difficult for the communities with less property wealth to compete for matching funds. Because the program is strictly voluntary, the minority favors restoring the 40:60 match percentage recommended by the NH Land and Community Heritage Commission.

~~New Hampshire needs to enact this legislation.~~ The concessions made by the majority of the committee to get this legislation to the full House compromise the integrity of the bill and the work of the NH Land and Community Heritage Commission.

OTP as amended per 2000 4240H.
Okay O. Royce