

# New Hampshire Council on Resources and Development

NH Office of Energy and Planning  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301  
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TDD Access: Relay NH  
1-800-735-2964

**CORD Meeting**  
**Thursday, March 14, 2013**  
**107 Pleasant Street**  
**Johnson Hall, 3<sup>rd</sup> Floor**  
**Time 10 AM**

## FINAL AGENDA

### **I. ROLL CALL AND INTRODUCTIONS**

### **II. MINUTES**

Approval of CORD Meeting Minutes – November 1, 2012

### **III. LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP) – Dijit Taylor, Executive Director**

Proposed change in timing of distribution of Monitoring Endowment funds closer to the beginning of the fiscal year. (See memo from Ms. Taylor)

### **IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

#### **REVIEW PURSUANT TO RSA 162-C: 6**

#### **A. BIG ISLAND STATE FOREST**

Proposal from the Department of Resources and Economic Development to convey a Conservation Easement on the 284-acre Big Island State Forest property to the U.S. Fish & Wildlife Service in exchange for the fee title to 220+/- acres of Umbagog National Wildlife Refuge property in Errol.

**V. DISPOSAL OF STATE OWNED SURPLUS LAND**

**A. WENTWORTH'S LOCATION – SLR 13-001**

Request from the Department of Resources and Economic Development to convey a Conservation Easement on the 284-acre Big Island State Forest property to the U.S. Fish & Wildlife Service for management as part of the Umbagog National Wildlife Refuge in exchange for the fee title to 220+/- acres of Umbagog National Wildlife Refuge property in Errol. The State of New Hampshire would retain fee ownership of the Big Island State Forest property.

**B. LACONIA – SLR 13-002**

Request to lease approximately 200 square feet of Concord to Lincoln Railroad Corridor land at Paugus Park Road in Laconia to the abutting property owner for a term of 5 years with a 5-year renewal option.

**C. LACONIA – SLR 13-003**

Request to lease approximately 1,200 square feet of Concord to Lincoln Railroad Corridor land at Fair Street in Laconia to the abutting property owner for a term of 5 years with a 5-year renewal option.

**D. LACONIA – SLR 13-004**

Request to lease approximately 1,166 square feet of Concord to Lincoln Railroad Corridor land at Paugus Park Road in Laconia to the abutting property owner for a term of 5 years with a 5-year renewal option.

**E. EPPING – SLR 12-001**

Request from the Department of Environmental Services to convey a small parcel on the southeast side of the Lamprey River, at the location of the former bunker Pond dam, to the Town of Epping. **Tabled from May 3, 2012 to resolve public access issues.**

**VI. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

Tracey Boisvert - Coordinator, Conservation Land Stewardship Program

- A.** Land Conservation Endowment - review and approval of custodial agreement with the Treasury Department
- B.** Land Conservation Endowment - discussion of endowment disbursement
- C.** Update on Hidden Valley Boy Scouts of America conservation easement, Gilmanton/Gilford/Alton (state-held conservation easement) (Rich Cook, Fish & Game)
- D.** Nash Stream Property, Columbia/Stratford/Northumberland (fee-owned; assigned to DRED) - ATV use proposal (Bill Carpenter and Chris Gamache, DRED)

**VII. OTHER BUSINESS**

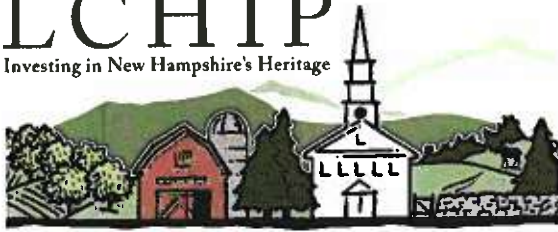
**CORD 2013 MEETING SCHEDULE**

**January 10, 2013 – Canceled**  
**March 14, 2013**  
**May 9, 2013**  
**July 11, 2013**  
**September 12, 2013**  
**November 14, 2013**

*Meetings will be held at the Office of Energy and Planning, 107 Pleasant Street, Johnson Hall, 3<sup>rd</sup> floor, Concord, NH, at 9:30 a.m., unless otherwise noted. Meetings are open to the public.*

# LCHIP

Investing in New Hampshire's Heritage



LAND & COMMUNITY HERITAGE INVESTMENT PROGRAM

Land and Community Heritage Investment Program  
13 West Street, Suite 3  
Concord, NH 03301

(603) 224-4113  
fax (603) 224-5112  
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## MEMO

DATE: January 10, 2013  
TO: Council on Resources and Development (CORD)  
FROM: Dijit Taylor, LCHIP Executive Director  
TOPIC: LCHIP Monitoring Payments

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Part of the LCHIP enabling legislation (RSA 227-M:12 ) creates a monitoring endowment to be used to support annual monitoring of property interests acquired with LCHIP funds. The LCHIP monitoring endowment is managed under the same terms and RSA as the monitoring endowment of the former Land Conservation Investment Program (LCIP), now known as the Land Conservation Stewardship Program. (RSA 162-C:8). RSA 162-C:7 assigns CORD to "oversee, direct, and expend funds in the monitoring endowment..." The Monitoring Endowment is presently managed by Fidelity Investment under an agreement between LCHIP, the State Department of Treasury and Fidelity. Income has increased dramatically under the new investment strategy.

Since 2008, LCHIP has been disbursing money to previous grant recipients who have submitted acceptable annual monitoring reports drawing the money from the Monitoring Endowment with the approval of both CORD and the LCHIP Board of Directors. The payments have been made in June, when the annual income from the Monitoring Endowment for that fiscal year is known. Most years, the total drawn from the fund has been about half of the income from the fund. Base payments to grant recipients have ranged from \$22 to \$91 per project, depending on the income to the Monitoring Endowment in the year in question

LCHIP staff proposes a change in timing of the distribution of these funds so that monies are distributed to grant recipients nearer to the beginning of the calendar year. This brings the payment closer to the time when the monitoring was actually performed and the report submitted. For the first year, this could likely entail disbursing up to the entire amount of the income accrued to the Monitoring Endowment by the middle of the fiscal year. In subsequent years, the amount to disburse could be based on the total accrued in the calendar year rather than the fiscal year. The timing would also be easier for the Treasury Department, which writes the 80 or so checks for the endowment disbursements, moving it away from the end of the state's fiscal year.

The relevant sections of the RSAs are on the following page.

Proposed Action: That CORD endorse expenditure of up to 100% of the net income to the LCHIP Monitoring Endowment for the period July 1 – December 31, 2012 in payment to grant recipients that have submitted acceptable annual monitoring reports for 2012.

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## CHAPTER 227-M COMMUNITY HERITAGE INVESTMENT PROGRAM

### **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.

## CHAPTER 162-C COUNCIL ON RESOURCES AND DEVELOPMENT Land Conservation Investment Program

**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.

### **162-C:8 Monitoring Endowment. –**

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. Additional contributions to the endowment pursuant to RSA 227-M:12, I shall be accounted for separately and shall be utilized only for the purposes of RSA 227-M:12, II. Additional gifts, donations, and grants to the endowment may be utilized for monitoring and enforcing other land conservation interests that may be acquired by the state of New Hampshire.

II. The principal of the endowment shall be managed by the state treasurer for the sole purpose of providing a perpetual source of income, as defined by the state treasurer, for the purposes set forth in this subdivision and RSA 227-M:12.

III. Any income 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 nonlapsing. 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.

IV. The council shall, pursuant to the monitoring endowment established under former RSA 221-A:5, III, and the provisions of RSA 162-C:8, I, prepare an annual report to be presented no later than December 1 of each year to the speaker of the house, the president of the senate, the governor, the house clerk, the senate clerk, and the state library. The report shall include a listing of all lands and interests in lands subject to the monitoring provisions of RSA 162-C:7, I and a complete financial accounting of the funds in the monitoring endowment including expenditures for the most recent full fiscal year. The report shall also summarize monitoring activities and findings for each property, as conducted in the most recent full fiscal year.

## MEMORANDUM

**TO:** CORD Members  
**FROM:** Susan Slack, Assistant Planner, Office of Energy & Planning  
**DATE:** March 14, 2013  
**RE:** Staff Report –SLR Requests

- **SLR 13-001 WENTWORTH'S LOCATION**
  - **Comment Period Ended:** March 7, 2013
  - Comments Received:
    - **Department of Cultural Resources, Division of Historical Resources** -- Both parcels are considered archaeologically sensitive in areas; if plans include trail development surveys may be required
    - **Department of Health and Human Services** – no objection
    - **Department of Environmental Services** – supports the proposed action; Area is of high habitat value and its protection will add to other protected conservation lands situated in the immediate vicinity
    - **Rivers Management Advisory Committee (RMAC)** – proposed activities shouldn't adversely affect the Magalloway River or public access to the river; proposed transfer of the conservation easement appears to have little opportunity for negative impact due to the property's proposed inclusion as part of the F&W Refuge; excluded from further review by full RMAC
    - **Lakes Management Advisory Committee (LMAC)** – not within its jurisdiction
  
- **SLR 13-002 LACONIA**
  - **Comment Period Ends:** April 1, 2013
  - Comments Received as of March 13, 2013:
    - **Department of Health and Human Services** – no objection
    - **Lakes Management Advisory Committee (LMAC)** – proposed activities should not adversely affect Paugus Bay; proposal appears to rectify long-standing encroachments while improving public safety; excluded from review by full LMAC based on *de minimis* impact
    - **Rivers Management Advisory Committee (RMAC)** – not subject to review because property is more than 250 ft. from any river
  
- **SLR 13-003 LACONIA**
  - **Comment Period Ends:** April 1, 2013
  - Comments Received as of March 13, 2013:

- **Department of Health and Human Services** – no objection
  - **Lakes Management Advisory Committee (LMAC)** – proposed activities should not adversely affect Paugus Bay; proposal appears to rectify long-standing encroachments while improving public safety; excluded from review by full LMAC based on *de minimis* impact
  - **Rivers Management Advisory Committee (RMAC)** – not subject to review because property is more than 250 ft. from any river
- **SLR 13-004 LACONIA**
    - **Comment Period Ends: April 1, 2013**
    - Comments Received as of March 13, 2013:
      - **Department of Health and Human Services** – no objection
      - **Lakes Management Advisory Committee (LMAC)** – proposed activities should not adversely affect Paugus Bay; proposal appears to rectify long-standing encroachments while improving public safety; excluded from review by full LMAC based on *de minimis* impact
      - **Rivers Management Advisory Committee (RMAC)** – not subject to review because property is more than 250 ft. from any river

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Big Island State Forest

See SLR 13-001

### FWS deed language for Umbagog Land exchange

The purpose of this exchange is to create a new State forest and allow for a single multi-use motorized trail across this parcel for snowmobiles and OHRVs. This property was originally purchased by the United States of America for conservation purposes and therefore the following restrictions apply to ensure that the intent of that purpose continues with the property:

- No further subdivision of this parcel is allowed.
- The primary purpose of the parcel is forest and wildlife management. Public recreational access for hunting, fishing, and wildlife watching are also primary purposes of the property.
- The Property shall be maintained in perpetuity as open space without there being conducted thereon any industrial or commercial activities. No use shall be made of the Property, and no activity shall be permitted thereon, which is inconsistent with the purpose of the Land Conservation Investment Program.
- Motorized public access is restricted to existing roads as depicted in Errol subdivision survey see attachment XX
- In the event that the motorized public access needs to be re-routed to allow for timber harvesting operations to occur on the property or adjacent lands, the trail location may be modified along a parallel course. The total length of motorized public access trail at any one point in time may not exceed 0.5 miles.
- In addition to any other party allowed by law, the Council on Resources and Development, or any other successor or assign of lands obtained by the former Land Conservation Investment Program, shall have standing to enforce the restrictions described within this deed.



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## **FINAL MEETING MINUTES - March 14, 2013**

### **MEMBERS PRESENT**

Meredith Hatfield, Director, NH Office of Energy and Planning  
Bill Carpenter, Designee for NH Department of Resources and Economic Development  
Robert Beaulac, Designee for NH Department of Administrative Services  
Elizabeth Muzzey, Designee for NH Department of Cultural Resources  
Richard Cook, Designee for the NH Department of Fish and Game  
Marta Modigliani, Designee for NH Department of Safety  
Mark Sanborn, Designee for the NH Department of Transportation  
Timothy Drew, Designee for the NH Department of Environmental Services  
William Ray, Designee for the NH Housing Finance Authority

### **OTHERS PRESENT**

Susan Slack, NH Office of Energy and Planning  
Tracey Boisvert, NH Office of Energy and Planning  
Dijit Taylor, Executive Director, Land and Community Heritage Investment Program (LCHIP)  
Clay Hinds, Colebrook Ski-Bees/NCOHRVC  
Craig Washburn, Metallak ATV Club  
Louis Barker, NH Department of Transportation, Bureau of Rail and Transit  
Chris Gamache, NH Department of Resources and Economic Development, Bureau of Trails

### **I. ROLL CALL**

The meeting was called to order at 10:15 a.m. by Ms. Hatfield, followed by the introduction of CORD members, staff and guests.

## II. MINUTES

CORD members reviewed the meeting minutes of November 1, 2012.

**ACTION: MOTION** by Mr. Beaulac, seconded by Mr. Sanborn, to **APPROVE** the minutes of the Council meeting held November 1, 2012. The motion passed unanimously, with Ms. Hatfield, Mr. Drew and Mr. Ray abstaining.

## III. LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)

Ms. Taylor, LCHIP Executive Director, requested approval of her proposal to change the timing of LCHIP's withdrawal from the Community Conservation Endowment for payments to previous grant recipients that submit acceptable annual monitoring reports. Ms. Taylor explained that since 2008 these payments have been made in June, but LCHIP staff would like to make the payments at the beginning of the calendar year, closer to the time the monitoring reports are completed and submitted, rather than six months after they are due. She said she would ask CORD again in December for approval to withdraw funds for the monitoring payments, and then each December in following years, so that payments would be made each January. She explained that LCHIP is attempting to match the monitoring reporting year with the calendar year.

**ACTION: MOTION** by Mr. Sanborn, seconded by Mr. Cook to **APPROVE** expenditure of up to 100% of the net income to the LCHIP Monitoring Endowment for the period July 1 to December 31, 2012 in payment to grant recipients that have submitted acceptable annual monitoring reports for 2012. The motion passed unanimously.

## IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

### **BIG ISLAND STATE FOREST – Proposed Conservation Easement**

The Department of Resources and Economic Development (DRED) presented a proposal to transfer a conservation easement on the 284-acre Big Island State Forest property in Wentworth Location to the U.S. Fish & Wildlife Service (USFWS) to manage as part of the abutting Umbagog National Wildlife Refuge. In return, the USFWS would transfer the fee title to a 220 +/- acre parcel in Errol to DRED.

Ms. Boisvert, Director of the Conservation Land Stewardship Program at OEP, pointed out that because the Big Island State Forest property was acquired under the former Land Conservation Investment Program (LCIP), CORD had a fiduciary responsibility under RSA 162-C:6 to review and approve DRED's proposal and that the request would also be considered separately under RSA 4:40 as a surplus land review (SLR).

Explaining DRED's proposal were Mr. Carpenter, Land Management Bureau Administrator, and Mr. Gamache, Trails Bureau supervisor. They explained that the state would retain

ownership of the land while transferring the conservation easement to the USFWS, and would retain all rights of public access. They said the conservation easement would permit continued public use of the existing snowmobile trail on the property's upland forest. The property also includes floodplain on the Magalloway River. They said the exchange of the conservation easement for the 220-acre parcel in Errol would allow for an ATV trail link east of the Androscoggin River, from Jericho State Park in Berlin to Errol. Mr. Carpenter and Mr. Gamache answered questions from CORD members about ATV use on the property that would be acquired, including whether problems were anticipated by ATV use off designated trails and other environmental impacts. Mr. Gamache said the ATV trail would be on existing gravel timber roads and that the area's tough terrain and lack of refueling stations would hinder off-trail use. Mr. Carpenter summarized the restrictions that will be included in the deed transferring the 220-acre parcel in Errol to the state, such as a prohibition against further subdivision, establishing the parcel's primary purpose as forest and wildlife management to be maintained in perpetuity as open space, and restricting motorized public access to existing roads. The deed restrictions will include a provision granting CORD standing to enforce the restrictions. Mr. Carpenter also said the ATV clubs would bear responsibility for ensuring proper use of the trails.

Ms. Boisvert noted that the Big Island State Forest property is surrounded by Refuge land managed by the USFWS and that the exchange of the conservation easement for the fee parcel is better for conservation.

Ms. Muzzey raised questions about whether the conservation easement document and the transfer of the fee property to the state address issues related to protection of archaeological resources and the need for Section 106 review by the Division of Historical Resources. Ms. Hatfield suggested that CORD action could be made contingent upon the addition of such easement language and Section 106 review.

**ACTION: MOTION** by Ms. Muzzey, second by Mr. Sanborn, to **APPROVE** conveyance of a conservation easement on the Big Island State Forest property to the US Fish & Wildlife Service in exchange for 220+- acres in fee, subject to completion of Section 106 review as necessary and potential inclusion of conservation easement deed language as needed to protect archaeological resources. The motion passed unanimously. Mr. Carpenter was recused.

## **V. DISPOSAL OF STATE OWNED SURPLUS LAND REVIEW (SLR)**

### **A. WENTWORTH'S LOCATION – SLR 13-001**

Request from the Department of Resources and Economic Development to convey a conservation easement to the US Fish & Wildlife Service on the 284-acre Big Island State Forest in exchange for 220+- acres in fee in Errol.

**ACTION: MOTION** by Ms. Muzzey, second by Mr. Sanborn, to **RECOMMEND APPROVAL** of SLR 13-001 to convey a conservation easement to the US Fish & Wildlife Service as proposed, subject to completion of Section 106 review as necessary and potential inclusion of conservation easement

deed language as needed to protect archaeological resources. The motion passed unanimously. Mr. Carpenter was recused.

**B. LACONIA – SLR 13-002**

Request from the Department of Transportation to lease approximately 200 square feet of land on the Concord to Lincoln Railroad corridor at Paugus Park Road in Laconia. Mr. Barker said approval would permit an abutter to maintain a storage shed and boat trailer parking adjacent to his residence, which has encroached on the railroad property since prior to DOT jurisdiction of the railroad corridor.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter to **RECOMMEND APPROVAL** of SLR 13-002 to lease approximately 200 square feet of railroad corridor land to the abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on April 1, 2013.

**C. LACONIA – SLR 13-003**

Request from the Department of Transportation to lease approximately 1,200 square feet of Concord to Lincoln Railroad corridor property to the Hebert Foundry on Fair Street in Laconia. Mr. Barker explained that the foundry has long encroached on the railroad property for access to a section of its property adjacent to the Winnepesaukee River and for employee parking. The proposed lease area is 80 feet in length and 15 feet in width and is 10.5 feet from the nearest rail. Mr. Barker said the lessee will be required to install and maintain a barrier in the railroad corridor to prevent vehicles from further encroaching on the track and to discourage use by pedestrians. A termination clause will be included in the lease in the event the area is needed for railroad operations. Mr. Barker said the lease agreement would provide additional safety and clarifies the rights of the parties.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter to **RECOMMEND APPROVAL** of SLR 13-003 to lease approximately 1,200 square feet of railroad corridor land to the abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on April 1, 2013.

**D. LACONIA – SLR 13-004**

Request from the Department of Transportation to lease approximately 1,166 square feet of Concord to Lincoln Railroad corridor property on Paugus Park Road to the abutters for a driveway, parking area and reconstructed concrete retaining wall. Mr. Barker explained that previous property owners encroached on the railroad property prior to state acquisition. He said the lessee would maintain a retaining wall in the railroad corridor to protect the track and discourage pedestrian access.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter to **RECOMMEND APPROVAL** of SLR 13-004 to lease approximately 1,166

square feet of railroad corridor land to the abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on April 1, 2013.

**VI. LAND CONSERVATION INVESTMENT PROGRAM (LCIP) – continued -**

**A. Land Conservation Endowment**

Ms. Boisvert explained that CORD's fiduciary role in approving the custodial agreement between the Treasury Department and CORD for administering investment of the Land Conservation Endowment Account and explained that the Agreement is being amended to name Ms. Hatfield, as the new chair of CORD, as the account administrator.

**ACTION: MOTION** by Mr. Drew, second by Mr. Sanborn to **AUTHORIZE** Ms. Hatfield to sign the Custodial Account Agency Agreement as Administrator of the Account. The motion passed unanimously.

**B. Land Conservation Endowment - Disbursement**

Mr. Ray left the meeting due to another commitment.

Ms. Boisvert and Ms. Hatfield explained that the income disbursed from the Land Conservation Endowment to the Office of Energy and Planning is used to partially fund staff positions to manage the Conservation Land Stewardship Program (CLSP) and monitor LCIP conservation easements. The Endowment is managed through the Treasury Department by Fidelity Investments, and the current investment strategy assumes that up to 5% will be withdrawn annually. However, less than 4% has been withdrawn in the past several years. For FYs 2014 and 2015, OEP is seeking \$157, 846 and \$162,921, respectively, in Endowment disbursements for LCIP related program responsibilities, which will be just under 5%. Ms. Boisvert and Ms. Hatfield answered questions relating to previous disbursements and use of the funds. They further explained that management and monitoring of LCIP conservation easements has become more time consuming in recent years as properties change hands and new landowners are added. In addition, over the past five years, deposits have been made to the principal of the Endowment (per MOUs previously approved by CORD) for several new state-held conservation easement projects, which the program is now responsible for monitoring as well.

**ACTION: MOTION** by Ms. Modigliani, second by Mr. Sanborn to **APPROVE** the withdrawal of up to \$165,000 per year from the Endowment to fund the management of LCIP monitoring for fiscal year 2014-2015. The motion passed unanimously. Ms. Hatfield was recused.

### **C. Update on Hidden Valley Boy Scouts of America Conservation Easement**

Ms. Boisvert updated CORD members on negotiations to amend the Hidden Valley conservation easement on LCIP property in Gilmanton, Gilford and Alton. She has been working on the amendment with the Boy Scouts of America, the Charitable Trust Division of the Department of Justice and the Department of Fish and Game. Ms. Boisvert and Mr. Cook explained that the agreement will permit the Boy Scouts to re-draw various use zones within the conservation easement property, taking some land out of the Tenting zone and allowing it to be in the Camping zone, in return for putting more acreage from the Camping and Tenting zones into the Forestry zone. The result improves the conservation value of the easement while permitting the Boy Scouts to construct a pavilion that can be used as a needed emergency shelter.

Ms. Boisvert and Mr. Cook said that CORD would be asked to vote to authorize the easement amendment at a later time, but were being informed now of the negotiations to determine if CORD members had any concerns or objections before a final agreement is reached. No objections were expressed.

### **D. Nash Stream State Forest – ATV Trail Proposals**

Mr. Carpenter and Mr. Gamache presented a proposal for two ATV trails in the Nash Stream State Forest, one in the northern end of the Forest and one in the southern end. Both trails would serve as connectors to the larger existing ATV trail system, mostly on private property, in Coos County. Mr. Carpenter explained that ATV use was not included in the original management plan for Nash Stream, but in 2002 the West Side Road ATV trail was the first one approved by the Nash Stream Advisory Committee as a pilot project. Mr. Carpenter said the northern route, the Kelsey Notch trail, had been reviewed within DRED and other agencies for environmental and wildlife concerns and approved by the Nash Stream Advisory Committee. He said the southern loop trail had not yet been approved by the Nash Stream Advisory Committee.

Mr. Gamache said the proposed northern trail is an existing gravel trail, and the southern trail is an existing gravel haul road. He said the state property is a vital link in the larger ATV trail system that would allow a loop throughout Coos County. The Kelsey Notch trail would connect trails in the eastern Androscoggin area northwest to Colebrook, and the southern trail would connect with Stark. The effort is being promoted by local ATV clubs and chambers of commerce, which are planning a June kickoff of the trial loop.

Ms. Hatfield asked if a northern and southern ATV trail would then allow ATVs to cross all of the Nash Stream property. Mr. Gamache said there is an existing north-south snowmobile trail through Nash Stream that is gated at either end and is not open to ATV use. Ms. Hatfield also asked about enforcing ATV restrictions and the staff capacity to carry out enforcement responsibilities. Mr. Cook said the Department of Fish and Game is concerned about the expansion of ATV trails because the funding of enforcement hasn't kept pace.

Mr. Cook asked if it was possible to connect trails systems over private property, rather than through state land. Mr. Gamache said attempts to do that haven't been successful. Mr. Cook said an overall plan is needed, rather than an incremental accumulation of ATV trails on state land, and that the overall impact of adding ATV trails is not considered. Mr. Gamache said he thought this would be the last request for a number of years and because funds for trail maintenance would run out. Mr. Cook commended the Trails Bureau for proposing trails that use existing roads. Ms. Muzzey asked whether there were alternative routes that would not impact the Nash Stream land. Mr. Gamache said that the Stark connection (southern end) is needed for fueling, explaining that there is no alternative for ATVs to get gas. He said a refueling station is planned as part of the Stark connector trail. Mr. Hinds said gas is not available for 60 to 70 miles, a full day's ride.

Mr. Washburn questioned the process for obtaining approval of the proposed ATV trails. He said the ATV clubs have been working on these proposals since 2011 with the goal of 1000 miles of interconnecting ATV trails throughout the North Country. He said it was the most unique trail system in the United States.

Mr. Drew asked about the master plan for the Nash Stream property. Mr. Carpenter said it was first created in 1995 and updated in 2002 to allow the West Side ATV trail as a pilot project. The plan is to be updated every 10 years.

Ms. Hatfield expressed that there seemed to be a need for more information to ensure that any decision that CORD makes is properly supported. Ms. Modigliani said she'd like to see the Nash Stream LCIP deed language. Mr. Sanborn said he was ready to decide. Ms. Muzzey asked if there was a survey or better map that CORD could review. Mr. Cook said CORD needs to decide on the issue of ATV use, but not about how DRED manages the property day-to-day.

After a discussion about what additional information was needed, it was decided that another CORD meeting would be scheduled in April. Additional information requested for that meeting included: a written description of the two trail proposals, color maps of the two routes, the Nash Stream deed, and other project needs.

## **VII. ADJOURNMENT**

**ACTION: MOTION** by Beaulac, second by Mr. Drew to adjourn. The motion passed unanimously. The meeting closed at 12:22 p.m.

Respectfully Submitted,

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Meredith Hatfield, Chair  
Director, Office of Energy & Planning

MH/ss

**CORD 2013 Meeting Schedule**

CORD members discussed the 2013 meeting schedule and adopted the following dates:

January 10, 2013 – cancelled

March 14, 2013

April 11, 2013 – added

May 9, 2013

July 11, 2013

September 12, 2013

November 14, 2013



**Description of Kelsey Notch Connection:**

An existing snowmobile trail and road, referred to as Primary Trail 110, from the eastern property boundary to the intersection with Corridor 5 and northwest to the property boundary;

Or

An existing snowmobile trail and road, referred to as Primary Trail 110, from the eastern property boundary to Kelsey Notch Road, a Town of Columbia Class VI Highway.

**Purpose:**

To provide an east-west link for existing OHRV trails in Coos County. The Kelsey Notch Connector will provide a critical link from existing trails in Millsfield to existing trails in Colebrook and Pittsburg, and roads in Columbia. If the trail leading northwest across private property becomes unavailable, approved trail would move to the existing road and connect to Kelsey Notch Road.

All plans have been made to make trail linkages on private property, however there are some locations where the most appropriate trail location is on public land; specifically when the property directly abuts and blocks all other routes. Private landowners currently provide for approximately 85% of the public OHRV trail system in NH. This connection in the Kelsey Notch area of the Nash Stream Forest provides the best location of this connection and utilizes existing roads and trails.

COORA is due diligence

Feds need CE

- USFS camp area, etc under Mo CE

Needs to address 162 C:6

Only existing roads? or newly constructed trail

Delete sheet 2 remember

Better explain 2 Kelsey options

Overall plan

Resources to manage & enforce

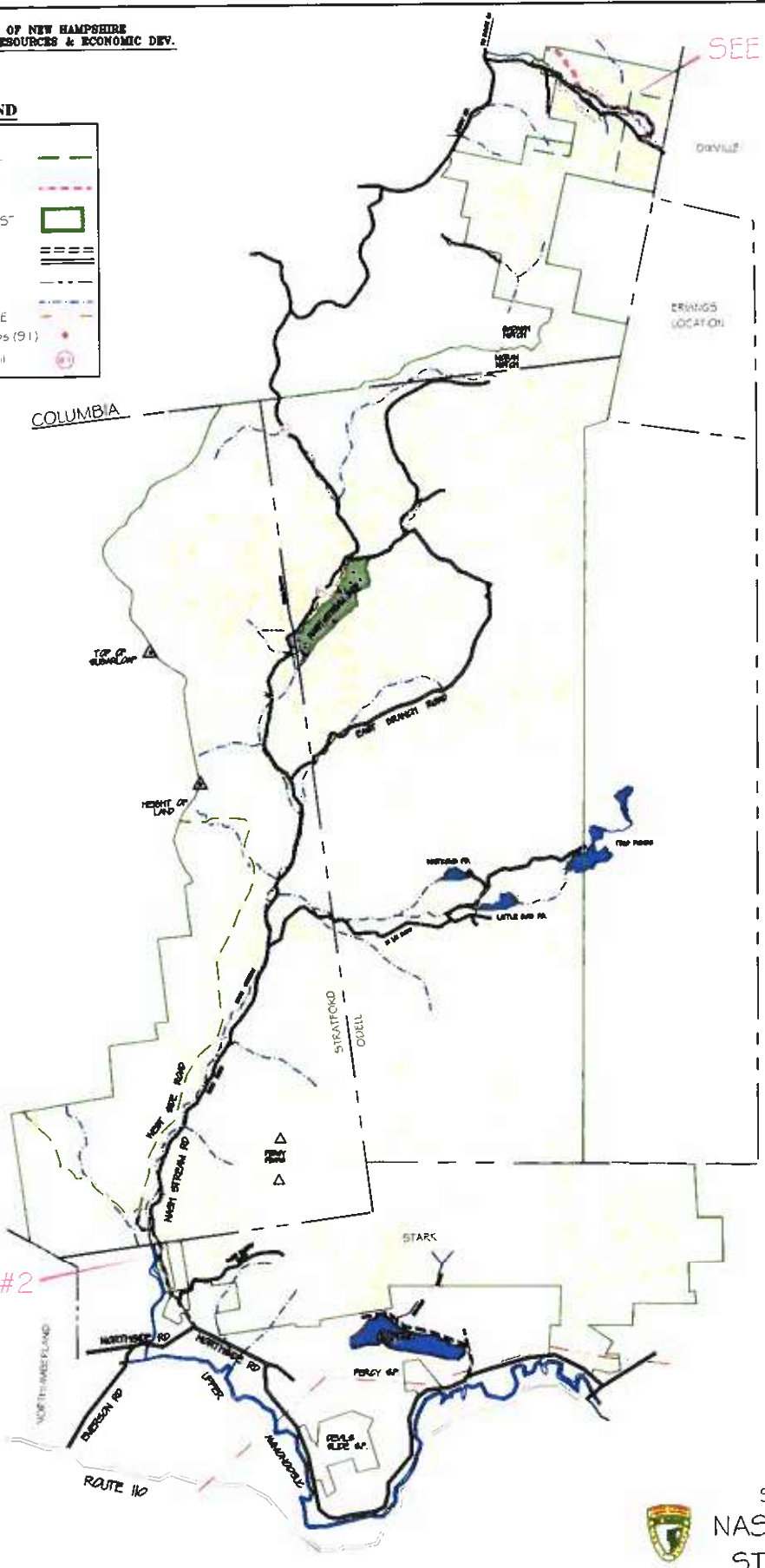
by 8/16 or perhaps

...start with state agency input

SEE SHEET #3

**LEGEND**

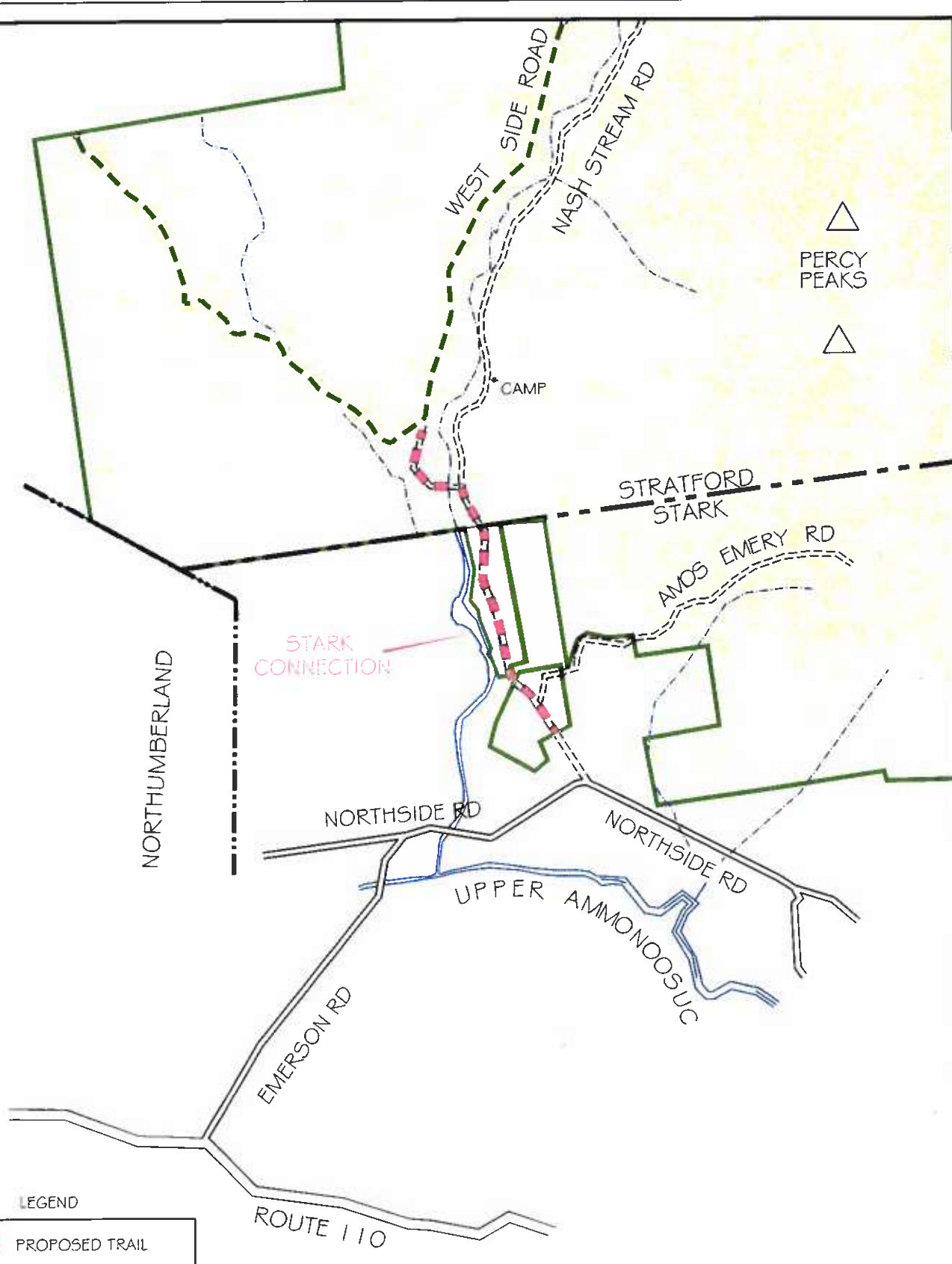
WEST SIDE RD. TRAIL	
PROPOSED TRAILS	
NASH STREAM FOREST	
ROADS	
APPROX. TOWN LINE	
APPROX. STREAMS LINE	
APPROX. POWER LINE	
Existing Private Camps (91)	
Main Snowmobile Trail 1627-26-92	



SEE SHEET #2







SHEET # 1 - SKETCH MAP OF  
NASH STREAM FOREST  
STARK/STRATFORD,  
ODELL & COLUMBIA, NH  
39,165 Ac±(Approx.)



STARK CONNECTION

△  
PERCY  
PEAKS  
△

LEGEND

-  PROPOSED TRAIL
-  NASH STREAM FOREST
-  WEST SIDE RD. TRAIL
-  APPROX. STREAMS



SHEET #2-SKETCH MAP  
PROPOSED STARK CONNECTION  
NASH STREAM FOREST  
STARK/STRATFORD, NH



TO ROUTE 26

Kelsey Notch Rd  
(Section is Class VI)

BUNGY RD.

Private

New Road

Kelsey Notch Rd  
(Overgrown)

KELSEY NOTCH CONNECTION

DIXVILLE





ERVINGS LOCATION

GADWAH NOTCH

MORAN NOTCH

COLUMBIA  
ODELL

LEGEND

-  PROPOSED TRAIL
-  NASH STREAM FOREST
-  WEST SIDE RD. TRAIL
-  APPROX. STREAMS

SHEET #3 SKETCH MAP  
 PROPOSED KELSEY NOTCH CONNECTION  
 NASH STREAM FOREST  
 COLUMBIA, NH



# Council on Resources and Development

March 14, 2013

## Attendees

Name	Organization
1. <u>William Roy</u>	<u>NHFEA</u>
2. <u>Robert Beaulac</u>	<u>Admin. Services</u>
3. <u>Bill Carpenter</u>	<u>DRED</u>
4. <u>Richard Cook</u>	<u>F&amp;G</u>
5. <u>Timothy Drew</u>	<u>NHDES</u>
6. <u>Tracy Boisvert</u>	<u>OEP</u>
7. <u>Meredith Hatfield</u>	<u>OEP</u>
8. <u>Susan Sparks</u>	<u>OEP</u>
9. <u>Wanda Moe</u>	<u><del>OEP</del> DoS</u>
10. <u>Mark Sully</u>	<u>NH DOT</u>
11. <u>Beth Murrey</u>	<u>NH DCR</u>
12. <u>Dijit Taylor</u>	<u>LCHIP</u>
13. <u>Clay Hinds</u>	<u>Colbrooks Ski-Bees / NCOHRUC</u>
14. <u>Craig Washburn</u>	<u>METTALK ATV Club</u>
15. <u>Lou Barker</u>	<u>NH DOT</u>
16. <u>Chris Gamache</u>	<u>DRED</u>
17. _____	
18. _____	

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Diamond International Corporation, a subsidiary of the French Timber Company General Occidentale, placed its landholdings in New Hampshire, Vermont, New York and Maine on the market in the winter of 1988. A price of \$19 million was set for the 90,000 acres in Vermont and New Hampshire (\$212 per acre). Much of the land in New Hampshire was heavily cut over. Timberland investment analysts estimated that only a value of \$100 per acre could be justified based on long term timber management potential and agreed that Diamond's asking price was more in line with the land's development potential.

In April, The Nature Conservancy (TNC) made an offer on the land, planning to hold it until a state or federal agency could buy them out. TNC's offer, based more on the timber values than development values, was rejected. In May, an offer by the New Hampshire Retirement System was also rejected. The Nature Conservancy and the Retirement System were working out details of a joint offer when on May 27, 1988, Rancourt Associates announced they had signed an agreement to pay the asking price of \$19 million.

Almost immediately, negotiations began between TNC, the Society for the Protection of New Hampshire Forests (SPNHF), the Land Conservation Investment Program (LCIP) and Rancourt Associates to purchase 46,500 acres of the 67,000 acres in New Hampshire. This included approximately 40,000 acres in Nash Stream, 2,000 acres in four smaller pieces and 4,500 acres of inholdings within the White Mountain National Forest. On July 5, TNC and SPNHF signed an agreement to buy the land from Rancourt conditioned upon an agreeable purchase price (based on appraisals being undertaken) and adequate funding sources to complete the purchase.

In the meantime, Senator Warren Rudman and the rest of New Hampshire Congressional delegation requested a federal appropriation of \$9 million to purchase 45,000 acres from Rancourt as an addition to the White Mountain National Forest. However, on July 13, the U.S. Senate passed an appropriations bill for the Department of the Interior, which included only \$5.3 million for this land purchase and a scramble was underway in New Hampshire to raise the difference between this and a negotiated sale price of \$12.75 million.

On August 23, 1988, the LCIP Board of Directors voted to approve the expenditure of \$7.65 million of LCIP Funds for the purchase of these lands. A purchase and sale agreement was executed the following day with TNC and SPNHF to provide a loan of \$5.1 million to cover the balance of the purchase price until the federal funds were released.

The principal remaining problem was to allocate interests in the Nash Stream land between the state and federal governments. The State offered to sell a proportionate share in fee, at the price per acre it had agreed to pay to acquire the land from Rancourt. The Forest Service refused because the State's purchase price was higher than the Forest Service's appraised value. The State then offered to sell a proportionate common and undivided interest. The U.S. Department of Justice said no. Finally, in October 1988, the Forest Service agreed in principle to share the costs of the Nash Stream acquisition through purchase of a Conservation Easement on the property.

When a closing finally took place on October 27, 1988, the State of New Hampshire purchased 46,679 acres of Diamond (Rancourt) land for \$12.75 million and reconveyed 4,496 acres to the Forest Service for \$1.175 million. The State mortgaged the remaining property to TNC and SPNHF for \$3.925 million to provide the balance of the purchase price pending negotiation of the terms and value of the Conservation Easement. The Nash Stream deal was finalized almost a year later when on August 4, 1989 the Conservation Easement was sold to the United States of America for \$3.95 million and the TNC/SPNHF loan (with interest) was paid.

NASH STREAM FOREST

CONSERVATION EASEMENT DEED SUMMARY

GRANTED TO: United States of America  
U. S. Department of Agriculture - Forest Service

CONSIDERATION: \$3,950,000

ACREAGE: 39,460 acres - Odell, Stark, Columbia and Stratford

USE OF EASEMENT AREA:

I. Uses Allowed

- A. Public Recreation - Campsites, trails (including cross country ski and snowmobile), picnic areas, boat launches, trailhead parking areas, visitors center and ranger station.
- B. Public roads and utilities (with prior written approval of Forest Service).
- C. Internal access roads
- D. Existing recreational residences (camps)
- F. Natural Resources Multiple Use Management  
Including watershed, Fish and Wildlife, recreation, scenic, education and research, timber and sand and gravel.

II. Uses Not Allowed

- A. Subdivision or disposal as smaller tracts.
- B. Leases or contracts exceeding five (5) years, except for public roads and utilities.
- C. Residential uses of all forms, temporary or permanent.
- D. Ski areas, ski lodges, ski lifts, resorts, outfitting establishments.
- E. Landfills, dumps, storage areas.
- F. Garages and warehouses, except as necessary for management of the property.
- G. Mineral, oil, gas or related development (except gravel rights reserved to the State.)

TIMBER MANAGEMENT CONSTRAINTS:

- : Managed on a sustained yield basis (except in the event of a natural catastrophe.)



- : No logging on slopes greater than 35% or above 2700 feet elevation.
- : No clearcuts greater than 30 acres. (except in event of natural catastrophe and with approval of Forest Service.)
- : Clearcuts must total less than 15% of the total easement area in any ten year period.
- : No timber harvesting within 150 feet of Whitcomb, Trio and Little Bog Ponds (except as necessary for recreation development and timber salvage purposes with written approval of Forest Service).
- : Logging on areas near streams, ponds and public highways are subject to the provisions of RSA 224:44-a and shall be no less restrictive than the terms of this statute as of 1/1/89.
- : Logging shall be conducted in conformance with current federal and State laws and regulations, including use of Best Management Practices prescribed for given activities.

PUBLIC ACCESS: Shall be assured subject to reasonable restriction and regulation by the State and a charge of reasonable fees.

GENERAL PROVISIONS:

- : Easement subject to all valid existing rights of record at the time of conveyance.
- : Easement is enforceable in law or equity by parties. State is responsible for and bear cost of enforcement action and restoration caused by violation of any term of easement.
- : Easement area shall be administered and managed by State at State cost and liability. State shall receive all revenue derived from management.
- : Forest Service shall administer easement on behalf of United States. The United States has an affirmative right to manage any resource or land use acquired under the easement which is not reserved by the State.
- : Easement shall be construed so as to effect the conservation purposes for which it was acquired.
- : State shall hold United States harmless from all liabilities relating to the property.
- : United States has right of first refusal should State decide to sell.

NASH STREAM  
CHRONOLOGY OF ACQUISITION

Diamond Occidental placed lands in New Hampshire, Vermont, New York and Maine on the market in the winter of 1988. A price of \$212 per acre was set on the New Hampshire and Vermont holdings. Much of the New Hampshire lands were heavily cutover. Timberland analysts figured \$100 per acre value for the timber and soils for long term investment and that Diamonds price was more in line with visions of wholesale development potential.

In April, The Nature Conservancy (TNC) made an offer on the land, planning to hold it until a state or federal agency could buy them out. TNC's bid, based more on the timber values than development values was rejected.

In May, a bid by the New Hampshire Retirement System was also rejected.

The Nature Conservancy and the retirement system were working out details of a joint offer when Rancourt Associates announced they signed an agreement to pay the asking price of \$19 million on May 27, 1988.

Negotiations began between Rancourt and conservation groups to purchase as much as possible of 45,000 acres, including the 40,000 Nash Stream property.

In May, 1988, Senator Rudman and the rest of the NH delegation requested an appropriation of \$9 million to purchase the 45,000 acres as an addition to the WMNF. Despite Rudman's best effort, only \$5.25 million was appropriated; a scramble was made in NH to raise the difference.

LCIP provided \$7.65 million toward the negotiated sale price of \$12.75 million. TNC provided a bridge loan of \$5.1 million until the federal funds were released.

The principal remaining problem was to allocate interests in the land between the state and federal governments. The state offered to sell a proportionate share in fee, at the price per acre it had paid to acquire the land from Rancourt; the Forest Service refused because the state's purchase price was higher than the Forest Service's appraised value. The state offered to sell a proportionate common and undivided interest; the US Dept. of Justice said no. Finally, in October, 1988 the state and USDA agreed to share the costs of the acquisition through a sale by the state of the development rights.

October 27, 1988      State of NH purchased 46,679 acres for \$12.75 million and conveyed 4,496 acres to the Forest Service for \$1.175 million. The State took out a mortgage for \$3.925 million from the SPNH and TNC.

August 4, 1989      The State of NH sold a conservation easement to the USA for \$3.95 million.

October, 1989

Source: Div. Forests and Lands

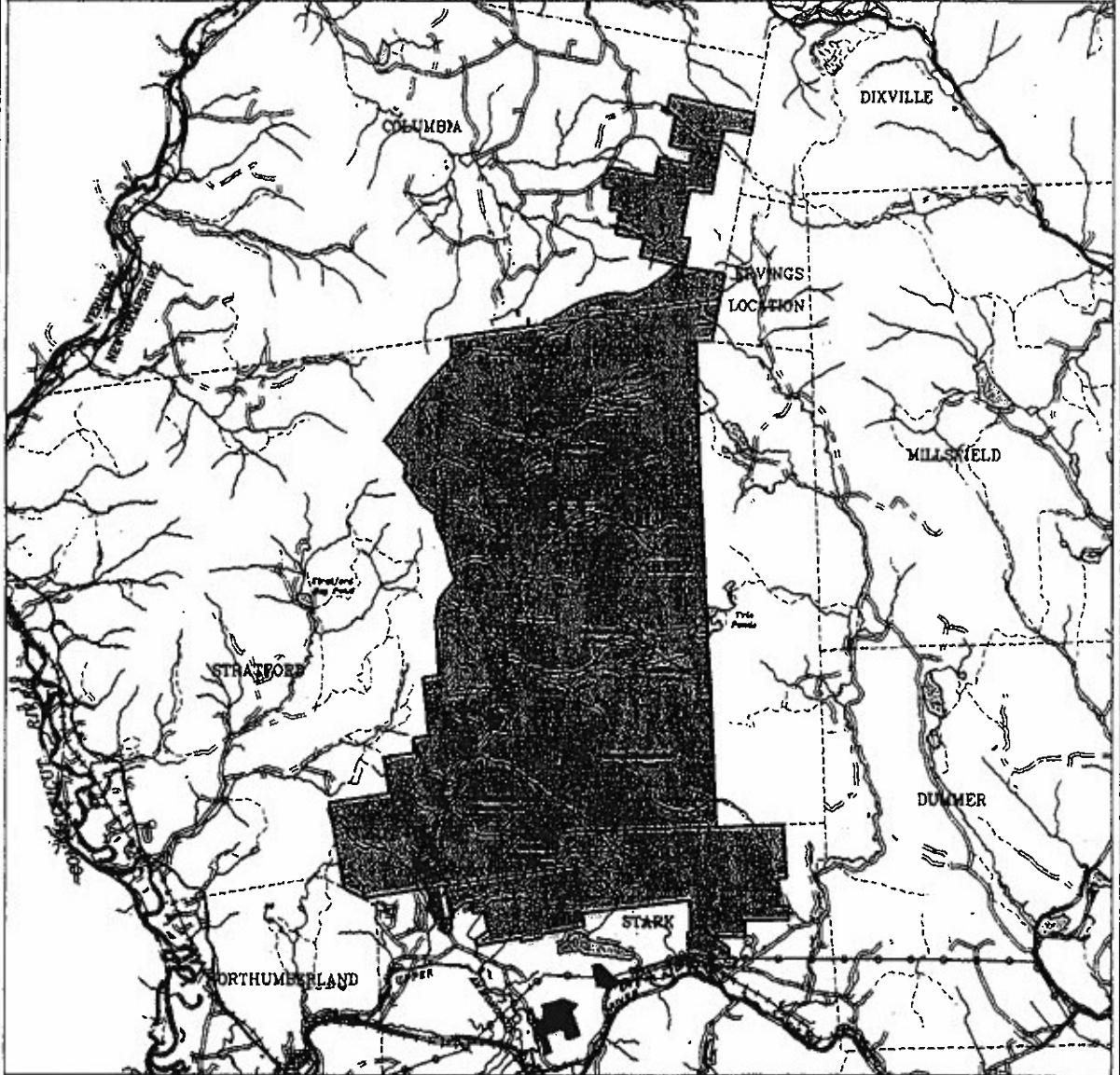
**Nash Stream Forest**  
LCIP Purchase  
 October 27, 1988  
 \$12,750,000 for 43,956 Acres  
 (\$5,260,000 Federal)

PROPERTY	ACREAGE	PURCHASE PRICE	SALE PRICE	CURRENT OWNER
Nash Stream Forest	39,460	\$7,625,000		NH-DRED
Big Island SF	300	"		NH-DRED
Ammonoosuc SF	8	"		NH-DRED
Cape Horn SF	1940	"		NH-DRED
Devils Slide SF	290	"		NH-DRED
Percy SF	77.5	"		NH-DRED
White Mt. NF	4496		\$1,175,000	USFS
Nash Stream Forest Easement	39,460		\$3,950,000	USA-USFS

# LAND CONSERVATION INVESTMENT PROGRAM

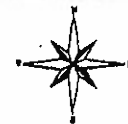
## NASH STREAM FOREST

Columbia/Odell/Stark/Stratford



PARCEL ID	ACREAGE	GRANTOR
025-01	39601.0	DIAMOND INTERNATIONAL CORP

- |                   |                            |
|-------------------|----------------------------|
| LCP parcel        | Primary route              |
| Other LCP parcels | Secondary route            |
| State-owned lands | Road or street             |
| Surface water     | Unimproved road            |
| River or stream   | Other road                 |
| Town boundary     | Trail                      |
| County boundary   | Railroad                   |
| State boundary    | Pipeline/transmission line |



SCALE 180,000  
(1 inch = 15,000 ft.)

Map by:  
Complex Systems Research Center  
University of New Hampshire  
March, 1983

NEW HAMPSHIRE



# New Hampshire Council on Resources and Development

NH Office of Energy and Planning  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301  
Phone: 603-271-2155  
Fax: 603-271-2615



TDD Access: Relay NH  
1-800-735-2964

## **FINAL MEETING MINUTES - March 14, 2013**

### **MEMBERS PRESENT**

Meredith Hatfield, Director, NH Office of Energy and Planning  
Bill Carpenter, Designee for NH Department of Resources and Economic Development  
Robert Beaulac, Designee for NH Department of Administrative Services  
Elizabeth Muzzey, Designee for NH Department of Cultural Resources  
Richard Cook, Designee for the NH Department of Fish and Game  
Marta Modigliani, Designee for NH Department of Safety  
Mark Sanborn, Designee for the NH Department of Transportation  
Timothy Drew, Designee for the NH Department of Environmental Services  
William Ray, Designee for the NH Housing Finance Authority

### **OTHERS PRESENT**

Susan Slack, NH Office of Energy and Planning  
Tracey Boisvert, NH Office of Energy and Planning  
Dijit Taylor, Executive Director, Land and Community Heritage Investment Program (LCHIP)  
Clay Hinds, Colebrook Ski-Bees/NCOHRVC  
Craig Washburn, Metallak ATV Club  
Louis Barker, NH Department of Transportation, Bureau of Rail and Transit  
Chris Gamache, NH Department of Resources and Economic Development, Bureau of Trails

### **I. ROLL CALL**

The meeting was called to order at 10:15 a.m. by Ms. Hatfield, followed by the introduction of CORD members, staff and guests.

## **II. MINUTES**

CORD members reviewed the meeting minutes of November 1, 2012.

**ACTION: MOTION** by Mr. Beaulac, seconded by Mr. Sanborn, to **APPROVE** the minutes of the Council meeting held November 1, 2012. The motion passed unanimously, with Ms. Hatfield, Mr. Drew and Mr. Ray abstaining.

## **III. LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)**

Ms. Taylor, LCHIP Executive Director, requested approval of her proposal to change the timing of LCHIP's withdrawal from the Community Conservation Endowment for payments to previous grant recipients that submit acceptable annual monitoring reports. Ms. Taylor explained that since 2008 these payments have been made in June, but LCHIP staff would like to make the payments at the beginning of the calendar year, closer to the time the monitoring reports are completed and submitted, rather than six months after they are due. She said she would ask CORD again in December for approval to withdraw funds for the monitoring payments, and then each December in following years, so that payments would be made each January. She explained that LCHIP is attempting to match the monitoring reporting year with the calendar year.

**ACTION: MOTION** by Mr. Sanborn, seconded by Mr. Cook to **APPROVE** expenditure of up to 100% of the net income to the LCHIP Monitoring Endowment for the period July 1 to December 31, 2012 in payment to grant recipients that have submitted acceptable annual monitoring reports for 2012. The motion passed unanimously.

## **IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

### **BIG ISLAND STATE FOREST – Proposed Conservation Easement**

The Department of Resources and Economic Development (DRED) presented a proposal to transfer a conservation easement on the 284-acre Big Island State Forest property in Wentworth Location to the U.S. Fish & Wildlife Service (USFWS) to manage as part of the abutting Umbagog National Wildlife Refuge. In return, the USFWS would transfer the fee title to a 220 +/- acre parcel in Errol to DRED.

Ms. Boisvert, Director of the Conservation Land Stewardship Program at OEP, pointed out that because the Big Island State Forest property was acquired under the former Land Conservation Investment Program (LCIP), CORD had a fiduciary responsibility under RSA 162-C:6 to review and approve DRED's proposal and that the request would also be considered separately under RSA 4:40 as a surplus land review (SLR).

Explaining DRED's proposal were Mr. Carpenter, Land Management Bureau Administrator, and Mr. Gamache, Trails Bureau supervisor. They explained that the state would retain

ownership of the land while transferring the conservation easement to the USFWS, and would retain all rights of public access. They said the conservation easement would permit continued public use of the existing snowmobile trail on the property's upland forest. The property also includes floodplain on the Magalloway River. They said the exchange of the conservation easement for the 220-acre parcel in Errol would allow for an ATV trail link east of the Androscoggin River, from Jericho State Park in Berlin to Errol. Mr. Carpenter and Mr. Gamache answered questions from CORD members about ATV use on the property that would be acquired, including whether problems were anticipated by ATV use off designated trails and other environmental impacts. Mr. Gamache said the ATV trail would be on existing gravel timber roads and that the area's tough terrain and lack of refueling stations would hinder off-trail use. Mr. Carpenter summarized the restrictions that will be included in the deed transferring the 220-acre parcel in Errol to the state, such as a prohibition against further subdivision, establishing the parcel's primary purpose as forest and wildlife management to be maintained in perpetuity as open space, and restricting motorized public access to existing roads. The deed restrictions will include a provision granting CORD standing to enforce the restrictions. Mr. Carpenter also said the ATV clubs would bear responsibility for ensuring proper use of the trails.

Ms. Boisvert noted that the Big Island State Forest property is surrounded by Refuge land managed by the USFWS and that the exchange of the conservation easement for the fee parcel is better for conservation.

Ms. Muzzey raised questions about whether the conservation easement document and the transfer of the fee property to the state address issues related to protection of archaeological resources and the need for Section 106 review by the Division of Historical Resources. Ms. Hatfield suggested that CORD action could be made contingent upon the addition of such easement language and Section 106 review.

**ACTION: MOTION** by Ms. Muzzey, second by Mr. Sanborn, to **APPROVE** conveyance of a conservation easement on the Big Island State Forest property to the US Fish & Wildlife Service in exchange for 220+- acres in fee, subject to completion of Section 106 review as necessary and potential inclusion of conservation easement deed language as needed to protect archaeological resources. The motion passed unanimously. Mr. Carpenter was recused.

## **V. DISPOSAL OF STATE OWNED SURPLUS LAND REVIEW (SLR)**

### **A. WENTWORTH'S LOCATION – SLR 13-001**

Request from the Department of Resources and Economic Development to convey a conservation easement to the US Fish & Wildlife Service on the 284-acre Big Island State Forest in exchange for 220+- acres in fee in Errol.

**ACTION: MOTION** by Ms. Muzzey, second by Mr. Sanborn, to **RECOMMEND APPROVAL** of SLR 13-001 to convey a conservation easement to the US Fish & Wildlife Service as proposed, subject to completion of Section 106 review as necessary and potential inclusion of conservation easement

deed language as needed to protect archaeological resources. The motion passed unanimously. Mr. Carpenter was recused.

**B. LACONIA – SLR 13-002**

Request from the Department of Transportation to lease approximately 200 square feet of land on the Concord to Lincoln Railroad corridor at Paugus Park Road in Laconia. Mr. Barker said approval would permit an abutter to maintain a storage shed and boat trailer parking adjacent to his residence, which has encroached on the railroad property since prior to DOT jurisdiction of the railroad corridor.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter to **RECOMMEND APPROVAL** of SLR 13-002 to lease approximately 200 square feet of railroad corridor land to the abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on April 1, 2013.

**C. LACONIA – SLR 13-003**

Request from the Department of Transportation to lease approximately 1,200 square feet of Concord to Lincoln Railroad corridor property to the Hebert Foundry on Fair Street in Laconia. Mr. Barker explained that the foundry has long encroached on the railroad property for access to a section of its property adjacent to the Winnepesaukee River and for employee parking. The proposed lease area is 80 feet in length and 15 feet in width and is 10.5 feet from the nearest rail. Mr. Barker said the lessee will be required to install and maintain a barrier in the railroad corridor to prevent vehicles from further encroaching on the track and to discourage use by pedestrians. A termination clause will be included in the lease in the event the area is needed for railroad operations. Mr. Barker said the lease agreement would provide additional safety and clarifies the rights of the parties.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter to **RECOMMEND APPROVAL** of SLR 13-003 to lease approximately 1,200 square feet of railroad corridor land to the abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on April 1, 2013.

**D. LACONIA – SLR 13-004**

Request from the Department of Transportation to lease approximately 1,166 square feet of Concord to Lincoln Railroad corridor property on Paugus Park Road to the abutters for a driveway, parking area and reconstructed concrete retaining wall. Mr. Barker explained that previous property owners encroached on the railroad property prior to state acquisition. He said the lessee would maintain a retaining wall in the railroad corridor to protect the track and discourage pedestrian access.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter to **RECOMMEND APPROVAL** of SLR 13-004 to lease approximately 1,166



square feet of railroad corridor land to the abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on April 1, 2013.

**VI. LAND CONSERVATION INVESTMENT PROGRAM (LCIP) – continued -**

**A. Land Conservation Endowment**

Ms. Boisvert explained that CORD's fiduciary role in approving the custodial agreement between the Treasury Department and CORD for administering investment of the Land Conservation Endowment Account and explained that the Agreement is being amended to name Ms. Hatfield, as the new chair of CORD, as the account administrator.

**ACTION: MOTION** by Mr. Drew, second by Mr. Sanborn to **AUTHORIZE** Ms. Hatfield to sign the Custodial Account Agency Agreement as Administrator of the Account. The motion passed unanimously.

**B. Land Conservation Endowment - Disbursement**

Mr. Ray left the meeting due to another commitment.

Ms. Boisvert and Ms. Hatfield explained that the income disbursed from the Land Conservation Endowment to the Office of Energy and Planning is used to partially fund staff positions to manage the Conservation Land Stewardship Program (CLSP) and monitor LCIP conservation easements. The Endowment is managed through the Treasury Department by Fidelity Investments, and the current investment strategy assumes that up to 5% will be withdrawn annually. However, less than 4% has been withdrawn in the past several years. For FYs 2014 and 2015, OEP is seeking \$157, 846 and \$162,921, respectively, in Endowment disbursements for LCIP related program responsibilities, which will be just under 5%. Ms. Boisvert and Ms. Hatfield answered questions relating to previous disbursements and use of the funds. They further explained that management and monitoring of LCIP conservation easements has become more time consuming in recent years as properties change hands and new landowners are added. In addition, over the past five years, deposits have been made to the principal of the Endowment (per MOUs previously approved by CORD) for several new state-held conservation easement projects, which the program is now responsible for monitoring as well.

**ACTION: MOTION** by Ms. Modigliani, second by Mr. Sanborn to **APPROVE** the withdrawal of up to \$165,000 per year from the Endowment to fund the management of LCIP monitoring for fiscal year 2014-2015. The motion passed unanimously. Ms. Hatfield was recused.

### **C. Update on Hidden Valley Boy Scouts of America Conservation Easement**

Ms. Boisvert updated CORD members on negotiations to amend the Hidden Valley conservation easement on LCIP property in Gilmanton, Gilford and Alton. She has been working on the amendment with the Boy Scouts of America, the Charitable Trust Division of the Department of Justice and the Department of Fish and Game. Ms. Boisvert and Mr. Cook explained that the agreement will permit the Boy Scouts to re-draw various use zones within the conservation easement property, taking some land out of the Tenting zone and allowing it to be in the Camping zone, in return for putting more acreage from the Camping and Tenting zones into the Forestry zone. The result improves the conservation value of the easement while permitting the Boy Scouts to construct a pavilion that can be used as a needed emergency shelter.

Ms. Boisvert and Mr. Cook said that CORD would be asked to vote to authorize the easement amendment at a later time, but were being informed now of the negotiations to determine if CORD members had any concerns or objections before a final agreement is reached. No objections were expressed.

### **D. Nash Stream State Forest – ATV Trail Proposals**

Mr. Carpenter and Mr. Gamache presented a proposal for two ATV trails in the Nash Stream State Forest, one in the northern end of the Forest and one in the southern end. Both trails would serve as connectors to the larger existing ATV trail system, mostly on private property, in Coos County. Mr. Carpenter explained that ATV use was not included in the original management plan for Nash Stream, but in 2002 the West Side Road ATV trail was the first one approved by the Nash Stream Advisory Committee as a pilot project. Mr. Carpenter said the northern route, the Kelsey Notch trail, had been reviewed within DRED and other agencies for environmental and wildlife concerns and approved by the Nash Stream Advisory Committee. He said the southern loop trail had not yet been approved by the Nash Stream Advisory Committee.

Mr. Gamache said the proposed northern trail is an existing gravel trail, and the southern trail is an existing gravel haul road. He said the state property is a vital link in the larger ATV trail system that would allow a loop throughout Coos County. The Kelsey Notch trail would connect trails in the eastern Androscoggin area northwest to Colebrook, and the southern trail would connect with Stark. The effort is being promoted by local ATV clubs and chambers of commerce, which are planning a June kickoff of the trial loop.

Ms. Hatfield asked if a northern and southern ATV trail would then allow ATVs to cross all of the Nash Stream property. Mr. Gamache said there is an existing north-south snowmobile trail through Nash Stream that is gated at either end and is not open to ATV use. Ms. Hatfield also asked about enforcing ATV restrictions and the staff capacity to carry out enforcement responsibilities. Mr. Cook said the Department of Fish and Game is concerned about the expansion of ATV trails because the funding of enforcement hasn't kept pace.

Mr. Cook asked if it was possible to connect trails systems over private property, rather than through state land. Mr. Gamache said attempts to do that haven't been successful. Mr. Cook said an overall plan is needed, rather than an incremental accumulation of ATV trails on state land, and that the overall impact of adding ATV trails is not considered. Mr. Gamache said he thought this would be the last request for a number of years and because funds for trail maintenance would run out. Mr. Cook commended the Trails Bureau for proposing trails that use existing roads. Ms. Muzzey asked whether there were alternative routes that would not impact the Nash Stream land. Mr. Gamache said that the Stark connection (southern end) is needed for fueling, explaining that there is no alternative for ATVs to get gas. He said a refueling station is planned as part of the Stark connector trail. Mr. Hinds said gas is not available for 60 to 70 miles, a full day's ride.

Mr. Washburn questioned the process for obtaining approval of the proposed ATV trails. He said the ATV clubs have been working on these proposals since 2011 with the goal of 1000 miles of interconnecting ATV trails throughout the North Country. He said it was the most unique trail system in the United States.

Mr. Drew asked about the master plan for the Nash Stream property. Mr. Carpenter said it was first created in 1995 and updated in 2002 to allow the West Side ATV trail as a pilot project. The plan is to be updated every 10 years.

Ms. Hatfield expressed that there seemed to be a need for more information to ensure that any decision that CORD makes is properly supported. Ms. Modigliani said she'd like to see the Nash Stream LCIP deed language. Mr. Sanborn said he was ready to decide. Ms. Muzzey asked if there was a survey or better map that CORD could review. Mr. Cook said CORD needs to decide on the issue of ATV use, but not about how DRED manages the property day-to-day.

After a discussion about what additional information was needed, it was decided that another CORD meeting would be scheduled in April. Additional information requested for that meeting included: a written description of the two trail proposals, color maps of the two routes, the Nash Stream deed, and other project needs.

## **VII. ADJOURNMENT**

**ACTION: MOTION** by Beaulac, second by Mr. Drew to adjourn. The motion passed unanimously. The meeting closed at 12:22 p.m.

Respectfully Submitted,

---

Meredith Hatfield, Chair  
Director, Office of Energy & Planning

MH/ss

**CORD 2013 Meeting Schedule**

CORD members discussed the 2013 meeting schedule and adopted the following dates:

January 10, 2013 – cancelled

March 14, 2013

April 11, 2013 – added

May 9, 2013

July 11, 2013

September 12, 2013

November 14, 2013

## Slack, Susan

---

**From:** SJMosher@dhhs.state.nh.us  
**Sent:** Friday, March 01, 2013 4:36 PM  
**To:** Slack, Susan  
**Subject:** Re: CORD Meeting - March 14 - Preliminary Agenda

**Attachments:** PRELIMINARY Agenda 3.14.13.pdf



PRELIMINARY  
enda 3.14.13.pdf

The Department of Health and Human Services has no objectives to the items listed.

Steve Mosher CPA, MBA  
Chief Financial Officer  
271-9291

"Slack, Susan"  
<Susan.Slack@nh.gov>

03/01/2013 11:46 AM

To "Bob Spoerl" <bspoerl@dred.state.nh.us>, "Christopher Clement" <cclement@dot.state.nh.us>, "Dean Christon" <dchriston@nhhfa.org>, "Dijit Taylor" <dtaylor@lchip.org>, "Glenn Normandeau" <glenn.normandeau@wildlife.nh.gov>, <jacquie.colburn@des.nh.gov>, "John Barthelmes" <john.barthelmes@dos.nh.gov>, "Kathleen Henderson" <khenders@dhhs.state.nh.us>, "Linda Hodgdon" <linda.hodgdon@nh.gov>, "Lorraine Merrill" <lorraine.merrill@agr.nh.gov>, "Louis Barker" <lbarker@dot.state.nh.us>, "Michael Connor" <michael.connor@nh.gov>, "Michael Pillsbury" <mpillsbury@dot.state.nh.us>, "Phillip Miles" <pmiles@dot.state.nh.us>, "Stephen Mosher" <sjmosher@dhhs.state.nh.us>, "Thomas Burack" <thomas.burack@des.nh.gov>, "Van McLeod" <van.mcleod@dcr.nh.gov>

cc

Subject CORD Meeting - March 14 - Preliminary Agenda

Good Morning,

The Council on Resources and Development (CORD) will meet Thursday, March 14. Attached please find a Preliminary Agenda.

Susan

Susan Slack  
Assistant Planner  
NH Office of Energy and Planning  
Johnson Hall, 3rd floor  
107 Pleasant Street  
Concord, NH 03301  
susan.slack@nh.gov  
Direct: 603-271-1765  
Main: 603-271-2155  
[www.nh.gov/oep](http://www.nh.gov/oep)

(See attached file: PRELIMINARY Agenda 3.14.13.pdf)

**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TREASURY**  
**CUSTODIAL ACCOUNT AGENCY AGREEMENT**

THIS AGREEMENT, made this 30<sup>th</sup> day of January, 2013 and entered into, by and between State of New Hampshire, Treasury Department as Custodian for the Land Conservation Endowment Monitoring Fund (herein called the "Account") and the Council on Resources and Development ("CORD") authorizes the Dept. of Treasury to invest and reinvest in legal investments allowable under RSA 6:8 for the benefit of the Account in compliance with the below instructions. The fund may be managed outside of the Treasury Department may include advisory fees.

In accordance with RSA 11:5, all trust funds in the custody of the State Treasurer shall be invested and reinvested in legal investments allowable under RSA 6:8, and all Trust Fund Administrators shall notify the State Treasurer, at least biennially, of the investment objective of any funds under their control. The aforementioned investment objectives are established by RSA 11:5 and are set forth in the attached Addendum A.

In compliance with RSA 11:5, I, Meredith Hatfield, as Administrator of the above-referenced Account, on behalf of CORD, designate Growth / Income (*subject to the attached investment policy*) to be the investment objective for the Account.

Unless specified otherwise in writing by the Administrator, the State Treasurer will provide semi-annual reports on the financial activities of the Account in accordance with RSA 11:5-b.

By signing below, the Account Administrator acknowledges that (s)he has read Addendum A to this Agreement.

The parties shall update the terms of this agreement on every other July 1, of each biennial year after the date of initial execution in accordance with RSA 11:5. This update shall be initiated by the State Treasurer who shall send a copy of this agreement to the Administrator before each of the aforementioned dates.

---

(Date) \_\_\_\_\_ (Trust Fund Administrator)

---

(Date) \_\_\_\_\_ (State Treasurer)

State of New Hampshire  
Investment Policy  
Land Conservation Endowment Fund  
As of January 30, 2013

PURPOSE

The purpose of this policy is to outline general guidelines for the accomplishment of the stated objectives while ensuring compliance with state and federal laws for the investment of funds dedicated to the Land Conservation Endowment Fund (the "Fund"). This policy is also designed to outline internal controls over the safeguarding of Fund assets. The investment policy delegates management of the Fund's investment portfolio to an investment manager designated by the State Treasurer for management in accordance with RSA 6:8 and 11:5, subject to the guidelines of this policy.

INVESTMENT OBJECTIVE

The Fund will be invested to 1). Obtain long-term appreciation of capital 2). Provide for some current income and 3). Maintain liquidity appropriate for short term cash needs. When making individual investments, the primary considerations will be risk rating, liquidity, income and maturity. It is recognized that income is a product of yield to maturity, therefore; fixed income securities may be purchased either at a discount to minimize initial cash outlay and take advantage of capital appreciation, or at a premium to optimize cash flow when conditions warrant.

LEVELS OF AUTHORITY

The Treasurer is authorized to direct an investment manager to invest the Fund within the guidelines established by this policy.

RESPONSIBILITIES

1. The investment manager will provide a prospectus for any mutual funds held in the fund to the Treasury each year.
2. The investment manager is responsible for ensuring the completion of all paperwork and transactions pertinent to the execution and confirmation of buy/sell orders; for instructing money market dealers with respect to arrangement for payment or collection of monies resulting from the purchase, sale or redemption of securities; and for the maintenance of all necessary records of current holdings. This paperwork shall include, but is not limited to appropriate accounting and internal documents required to track the movement of funds.
3. The Treasurer or investment manager is responsible for insuring compliance with the investment policy.
4. The investment manager shall provide to the State Treasurer's office a written statement, on at least a quarterly basis, that your firm is in compliance with the Office of Foreign Assets Control of the U.S. Treasury (OFAC) requirements and that your firm has the necessary internal



State of New Hampshire  
Investment Policy  
Land Conservation Endowment Fund  
As of January 30, 2013

controls, processes and policies in place which are adequate to maintain such compliance.

APPROVED INVESTMENTS

The following are approved investment vehicles as defined in RSA 6:8, 387:6, 387:6-a, and 387:14:

**United States Treasury Securities**

**Federal Agency Securities** - Federal Farm Credit System, Federal Home Loan Banks, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association, Student Loan Marketing Association, and Tennessee Valley Authority.

**Corporate Bonds and Notes** - All corporate fixed income securities must be from issuers having an A or better long term debt rating from one or more of the primary rating agencies (Standard & Poors, Moody's, and Fitch). If an issue falls below a rating of A, a security must be sold.

**Money Market Funds** - Shares of funds which hold diversified portfolios and are permissible under RSA 387:14 and follow standard rules for such funds as issued by the Securities and Exchange Commission.

**Mutual Funds** - Shares of open ended mutual funds which hold diversified portfolios of either fixed income or equity investments and are permissible under RSA 387:14. Funds shall reflect the general character of approved individual securities.

**Equity Securities (Stocks)** - Shares of companies listed on the New York, American and Over-the-Counter Exchanges are permitted.

State of New Hampshire  
Investment Policy  
Land Conservation Endowment Fund  
As of January 30, 2013

CONSTRAINTS

**Diversification**

The selection of investment (asset allocation) options will be evaluated on a market basis when evaluating a transaction's effect on the diversification constraints of the portfolio. The target asset mix is 60% equity, 35% fixed income, and 5% cash. Except for U.S. Treasury and U.S. Government Agency obligations, no more than 10% of the portfolio may be invested in the obligations of any one issuer. Guarantees shall be considered obligations of an issuer for purposes of this requirement.

Type	Portfolio Limit (*)	Maximum Maturity
U.S. Treasury	None	15 Years
U.S. Gov't Agency	None	15 Years
Corporate Bonds/ Notes	35%	15 Years
Money Market Funds	None	Open
Individual Equities - 1	60%	Open
Equity Mutual Funds - 1	60%	Open
Fixed Income Mutual Funds	35%	Open

(\*) - All limits at + /- 10%.

1 - Total equity allocation is 60%.

2 - Total fixed income allocation is 35%.

3- When market fluctuation creates an imbalance of more than + /-10% in the equity/fixed income and cash allocations limits, the manager may defer from rebalancing the portfolio to stay within established asset allocation guidelines and so authorizes the manager to exceed established guidelines for a period of no more than two consecutive quarters unless otherwise instructed by the Treasurer. This is for the purpose of applying sound investment principals to adjust the portfolio in a measured way. The investment manager must provide a rationale(s) at the end of

State of New Hampshire  
Investment Policy  
Land Conservation Endowment Fund  
As of January 30, 2013

each quarter in which the portfolio ends out of balance by more than +/-10% to defer rebalancing.

**Maturity/Liquidity**

Consideration is given to the cashflow and maturity characteristics of securities in evaluating liquidity.

**Foreign Currency**

All investments will be denominated in United States Dollars.

**Derivative Securities**

Derivative securities that are, in effect a leveraged bet on future movements of interest rates or some price or exchange index are not permitted. Collateralized mortgage obligations, because of their complexity and prepayment rate uncertainty are prohibited. Treasury Inflation-Protected Securities (TIPS) issued by the U.S. Treasury and whose principal is tied to the inflation rate are not considered prohibited derivative securities.

State of New Hampshire  
Investment Policy  
Land Conservation Endowment Fund  
As of January 30, 2013

NEW FINANCIAL INSTRUMENTS

The Treasurer must review and approve all investments which are new or extend, materially, the degree of risk currently assumed with existing approved investments.

FOREIGN ISSUERS

Fixed income securities issued in US markets and denominated in dollars by foreign sovereigns are not permitted. Direct purchases of agent depository receipts (ADRs) are also not permitted. Equity or fixed income mutual funds that hold these types of securities are, however, permitted investments, so long as they are permissible under RSA 387:14.

## ADDENDUM A

**RSA 11:5 Investment of State Trust Funds.** All trust funds in the custody of the state treasurer shall be invested and reinvested in legal investments allowable under RSA 6:8. All trust fund administrators shall notify the state treasurer, at least semi-annually, of the investment objective of any funds under their control with reference to the following objectives:

- I. **MAXIMUM CAPITAL GAIN.** The objective is to maximize capital appreciation through investment in financial instruments that possess greater than ordinary risk. A guaranteed stream of income is not sought nor is preservation of principal.
- II. **GROWTH.** The objective is primarily to seek long-term appreciation of capital. The investment vehicle is mainly common stocks with growth potential. There is a slight risk that principal may be eroded in the short run.
- III. **GROWTH / INCOME.** The objective is primarily to obtain long-term appreciation of capital while at the same time providing for some current income. There is a slight risk that principal will be eroded over the short run, but current income is available.
- IV. **BALANCED.** The objective is to minimize investment risk as much as possible without sacrificing possibilities for both long-term growth in principal and current income. Investments include debt and equity instruments.
- V. **INCOME.** The objective is to maximize current income rather than seek growth of principal through capital appreciation. Preservation of principal is ensured by investment in high quality equity and debt instruments.
- VI. **MONEY MARKET/SHORT-TERM LIQUIDITY.** The objective is to maximize current income, guarantee preservation of capital, and keep assets highly liquid.



# 100 YEARS OF SCOUTING

*Celebrating the Adventure ★ Continuing the Journey*

RECEIVED

NOV 16 2012

OFFICE OF ENERGY  
AND PLANNING

Date: October 26, 2012

Subject: Conservation Easement at Griswold Scout Reservation  
Gilmanton Iron Works, New Hampshire

Ms. Tracey Boisvert, Program Director  
Conservation Land Stewardship Program  
State of New Hampshire  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301-2155

Dear Ms. Boisvert:

Once again, thank you for your continued efforts and willingness to meet with us regarding amending the Conservation Easement at Griswold Scout Reservation located in the towns of Alton, Gilford & Gilmanton.

The purpose of this letter is a request to move forward with the process to amend this easement and includes recommendations for modifying/change zone designations within the current easement which are detailed within this letter. If approved, this amendment will greatly enhance our ability to provide an outstanding Scouting program to the youth in and throughout New Hampshire, while continuing to protect public interest and the natural resources of the State of New Hampshire.

As you are aware, the amendment of this easement would enable us to address a health & safety interest at Camp Bell (Griswold Scout Reservation) to provide a means to add an "emergency shelter" near the current camping area of this camp, where our Scouts and their leaders camp during the summer camping season. This area is in-fact located on a hill not easily accessed due to steep terrain. This becomes increasingly a concern when emergency situations arise, whether it is due to medical, lost camper, weather or other emergency situations. In such events, we maintain that it would be important to have a sheltered area in proximity to these campsite areas in which Scouts and adult leaders might be able to seek shelter and maintain order. However, currently the easement would prevent the addition of such a structure in this "tenting" zone, even though it would surely serve as a sheltered gathering point in the event of an emergency.

Our proposal is to seek an amendment of the current easement which would change a portion of the camping area now known as the Camp Bell "tenting" zone) to a "camping" zone (approximately 8 acres).

In exchange of the land areas of these zones, we suggest the following.

### Summary of Easement Amendment Changes

(See Map Enclosed)

- (1) Change the "tenting" zone abutting Manning Lake to a "forestry" zone (approximately 42 acres)
- (2) Change the "tenting" zone located in the southwest portion of the property to "forestry" zone (approximately 60 acres)



Daniel Webster Council  
BOY SCOUTS OF AMERICA  
571 Holt Avenue, Manchester, NH 03109-5214  
Phone (603) 625-6431 Fax (603) 625-2467  
www.nhscouting.org

- (3) Change a portion of the "tenting" zone abutting Sunset Lake to a "forestry" zone (approximately 12 acres)
- (4) Change a portion of the "tenting" zone along the ridge of Sunset Lake to a "forestry" zone (approximately 50 acres)
- (5) Change the "tenting" zone at Upper Round Pond to a "forestry" zone (approximately 13 acres)
- (6) Change the "camping" zone at Upper Round Pond to a "forestry" zone (approximately 8 acres). We would retain a right to establish a privy with the approval of the New Hampshire Office of Energy & Planning in this Upper Round Pond area.
- (7) Relocate the "camping" zone from the Upper Round Pond area to a "camping" zone within the "tenting" zone at the Camp Bell campsite area (approximately 8 acres).

As was previously requested, enclosed are several supporting documents which support our request to amend the current easement which designate Raymond Bellemore, Council Executive Board Vice-President as the representative of the Executive Board as noted in the resolution of July 11, 2012 at a meeting of the Council Executive Board (see attachment). These attached documents include:

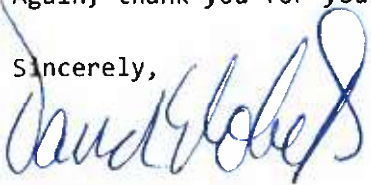
- a. Safety/Program Shelter Resolution (7/11/12)
- b. Executive Board Meeting Minutes (Copy of 7/11/12)
- c. Minutes of Executive Board Meeting (10/3/12) - Physical Resource
- d. Summary of Conservation Easement Amendment of Zone Designations & Map

Again, thank you for your time and consideration for this request to amend the current conservation easement at Griswold Scout Reservation which if approved would better meet the needs of our Scouts while increasing the property's natural resource value to the benefit of the public, particularly the shoreline of Manning Lake.

Should you have any questions or need additional information, please feel free to contact me at 603-625-6431 ext. 118 or via email at [david.roberts@scouting.org](mailto:david.roberts@scouting.org).

Again, thank you for your time and consideration of this request,

Sincerely,

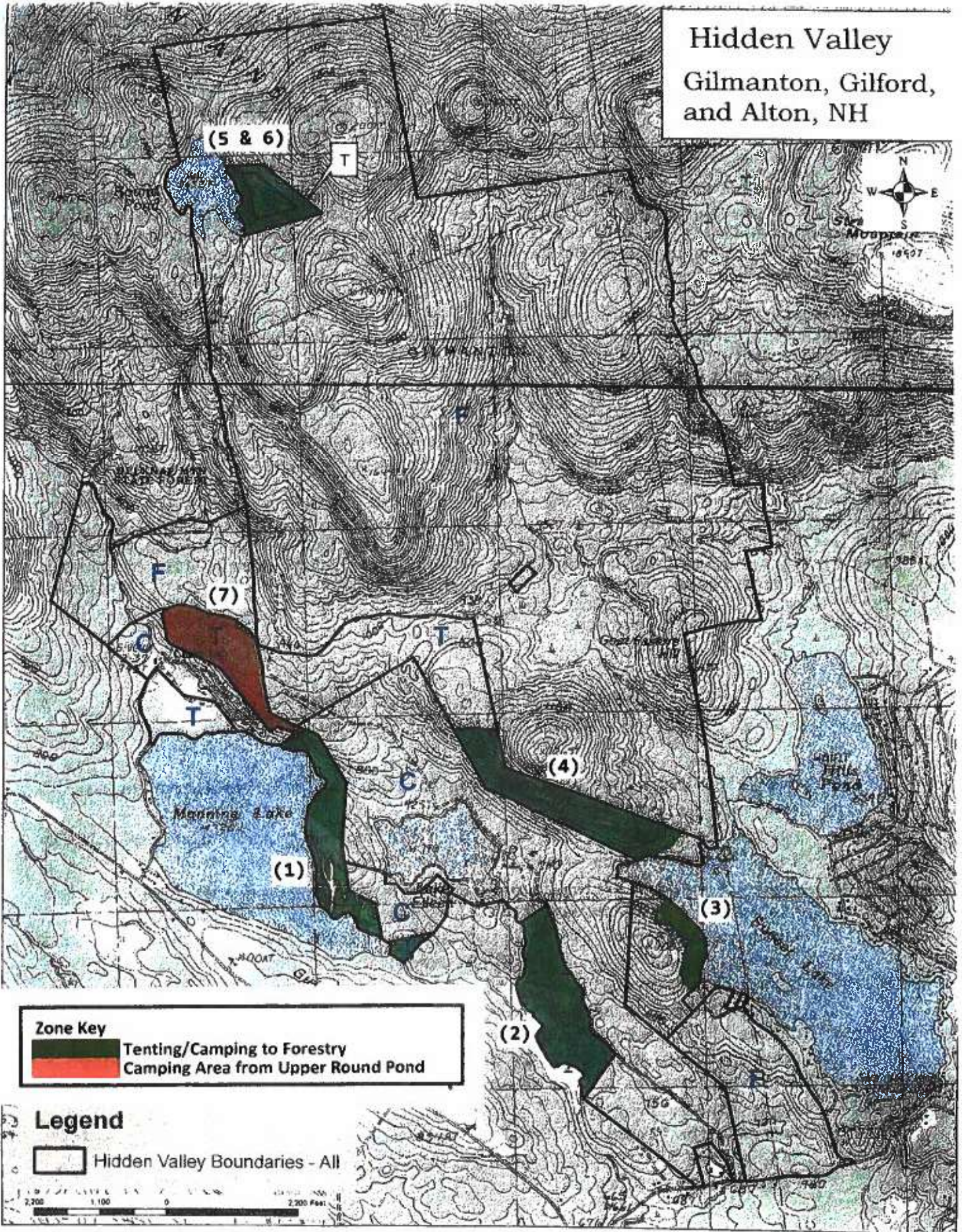


David Roberts  
Director of Support Services  
Daniel Webster Council, BSA

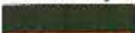

CC: Ray Bellemore  
Vice-President of Physical Resources  
Daniel Webster Council, BSA

# Hidden Valley


Gilmanton, Gilford,  
and Alton, NH



### Zone Key

-  Tenting/Camping to Forestry
-  Camping Area from Upper Round Pond

### Legend

-  Hidden Valley Boundaries - All



# New Hampshire Council on Resources and Development

NH Office of Energy and Planning  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301  
Phone: 603-271-2155  
Fax: 603-271-2615



TDD Access: Relay NH  
1-800-735-2964

**CORD Meeting**  
**Thursday, March 14, 2013**  
**107 Pleasant Street**  
**Johnson Hall, 3<sup>rd</sup> Floor**  
**Time 10 AM**

**NOTE:** CORD will hold a closed meeting with legal counsel from 9 to 10 a.m., under the provisions of RSA 91-A:2, I(b).

## PRELIMINARY AGENDA

### **I. ROLL CALL AND INTRODUCTIONS**

### **II. MINUTES**

Approval of CORD Meeting Minutes – November 1, 2012

### **III. LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP) – Dijit Taylor, Executive Director**

Proposed change in timing of distribution of Monitoring Endowment funds closer to the beginning of the fiscal year. (See memo from Ms. Taylor)

### **IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

**REVIEW PURSUANT TO RSA 162-C: 6** – Proposal from the Department of Resources and Economic Development to convey a Conservation Easement on the 284-acre Big Island State Forest property to the U.S. Fish & Wildlife Service in exchange for the fee title to 220+/- acres of Umbagog National Wildlife Refuge property in Errol.

**V. DISPOSAL OF STATE OWNED SURPLUS LAND**

**A. WENTWORTH'S LOCATION – SLR 13-001**

Request from the Department of Resources and Economic Development to convey a Conservation Easement on the 284-acre Big Island State Forest property to the U.S. Fish & Wildlife Service for management as part of the Umbagog National Wildlife Refuge in exchange for the fee title to 220+/- acres of Umbagog National Wildlife Refuge property in Errol. The State of New Hampshire would retain fee ownership of the Big Island State Forest property.

**B. LACONIA – SLR 13-002**

Request to lease approximately 200 square feet of Concord to Lincoln Railroad Corridor land at Paugus Park Road in Laconia to the abutting property owner for a term of 5 years with a 5-year renewal option.

**C. LACONIA – SLR 13-003**

Request to lease approximately 1,200 square feet of Concord to Lincoln Railroad Corridor land at Fair Street in Laconia to the abutting property owner for a term of 5 years with a 5-year renewal option.

**D. LACONIA – SLR 13-004**

Request to lease approximately 1,166 square feet of Concord to Lincoln Railroad Corridor land at Paugus Park Road in Laconia to the abutting property owner for a term of 5 years with a 5-year renewal option.

**E. EPPING – SLR 12-001**

Request from the Department of Environmental Services to convey a small parcel on the southeast side of the Lamprey River, at the location of the former bunker Pond dam, to the Town of Epping. **Tabled from May 3, 2012 to resolve public access issues.**

**VI. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

Tracey Boisvert - Coordinator, Conservation Land Stewardship Program

Updates

**VII. OTHER BUSINESS**

**CORD 2013 MEETING SCHEDULE**

**January 10, 2013 – Canceled**  
**May 9, 2013**  
**September 12, 2013**

**March 14, 2013**  
**July 11, 2013**  
**November 14, 2013**

*Meetings will be held at the Office of Energy and Planning, 107 Pleasant Street, Johnson Hall, 3<sup>rd</sup> floor, Concord, NH, at 9:30 a.m., unless otherwise noted, and are open to the public.*

# New Hampshire Council on Resources and Development

NH Office of Energy and Planning  
107 Pleasant Street, Johnson Hall  
Concord, NH 03301  
Phone: 603-271-2155  
Fax: 603-271-2615



TDD Access: Relay NH  
1-800-735-2964

## DRAFT MEETING MINUTES - November 1, 2012

### MEMBERS PRESENT

Joanne Cassulo, Interim Director, NH Office of Energy and Planning  
Susan Slack, Planner, Designee for Joanne Cassulo, Interim Director, NH Office of Energy and Planning  
Bill Carpenter, Designee for NH Department of Resources and Economic Development  
Robert Beaulac, Designee for NH Department of Administrative Services  
Elizabeth Muzzey, Designee for NH Department of Cultural Resources  
Richard Cook, Designee for the NH Department of Fish and Game  
Marta Modigliani, Designee for NH Department of Safety  
Tom Sloan, Designee for the Department of Agriculture, Markets, and Food

### OTHERS PRESENT

Tracey Boisvert, NH Office of Energy and Planning  
Mark Stevens, NH Department of Environmental Services  
Bob Spoerl, Alternate Designee for NH Department of Resources and Economic Development  
Jim Rines, White Mountain Survey and Engineering, Ossipee, NH  
Craig Bulkley, NH Liquor Commission

### **I. ROLL CALL**

The meeting was called to order at 9:50 A.M. by Susan Slack, Designee for Joanne Cassulo, Interim Director of the Office of Energy and Planning.

### **II. MINUTES**

CORD members reviewed and approved the meeting minutes of September 13, 2012.

**ACTION: MOTION** by Mr. Beaulac, seconded by Mr. Carpenter, to **APPROVE** the minutes of the Council meeting held September 13, 2012. The motion passed unanimously.

### **III. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

#### **A. WILD GOOSE**

The Council agreed to take this agenda item out of order so that Ms. Cassulo could participate in the discussion. Ms. Cassulo then stepped in as meeting chair, Mr. Carpenter recused himself with Mr. Spoerl stepping in as designee for DRED, and Mr. Cook said he would abstain from votes but would offer a comment.

Ms. Cassulo explained that CORD holds the "Wild Goose" property in trust for the public and that it had been requested that CORD make its assent as trustee explicit as it relates to a pending Alteration of Terrain permit application. She added that if CORD members had questions of a legal nature, they could table action to a later meeting to consult with counsel.

Mr. Cook said the Department of Fish and Game believes it has the authority to sign the permit application under RSA 212:7 and that there is also concern about how this could affect the agency's management of other LCIP properties. Ms. Muzzey shared a similar concern and requested that counsel attend the next meeting in January.

**ACTION: MOTION** by Ms. Cassulo, seconded by Mr. Beaulac, that CORD hereby grants the Office of Energy and Planning Director, Joanne Cassulo, with authority to sign the pending alteration of terrain application on behalf of CORD, if Director Cassulo deems that such signature is desirable, and to otherwise represent CORD's support of the currently proposed project. Nothing herein shall be construed to undermine or abridge any authority already granted to the N. H. Fish and Game Department Director. The motion passed unanimously, with Mr. Cook abstaining from the vote.

Ms. Cassulo then left the meeting and Ms. Slack, designee for Ms. Cassulo, stepped in as Chair.

### **IV. DISPOSAL OF STATE OWNED SURPLUS LAND REVIEW (SLR)**

#### **A. CANAAN SLR 12-015**

Request from the Department of Environmental Services to convey 0.03 acres of property on Goose Pond Road to an abutting landowner in exchange for a parcel of equal size lying closer to the Goose Pond Dam.

Mr. Stevens explained that this was a minor land swap/lot line adjustment. It was discovered during recent surveying that the abutter's house was within inches of the property line. The proposed land swap would result in more regularly shaped lots for both the landowner and the state. It would provide the abutter with more space around their house and the state with a little more land near the Goose Pond Dam.

Mr. Sloan asked who paid for surveying costs and Mr. Stevens explained that the abutting landowner paid for surveying with input from the Department of Environmental Services.

**ACTION: MOTION** by Ms. Muzzey, second by Mr. Cook, to **RECOMMEND APPROVAL** of SLR 12-015 to convey 0.03 acres of land for a parcel of equal size as proposed. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on November 8, 2012.

**B. CHESTERFIELD SLR 12-016**

Request from the State Liquor Commission to convey a utility easement to PSNH and FairPoint Communications to provide utility service to a new State Liquor Store, currently under construction, on Route 9.

Mr. Bulkley explained that the utility easement is necessary to provide utilities to the new facility.

**ACTION: MOTION** by Mr. Beaulac, second by Mr. Carpenter, to **RECOMMEND APPROVAL** of SLR 12-016 to convey a utility easement to PSNH and FairPoint Communications for utility service. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on November 8, 2012.

**C. OSSIPEE SLR 12-017**

Request from the Department of Fish and Game to sell at fair market value 0.58 acres of land near Connor Pond in Ossipee to an abutting property owner. The parcel is part of a 2.48-acre property on which F&G maintains a public boat access area.

Mr. Cook provided a brief description of the property and proposal. Mr. Rines, whose aunt and uncle own the abutting property, explained that the land addition would give them additional road frontage and better control of land near their walking path to the water. Mr. Cook answered a question about the boat access, which is designed for small trailers or car top. Mr. Rines explained that only electric motors are allowed on the pond. Mr. Cook also answered a question regarding the State's original acquisition of the property, which was purchased by the Department from a private landowner. Ms. Slack explained that the Town of Ossipee initially expressed interest in the sale but later withdrew after learning more about the project.

**ACTION: MOTION** by Ms. Modigliani, second by Ms. Muzzey, to **RECOMMEND APPROVAL** to sell at fair market value 0.58 acres of land near Connor Pond to an abutting property owner. The motion passed unanimously subject to no adverse comments being received during the remainder of the 30-day comment period, which concludes on November 14, 2012.

**V. LAND CONSERVATION INVESTMENT PROGRAM (LCIP) -- continued -**

**A. LCIP Annual Report**

Ms. Boisvert provided an overview of the draft Land Conservation Investment Program Annual Report, which is required under RSA 162-C:8. She explained that several state-held easement lands had transferred to new owners over the past year, pointing out that approximately 60% of all Land Conservation Investment Program state-held easement lands have transferred out of the ownership of the original grantor.

Ms. Boisvert provided a general synopsis of one easement where the CLS Program and Fish and Game have been working with the landowner and the Attorney General's Office on a potential easement amendment. The proposed amendment would ultimately result in increased conservation protections on the property. She explained that if it goes forward, it would require additional action by CORD as well as review and approval by the Attorney General's Office.

Ms. Boisvert discussed the status of the monitoring endowment and explained that the intention is to include the portion used by the Land Conservation and Heritage Investment Program (LCHIP) under RSA 227-M:12, in LCHIP's annual report, at least for this year.

She explained that additional contributions totaling \$46,500 had been added to the principal of the Land Conservation Endowment this fiscal year to provide income for future monitoring of three new state-held easements. This arrangement is outlined in memoranda-of-agreement between CORD and OEP and F&G, DRED, and the Department of Agriculture. She also explained that the agreements would need to be renewed at the end of fiscal year 2013 (F&G and Agriculture) and 2014 (DRED). To date approximately \$165,000 has been added to the Land Conservation Endowment account for 13 new conservation projects under these memoranda-of-agreement.

Ms. Modigliani asked a question about information shown on the Land Conservation Endowment summary spreadsheet compiled by the Treasury Department and how those figures are calculated. Ms. Boisvert agreed to follow up with Treasury for an explanation and would then email CORD members with further explanation and correction, if necessary. Ms. Muzzey also asked that references in the draft Annual Report to the "Department" of Historical Resources be changed to the "Division" of Historical Resources in the final version.

**ACTION: MOTION** by Mr. Cook, second by Mr. Carpenter to **APPROVE** the FY 2012 Annual Report, with corrections as noted. The motion passed unanimously.

**B. LCIP Fee-Owned Property Update (Fish and Game Department)**

Mr. Cook provided an update of the current status of LCIP lands acquired in fee that are managed by Fish and Game. He discussed wildlife management/timber harvesting activities that have taken place on a number of properties as well as Fish and Game's involvement in updating a management plan associated with LCIP easement land adjacent to Wilcox Point fee-owned property in Durham.

**C. LCIP Fee-Owned Property Update (Department of Resources and Economic Development)**

Mr. Carpenter provided an update of the current status of LCIP lands acquired in fee that are managed by DRED. He provided additional information about several projects, including the Moore's Falls Corp. property in Manchester, the Livermore Falls property in Campton/Holderness, and Lake Umbagog parcels in Errol, as well as several recent state land acquisitions that have expanded original LCIP land acquisitions. He also provided information about a proposed land swap that would involve placing a conservation easement (held by the Umbagog National Refuge) on an LCIP fee-owned property in Wentworth's Location. This issue will be brought back to CORD both for discussion and approval relating to the Land Conservation Investment Program and to make a recommendation as part of the Surplus Lands Review process.

**VII. ADJOURNMENT**

**ACTION: MOTION** by Mr. Sloan, second by Mr. Beaulac to adjourn. The motion passed unanimously. The meeting closed at 11:25 A.M.

Respectfully Submitted,

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Susan Slack  
Chair, Designee for  
Interim OEP Director Joanne Cassulo

SS/tb

**CORD 2013 Meeting Schedule**

CORD members discussed the 2013 meeting schedule and adopted the following dates:

January 10, 2013	March 14, 2013
May 9, 2013	July 11, 2013
September 12, 2013	November 14, 2013

## **History of State – DRED Management of Nash Stream Forest Since 1988**

On October 27, 1988, the State of New Hampshire purchased 39,601 acres for \$7.65 million (Land Conservation Investment Program funding) from Diamond International Corporation, and assigned the land to the Department of Resources and Economic Development. In August of 1989, the State sold a Conservation Easement on Nash Stream Forest to the Federal Government for \$3.95 million.

Nash Stream Forest was purchased to insure that the property continued to contribute to the traditional wood-products based economy and culture of the North Country, to assure continued public access for recreational purposes, and to protect areas of natural beauty and ecological value. Investing more than a 1000 hours of time, the “Advisory Committee” and a “Technical Team” made up of State and Federal agencies with public input throughout the process, produced “Nash Stream Forest Management Plan” that was printed in 1995.

Item 11 of the “Public Use Guidelines” section of the 1995 Master Plan (page 129) recites: “The use of all-terrain vehicles (ATVs) and trail bikes is prohibited.”

Thru 2001, several issues emerged since the Nash Stream Forest Management Plan was adopted in 1995. The following three (3) major issues were identified and addressed:

1. lifting the prohibition on recreational use of ATVs
2. changing the private camp lot license policy
3. establishing a specific Plan revision schedule

In 2002, DRED published “Nash Stream Forest Management Plan Updates and Revisions” (the “Revised Plan”).

### **Excerpts from the Revised Plan regarding ATV use at Nash Stream Forest:**

- (Foreword) “As a result of the Plan revision process, a 3 to 5 year pilot ATV connecting trail for riders to use the 5-mile long West Side Road and connector trails to private property to the west has been established. Growth in the use and popularity of ATVs, their economic importance to the North Country, and legislation prompting timely planning and approval of an ATV trail in Nash Stream Forest (HB 1273) were instrumental in the decision to establish a pilot ATV trail and related environmental monitoring. A final decision (by the Commissioner of DRED) on whether the trail will be continued or terminated will be made following the trial period.”
- (page 9 & 10) “ATV Use – West Side Connector - ....The purpose of the pilot ATV trail project is to determine the suitability and impact of the operation of ATVs on the Nash Stream Forest under the land stewardship philosophy and



guidelines established and adopted in the Management Vision....final assessment shall be considered by the Commissioner of DRED to continue or not continue ATV use and trail designation in the Nash Stream Forest.”

- During 3 year pilot water quality and wildlife studies were conducted. Water quality studies showed no negative water quality impacts to local streams and brook from ATV use. Bird study found no known negative impacts to birds along the approved route.

**Notes:**

- Commissioner Bald approved continued use of ATVs on West Side Road Trail in January 2007, and on January 25, 2007, the Nash Stream Citizen’s Advisory Committee endorsed DRED’s issuance of a 3-year annual agreement to North Country ATV Club.
- Electronic copies of the “Nash Stream Forest Management Plan (1995) and the Revised Plan (2002) are available upon request.

**Slack, Susan**

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**From:** Slack, Susan  
**Sent:** Friday, March 08, 2013 11:12 AM  
**To:** Bill Carpenter; Bill Ray; Elizabeth Muzzey; Mark Sanborn; Marta Modigliani; Meredith A. Hatfield; Nicholas Toumpas; Richard Cook; Robert Beaulac; Thomas Sloan; Tim Drew  
**Subject:** CORD meeting materials  
**Attachments:** Hidden Valley CE Discussion Info.pdf; Request to CORD for 2013 expenditure change in timing.pdf

Good Morning,

Attached are two additional informational documents for the March 14 CORD meeting. The LCHIP memo is in reference to Item III on the agenda. The Boy Scouts memo and map are in reference to Item IV C on the agenda.

Susan

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Direct: 603-271-1765  
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**Slack, Susan**

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**From:** Slack, Susan  
**Sent:** Wednesday, March 06, 2013 2:48 PM  
**To:** Bob Spoerl; 'Christopher Clement'; Dean Christon; Dijit Taylor; Normandeau, Glenn; jacquie.colburn@des.nh.gov; 'John Barthelmes'; 'Kathleen Henderson'; Hodgdon, Linda M; Merrill, Lorraine; 'Louis Barker'; Connor, Michael P; 'Michael Pillsbury'; 'Phillip Miles'; 'Stephen Mosher'; 'Thomas Burack'; McLeod, Van  
**Subject:** CORD meeting - March 14 - FINAL AGENDA  
**Attachments:** FINAL Agenda 3.14.13.pdf

Good Afternoon,

Attached is the Final Agenda for the March 14 meeting of the Council on Resources and Development. The meeting will begin at 10 a.m.

Please don't hesitate to call if you have questions.

Susan

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**Slack, Susan**

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**From:** Slack, Susan  
**Sent:** Friday, March 01, 2013 11:43 AM  
**To:** Bill Carpenter; Bill Ray; Elizabeth Muzzey; Mark Sanborn; Marta Modigliani; Meredith A. Hatfield; Nicholas Toumpas; Richard Cook; Robert Beaulac; Thomas Sloan; Tim Drew  
**Subject:** CORD Meeting - March 14 - Preliminary Agenda  
**Attachments:** PRELIMINARY Agenda 3.14.13.pdf; DRAFT Minutes 11.1.12.pdf; Request to CORD for 2013 expenditure change in timing.pdf

Good Morning,

The Council on Resources and Development (CORD) will meet Thursday, March 14. Attached is a Preliminary Agenda. Also attached are the minutes from our November 2012 meeting as well as a memo from the LCHIP Executive Director.

Please note: The meeting will begin at 9 a.m., instead of our usual 9:30.

Susan

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## Slack, Susan

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**From:** Slack, Susan  
**Sent:** Friday, March 01, 2013 11:46 AM  
**To:** Bob Spoerl; Christopher Clement; Dean Christon; Dijit Taylor; Glenn Normandeau; jacquie.colburn@des.nh.gov; John Barthelmes; Kathleen Henderson; Linda Hodgdon; Lorraine Merrill; Louis Barker; Michael connor; Michael Pillsbury; Phillip Miles; Stephen Mosher; Thomas Burack; Van McLeod  
**Subject:** CORD Meeting - March 14 - Preliminary Agenda  
**Attachments:** PRELIMINARY Agenda 3.14.13.pdf

Good Morning,

The Council on Resources and Development (CORD) will meet Thursday, March 14. Attached please find a Preliminary Agenda.

Susan

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