



**New Hampshire Council on Resources and Development (CORD) Meeting**

Date: Thursday, May 11, 2023  
 Time: 3:00-4:00 P.M.  
 Location: Department of Business and Economic Affairs  
 Kinsman Conference Room  
 100 N. Main Street  
 Concord, NH 03301

**FINAL AGENDA**

**I. ROLL CALL AND INTRODUCTIONS**

**II. MINUTES**

A. Approval of March 9, 2023, draft minutes

**III. LAND & COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)**

A. Nothing at this time

**IV. CONSERVATION LAND STEWARDSHIP PROGRAM (CLSP)**

A. Steve Walker, Director Conservation Land Stewardship Program (CLS) update.  
 i. Draft Update to Conservation Land Stewardship Policy

**V. SURPLUS LAND REVIEW**

A. 2023 SLR 002 (Continued from the January 12, 2023, meeting)  
 Request from the New Hampshire Department of Environmental Services (NHDES) to transfer ownership of the Weeks Crossing Dam and associated property and easements to the Town of Warren. The dam is a 113-foot long, 14-foot-high concrete structure with earth abutments. The associated property and easements total 0.42 acres. The dam and property are located on Black Brook off Gould Hill Road in Warren, NH.

**VI. OTHER BUSINESS**

A. Board on Geographic Name (BGN)- Ken Gallager, Principal Planner, Office of Planning and Development (OPD). BGN presentation and discussion regarding two name change requests for Mt. Washington and the Baker River.

B. Next Meeting: August 10, 2023, from 3:00 to 4:00 P.M.

**II. MINUTES**  
**A. Approval of March 9, 2023,**  
**draft minutes**

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## New Hampshire Council on Resources and Development

### DRAFT MINUTES – March 9, 2023

#### **MEMBERS PRESENT**

Taylor Caswell, Chair, Commissioner, NH Department of Business and Economic Affairs.  
John Martin, Designee, NH Department of Health and Human Services (arrived at 2:20 PM)  
Mark Doyle, Designee, Department of Safety  
Jack Ruderman, Designee, NH Housing Finance Authority  
Shawn Jasper, Designee, Department of Agriculture  
Jared Nylund, Designee, NH Department of Administrative Services  
Stephen Labonte, Designee, NH Department of Transportation  
Betsey McNaughten, Designee, NH Fish & Game  
Patrick Hackley, Designee, NH Department of Natural and Cultural Resources  
Amy Clark, Designee, Department of Education  
Mark Sanborn, Designee, Department of Environmental Services

#### **OTHER PARTICIPANTS**

Stephanie Verdile, NH Office of Planning and Development (CORD Staff)  
Jennifer Gilbert, Director, NH Office of Planning and Development  
Alvina Snegach, NH Office of Planning and Development (CORD recording secretary)  
Allen Brooks, CORD Attorney, NH Department of Justice  
Ray Gorman, Coos County Commissioner, Colebrook Selectman  
Steven Wilkie, NH Highway Vehicle Association  
Corey Clark, NHDES Dam Bureau  
Patrick Bell, NHDES Dam Bureau  
Ryan Bell, NHDES Dam Bureau  
John Mayer, NH Fish & Game  
Jim Oehler, NH Fish & Game  
Maggie Machinist, NH Fish & Game  
Michael Eastman, NH Fish & Game  
Steven Walker, NH Conservation Land Stewardship Program  
Charlotte Harding, NH Conservation Land Stewardship Program  
Clinton Savage, NH Department of Natural and Cultural Resources  
Craig Rennie, NH Department of Natural and Cultural Resources  
Terry Lambert, NHOHVA  
Larry Gomes, Milan Trail Huggers ATV Club trail master  
Greg Marsh, Contoocook ATV Club  
Frank Spinazzocz, V.D. NH ATV Club  
Pat Gorton, N.C. ATV Club  
Tom Gorton, N.C. ATV Club  
Harlan Connary, N.C. ATV Club  
John Sanborn, N.C. ATV Club  
Jaime Sanborn, N.C. ATV Club  
Joshua Philips, North Country ATV

- 51 Jason Trepanies, North Country ATV
- 52 Susan J. Clark, North Country ATV
- 53 Bruce Clark, North Country ATV
- 54 Craig Washburn, Metallak ATV
- 55 James Nadon, Mettallak ATV
- 56 Claive Nadon, Mettallak ATV
- 57 Nancy Oliver, Presidential Club
- 58 Jesse Breton
- 59 Jay C. Koslowski
- 60 Chris Thayer, Appalachian Mtn. Club
- 61 Jim O'Brien, The Nature Conservancy
- 62 Meredith Hatfield, The Nature Conservancy
- 63 Madeleine Mineau, Briar Hydro
- 64 John Tuthin
- 65 Wayne Lubotta, NC ATV
- 66 Mark Ryan, Androscoggin ATV
- 67 Harry n. Noseberry, Androscoggin ATV
- 68 Bob Gale, Stark Planning Board
- 69 Tom Levesque, Merrimack Valley T/R
- 70 Jamie Sayen, Stratford Citizen
- 71 Matt Leahy, Forest Society
- 72 Karl Ladue, CLUB ATV
- 73 Mary Ladue, Presidential Club
- 74 Larry Meservey, Moms – Groveton and Gorham

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76 **ROLL CALL AND INTRODUCTIONS**

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78 The meeting was opened at 2:00 P.M. by Chair Caswell. Council members then introduced  
79 themselves.

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81 **MINUTES**

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83 **Approval of January 12, 2023, draft minutes**

84 Mr. Caswell noted there were corrections submitted by Jamie Sayen and asked if the members  
85 would approve the minutes as presented or with the amendments as they were shown in the  
86 meeting packet. Ms. McNaughten also suggested a couple of amendments to the section where  
87 she mentioned her supervisor and Mr. McGee.

88

89 **MOTION.** *Mr. Doyle, seconded by Mr. Sanborn, January 12, 2023, minutes were approved as*  
90 *amended in accordance with Mr. Sayen's comments and Ms. McNaughten's corrections by a*  
91 *unanimous vote in favor.*

92

93 **SURPLUS LAND REVIEW**

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95 **A. 2023 SLR 003**

96 **Request from the Department of Environmental Services (NHDES) to sell its York Dam**  
97 **and Canal Dike on the Contoocook River, its easements at the Rolfe Canal Entrance and**  
98 **Outlet, and its associated flowage and water rights and access easements to Briar Hydro**  
99 **Associates. The property is located off Island Road and Electric Avenue and near**  
100 **Washington Street in Concord, NH.**

101 Ms. Verdile read the item into the record. Corey Clark from NH Department of Environmental  
102 Services presented the details of the application and a brief background of the lease with Briar  
103 Hydro who is now proposing to purchase the dam, dike and associated easements and flowage  
104 and water rights. He also spoke about the falling revenues associated with this lease and the  
105 desire of the state to avoid any liability associated with ownership of York Dam. Mr. Sanborn  
106 added that the department is trying to decrease its ownership footprint and this sale is  
107 consistent with this approach.

108  
109 **MOTION:** *Ms. McNaughten made a motion, seconded by Mr. Jasper to recommend the*  
110 *proposed sale of York Dam and Canal Dike on the Contoocook River at the Rolfe Canal*  
111 *Entrance and Outlet and its associated flowage and water rights to Briar Hydro Associates.*  
112 *Motion carried with a unanimous vote in favor.*

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114

#### 115 **2023 SLR 004**

#### 116 **Request from the New Hampshire Department of Natural and Cultural Resources** 117 **(NHDNCR) to dispose of the State property known as Allen State Forest. The forest is** 118 **compromised of one 30-acre parcel and is located on Warner Road in Concord, NH.**

119 Ms. Verdile read the item into the record. She also noted that this application has received the  
120 following comments for CORD to consider in their decision:

121

- 122 • The State Conservation Committee recommends that a developmental deed restriction  
123 be included as part of any sale of the property due to the wetland and agricultural  
124 resources associated with the site.
- 125 • The RMAC concurred with CNBRLAC's desire to maintain this property as undeveloped  
126 land and voted unanimously to support the sale of the Allen State Forest but with the  
127 recommendation that a conservation easement be placed on the parcel prior to any sale.

128

129 Patrick Hackley from NH Department of Natural and Cultural Resources presented the details of  
130 the application and explained why the sell was strategically beneficial for the department. He  
131 then addressed the comment about placement of the development restriction deed on the  
132 property as part of the sale and said this would preclude the department from selling as it will  
133 have to monitor the deed, which does not align with the department strategy. He also noted  
134 there were no wetlands or occurrences of endangered species found on the site.

135 There was a brief discussion on whether the motion should be made with or without the  
136 suggested conditions prior to discussion.

137

138 *Mr. Sanborn made a motion to recommend the proposed sale of Allen State Forest as*  
139 *presented by NH DNCR (without conditions). Mr. Labonte duly seconded.*

140 Ms. McNaughten said that NH Fish & Game is supporting NH DNCR's reasoning for the sale of  
141 this property.

142 *Ms. McNaughten made a motion to accept the proposal without the recommended restrictions*  
143 *from the two entities who commented.*

144

145 **MOTION:** *After a short discussion Mr. Sanborn made a motion to accept the proposal sale of*  
146 *Allen State Forest as presented by NH DNCR. Ms. McNaughten duly seconded. Motion carried*  
147 *with a majority vote in favor. Mr. Jasper voted nay, and Mr. Hackley abstained.*

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152 **LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**

153

154 **A. Nash Stream Forest – Kelsey Notch trail.**

155 **i. Overview of CORD’s responsibilities and decisions**

156 **ii. Agency input**

157 **iii. Public input**

158 **iv. Discussion and decision**

159 Chair Caswell said that he would like to hear from the relevant state agencies that are  
160 responsible for management of Kelsey Notch trails before he opens the floor to the public  
161 comments and questions. The agencies Mr. Caswell referred to were the Department of Natural  
162 and Cultural Resources and Fish & Game.

163 He also asked Attorney Brooks to provide an overview of where CORD’s jurisdiction begins and  
164 ends on this issue.

165 For the purpose of transparency and full disclosure, several members of CORD disclosed their  
166 memberships in organizations and/or advocacy groups which are connected to the matter in  
167 one way or another. They were Mr. Doyle, who is a member of one of the advocacy groups –  
168 The Appalachian Mountain Club; Amy Clark, who said that she is an agency member as well;  
169 Mr. Hackley who is a member of The Nature Conservancy, the Society for Protection of New  
170 Hampshire Forests, and the Appalachian Mountain Club; and Ms. McNaughten who is a former  
171 employee of the Audubon Society and a former member of the Appalachian Mountain Club.  
172 Attorney Brooks noted that there is no need for any of the members to recuse themselves in this  
173 case but disclosing this information is beneficial to the public.

174

175 Attorney Brooks then spoke about CORD’s jurisdiction over the Kelsey Notch Trail. He said that  
176 under the Land Conservation Investment Program (LCIP) grants were given for the purpose of  
177 land conservation and CORD was given management responsibilities over those properties  
178 under the RSA 221-A which has been sunseting at the time. CORD can assign those  
179 management responsibilities to other agencies, but CORD remains the ultimate authority over  
180 how these properties are to be used while trying to balance the public use with conservation  
181 purposes.

182

183 Mr. Hackley from NH DNCR spoke about the fact that most of the decision maker who were  
184 involved in dealing with Kelsey Notch Trail originally, are no longer there. He said that they at  
185 the agency inherited the conflict that comes with managing Kelsey Notch Trail and has been  
186 doing their best since then. He thanked Chairman Caswell for bringing CORD to the point of  
187 making a decision on the matter.

188 Mr. Hackley said that DNCR had an internal discussion and came up with the following  
189 recommendation:

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191 “The Department of Natural and Cultural Resources officially recognizes the Kelsey  
192 Notch Trail as permanent on the condition that monitoring occur twice annually during  
193 the riding season and that year-end maintenance work, if needed, be done prior to  
194 seasonal trail closure. The first monitoring visit would be conducted in mid-July at/near  
195 the peak of riding activity followed by a second visit in late October, just prior to year-end  
196 maintenance and close-out. The monitoring team would consist of North Region  
197 representatives from the Division of Forests & Lands, Fish & Game, and Bureau of  
198 Trails. If any significant erosion or other environmental impacts are observed at the mid-  
199 July monitoring visit, those conditions would be addressed as promptly as the state  
200 contracting process will allow. A comprehensive monitoring report will be submitted to  
201 CORD annually. Should monitoring indicate persistent unmitigated issues of soil erosion,  
202 water quality violations, or other significant environmental impacts, the status of the trail  
on Nash Stream Forest will be reassessed by CORD and DNCR.”

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Ms. McNaughten also read a statement from Fish & Game as follows:

“The NH Fish and Game Department concurs with DNCR in that the Department officially recognizes the Kelsey Notch Trail. Monitoring should continue to occur twice annually during the riding season and that year-end maintenance work, if needed, be done prior to seasonal trail closure.

If any significant erosion or other environmental impacts are observed at the annual monitoring visits, those conditions would be addressed as promptly as the state contracting process will allow. Should monitoring indicate persistent, unmitigated issues of soil erosion, water quality violations, or other significant environmental impacts, the status of the trail on Nash Stream Forest will be reassessed by CORD.

However, the Department continues to have concerns on the impact of ATV noise on the high-volume trail use days during the nesting season, particular during spring and early summer month as stated in the 2022 monitoring report. NHFG ask that these concerns remain in the annual monitoring reports until such time that there is an effective strategy or method to evaluate these impacts and determine if trail use should be reduced, restricted, or otherwise managed to reduce impacts if any are found. The Department recognizes the popularity of the trail, and that the increased use of ATVs in the North Country has an economic impact.

In closing, the Department concurs with DNCR that the monitoring team would consist of North Region representatives from the Division of Forest and Lands, Fish & Game fisheries and wildlife biologist, and Bureau of Trails.”

Jim Oehler from Fish & Game, who is the Supervisor of the Wildlife Program spoke about the presentation he prepared about the ORHV impacts on wildlife, which was available in the CORD packet. The main takeaways of the presentation are that there is impact on wildlife from both official and unofficial trails as well as roads and it is really important that there are trail free areas available. Mr. Oehler added that there were no rigorous qualitative studies done for the Kelsey Notch in particular to know the extent of the impacts to wildlife and that it would be beneficial to take a deeper look at how recreational trail impact wildlife there as well as anywhere across the state. Mr. Oehler said that the agency understands that a balance approach is needed to this issue and leaving the door open to learning more about any wildlife impacts and if such are to be found, understanding how to manage them. Mr. Oehler then answered the question from Chairman Caswell about the ability of any studies that could be used as a baseline, which he said are available for other parts of the country and could be used to develop a methodology to be used here in New England.

There was some back and forth on the total acreage of Nash Stream Forest and the length of the trails, with the former being just under 40 acres and the latter coming to about 2.56 miles of trails' length in total (including both forks).

Then there was discussion on whether a motion is needed to be made before opening the floor to discussion and whether the motion should be based on DNCR's recommendations with addition of some language from the Fish & Game recommendations letter.

Ms. Verdile read the recommendations from DNCR verbatim.

**MOTION:** *Mr. Jasper made a motion that the Department of Natural and Cultural Resources officially recognizes the Kelsey Notch Trail as permanent on the condition that monitoring occur twice annually during the riding season and that year-end maintenance work, if needed, be done prior to seasonal trail closure. The first monitoring visit would be conducted in mid-July at/near the peak of riding activity followed by a second visit in late October, just prior to year-end maintenance and close-out. The monitoring team would consist of North Region representatives from the Division of Forests & Lands, Fish & Game, and Bureau of Trails. If any significant erosion or other environmental impacts are observed at the mid-July monitoring visit, those conditions would be addressed as promptly as the state contracting process will allow. A*

254 *comprehensive monitoring report will be submitted to CORD annually. Should monitoring*  
255 *indicate persistent unmitigated issues of soil erosion, water quality violations, or other significant*  
256 *environmental impacts, the status of the trail on Nash Stream Forest will be reassessed by*  
257 *CORD and DNCR. Mr. Sanborn duly seconded and made a friendly amendment to include the*  
258 *following language in the motion from the Fish & Game recommendations: “However, the*  
259 *Department continues to have concerns on the impact of ATV noise on the high-volume trail use*  
260 *days during the nesting season, particular during spring and early summer month as stated in*  
261 *the 2022 monitoring report. NHFG ask that these concerns remain in the annual monitoring*  
262 *reports until such time that there is an effective strategy or method to evaluate these impacts*  
263 *and determine if trail use should be reduced, restricted, or otherwise managed to reduce impacts*  
264 *if any are found.”*

265 *Mr. Jasper agreed to the friendly amendment and Mr. Sanborn duly seconded the amended*  
266 *motion.*

267 Mr. Caswell opened the floor to the discussion and public comment.

268 Ms. Verdile informed the Committee that there are multiple emails incoming from the public (so  
269 far there were 66 and counting) which will be compiled into one document and provided to  
270 CORD.

271 The following individuals addressed the committee:

- 272 - John Magee, Fish & Game. He spoke about the trail’s condition in 2016 being very bad  
273 with regards to the water quality and the fact that DNCR has done a pretty good job  
274 monitoring it since then. Mr. Magee said that he sees a lot of value in doing the  
275 monitoring twice a year. He also asked if the members would consider the language in  
276 the motion that is referring to *any significant erosion or other environmental impacts are*  
277 *observed at the mid-July monitoring visit, those conditions would be addressed as*  
278 *promptly as the state contracting process will allow*, which he said was concerning for  
279 the ones that might be observed during other parts of the year.
- 280 - Captain Michael Eastman, ORHV Coordinator for enforcement, safety, and registrations  
281 for Fish & Game spoke about one reported enforcement action for this section of the trail  
282 in the annual report. He added that this trail is one of the better trails which is pretty well  
283 maintained. Captain Eastman also said that he is seeing plenty of wildlife out there  
284 where there is OHRV activity, therefore he would think that there is not much impact to  
285 wildlife as he would not see much wildlife out there otherwise.
- 286 - Maggie Machinist, Wildlife Biologist with Fish & Game, made a comment about the  
287 motion referring to the Kelsey Notch Trail as permanent. She suggested to keep in line  
288 with the Management Plan and name the trail a “designated OHRV trail” as opposed to  
289 permanent.

290 Mr. Sanborn asked Attorney Brooks to opine on whether there was a legal difference in naming  
291 the trail permanent versus designated OHRV trail.

292 Attorney Brooks noted it was a good comment and it helps clarify things; however, the motion,  
293 as stated still allows CORD to revisit the status of the trail, and either modify it or close the trail  
294 itself.

- 295 - Joshua Philips President of the North Country ATV Club asked about whether this  
296 discussion was also about the West Side Trail and Mr. Caswell answered that this is  
297 only regarding Kelsey Notch as the West Side Trail is already permanent.
- 298 - Ray Gorman, Coos County Commissioner and Colebrook Selectmen, said that the  
299 Commission and the local state representative sent letters of support for the trail to stay  
300 open. He also spoke about the economic history of the North Country and how important  
301 OHRV use is to its the economic prosperity. Mr. Gorman also distributed some maps  
302 that show the connection that the Kelsey Notch trail provides for the rest of the area and  
303 asked the Committee to support keeping the trail open.



- 304 - Jim O'Brien from The Nature Conservancy, noted there has been a letter submitted on  
305 behalf of the Appalachian Mountain Club, NH Audubon Society, Society for the  
306 Protection of New Hampshire Forests, and The Nature Conservancy detailing the  
307 concerns these organizations have with the Kelsey Notch trail allowing ATV use. He  
308 provided a brief history of the trail opening in 2012 as a pilot, allegedly without following  
309 any state statutes or process; then the development of the Management Plan in 2016  
310 and its adoption in 2017, continuing the use as a pilot for another three years. In 2020  
311 CORD decided to continue the pilot for yet another three years and established some  
312 criteria to help them make a decision. The discussion then was around what CORD  
313 would need to establish whether this trail is being operated in accordance with CORD's  
314 statutory obligations; whether it is understanding the environmental impacts, doing  
315 adequate monitoring and proving the monitoring reports to the public, and understanding  
316 the impacts to wildlife, endangered species and other users of Nash Stream Forest. Mr.  
317 O'Brien said that from what he had heard, there are no such reports and asked CORD  
318 how it is going to determine whether the pilot phase is over, and the natural resources  
319 protection will be ensured if the trail remains operational. He also said that from what he  
320 heard from Fish & Game and others is that there is some monitoring, but no clear  
321 understanding of the impacts to wildlife. Mr. O'Brien also asked that if there are any  
322 monitoring reports, that they be made available to the public, and that CORD is explicit  
323 with other state agencies under its jurisdiction that "pilot" is not a thing, and that a proper  
324 process in accordance with all the statutes, after having done all the necessary  
325 research, should be followed to establish trails on public land in New Hampshire. Mr.  
326 O'Brien asked CORD asked if a decision is made to go forward with allowing ATV use  
327 on the trail, that adequate enforcement is in place. He also asked that CORD also obtain  
328 information on the environmental impacts and impact to other users of Nash Stream  
329 Forest prior to going forward with making the decision to keep ATV use on the trail.
- 330 - Bob Gale, member of the Stark planning board, spoke about the Stark, Berlin and  
331 Gorham area still trying to economically recover from the loss of the paper mills and then  
332 COVID and that a lot of people are trying to stay afloat. He spoke about a loss of  
333 business in town and that the area needs the trail to stay open. Mr. Gale mentioned that  
334 the town is ready to work with CORD to do whatever is necessary to keep the trail open.
- 335 - Joshua Philips, President of the North Country ATV Club, spoke about the fact that there  
336 are very few businesses in Stratford and that the closure of this trail will completely  
337 isolate Stratford and make things a lot harder for the remaining businesses. He asked to  
338 keep the trail open as it also provides connectivity to other areas around.
- 339 - Steven Wilkie, NH Off-Highway Vehicle Association, spoke about his organization  
340 maintaining multiple ATV and OHRV trails in the state. He also mentioned a study done  
341 at the Yellowstone National Park with motorized vehicles which showed that most  
342 species had a stop and stare reaction, which, he opined, seemed that the wildlife has not  
343 been that much impacted as many seem to allege. Mr. Wilkie said that erosion happens  
344 on all kinds of trails. In 2018 the Club Membership Program happened, and it resulted in  
345 infusion of over one million dollars into the brand name program, and affected the trails  
346 maintenance in a very positive way. He also noted that ATV's help maintain snowmobile  
347 trails when they are shared. Mr. Wilkie also spoke about the economic benefits of  
348 tourism and brought up some numbers to support his claim. Mr. Wilkie asked CORD to  
349 keep the trail open as closing it will be economically detrimental to the area and also hurt  
350 every club in the state.
- 351 - Larry Gomes, Trail master of the Milan ATV Club and has been a member of the several  
352 Nash Stream Citizens committees. He spoke about the land purchase under LCIP  
353 required creation of a local citizens committee with various types of representation  
354 (camp owners, municipal officials, clubs, etc.), which would ultimately be making all the

355 decisions on the use of this land, with CORD rubber stamping those decisions. He said  
356 that then the Management Plan was adopted, and that process got reversed in some  
357 cases. Mr. Gomes said that a lot of local groups care about what happens in Nash  
358 Stream Forest and that they should provide input for the Management Plan as well.  
359 There was a brief back and forth about the camps in Nash Stream Forest that are currently  
360 managed by DNCR as well as other types of trails and a road in the forest besides ATV trails.  
361 - Mr. Gomes noted that that road is opened to various types of traffic as well as it being  
362 used for logging.  
363 - Matt Lahey, Public Policy Manager for the NH Forest Society, provided some  
364 background information as to why the NH Forest Society, The Nature Conservancy, The  
365 Appalachian Mountain Club, and the Audubon Society have an interest in what happens  
366 in Nash Stream Forest. He said that The Nature Conservancy and NH Forest Society  
367 worked very closely with the state to purchase the Nash Stream Forest and that  
368 managing it aligns very closely with the goals of the NH Forest Society. He continued to  
369 say that the fundamental question is whether the state followed the law when the trail  
370 was established. He added that there are also concerns about lack of studies for this  
371 area about wildlife impacts. Mr. Lahey urged CORD members to think about those two  
372 issues when they make a decision on the fate of the Kelsey Notch trail.  
373 - Jamie Sayen, from Stratford, who serves on the Nash Stream Citizens Committee but is  
374 speaking as a private citizen and not on behalf of the citizen's committee. He spoke  
375 about the sale of the Nash Stream from the private owner. He then asked whether he  
376 understood correctly that CORD directive was to make sure that the intent of the  
377 purchase was followed through with an honor, and that he thought that it was not. Mr.  
378 Sayen said that the private landowner banned ATV's and when the state took over, it did  
379 not shut it down, it perpetuated that ban. The first Management Plan was established in  
380 1990, although it was not released until 1995. A lot of controversy during the discussion  
381 in 1990 focused on ecological reserves, timber harvesting, camps, etc.; however, there  
382 was the least controversy about maintaining or getting rid of the ATV ban. Mr. Sayen  
383 continued to say that clear intent of the state and the original plan writers was to  
384 maintain that ban. In the conservation easement of 1989 with the Forest Service the  
385 state delineated many different rights that it retains while through the easement it sold  
386 the development rights to the Forest Service, among them recreation, snowmobiling,  
387 which is explicitly mentioned. There is not mention of any kind of motorized activity. In  
388 section 2c of the easement it says that any rights not explicitly reserved by the state are  
389 hereby surrendered by the state (that is a paraphrase not a quote). The Forest Service  
390 was asked in 2001 whether they would allow ATV use, Tom Wagner, who was the Head  
391 of the Forest Service, misread the easement as he did not even refer to that section. He  
392 did say that if they put a road in, it seems that they could a put an internal road in, but it  
393 would be the Forest Service's jurisdiction if it were a connecting road. The Nash Stream  
394 Committee at the time ignored that and said that they wanted a connecting road, and the  
395 West Side is in fact a connected road to the network, and of course now Kelsey Notch is  
396 also a connecting road from east to west. The Forest Service in 2001 seemed to be  
397 saying that it should have jurisdiction over connecting roads and yet it has not asserted  
398 its authority. RSA 215 says that the state cannot enter into MOU's unless they can  
399 guarantee both monitoring and adequate enforcement. There has never been adequate  
400 enforcement, as we all know how overstressed and underfunded Fish & Game. Mr.  
401 Sayen said that he cannot blame Fish & Game but they cannot meet that requirement,  
402 so they should not have been signing that MOU. As for monitoring, the RSA required it  
403 since at least 2005 and it never got done. It was only when CORD said that it will  
404 provisionally allow the continuation of Kelsey Notch provided that there is monitoring,  
405 and the first monitoring report is from 2017. Since 2002 the West Side Road was being

406 unmonitored. The state and Trout Unlimited put two million dollars into restoring the wild  
407 trout habitat and the West Side Road is running along it and there is no water quality  
408 monitoring. The monitoring that has been done has been utterly inadequate in terms  
409 passing the credibility test. It has been done after the fall maintenance so any damage  
410 that may have been done by the seasonal use of the trail has been cleaned up. So, we  
411 do not know where silt has been entering into the water bodies. There are also no water  
412 tests done as Mr. Sayen was told they are very expensive. Mr. Sayen said that we are in  
413 a situation where the state cannot afford to monitor and with this motion before CORD,  
414 should it pass, it should be asking where this money is going to be coming from for  
415 monitoring because money is never available for monitoring, so the monitoring promise  
416 will be hollow just it has been in the past. The monitoring, even though there are so  
417 many problems with the monitoring process itself, has identified some serious problems,  
418 such as ATV's bringing in invasives. The treatment for invasives is glyphosate, which is  
419 a known carcinogen, so one way to keep the invasives down is possibly to not have  
420 ATVs bring them. The studies issue is quite shocking. Before they opened the ATV's up  
421 in 2002, they allegedly did some studies, but then the minutes to the 2007 Nash Stream  
422 Citizens Committee said that there was a problem with the mammal study, and there has  
423 never been any attempt to address those problems since then. The state has had 20  
424 years to do this stuff and they have not. In Kelsey Notch they had 10 years. CORD has  
425 been saying since 2016 that it needs more evidence and every time we come back we  
426 do not really know about that. Mr. Sayen said that it is time to reconsider this whole  
427 process. Mr. Sayen also said that he shares the concerns for the economics of Coos  
428 Country and that he wrote a book on the paper mills, and it was really shocking how the  
429 outside capital determined the fate of our community. In 15 years since the mills went  
430 down the state has built a couple of prisons, sent hundreds of millions of dollars to  
431 subsidize the biomass plant in Berlin, unregulated logging is causing a lot of clearcuts  
432 and whole tree chipping, and then ATV's and that is our economy. Basing an economy  
433 on recreation and tourism is a surefire guarantee for boom-and-bust disaster. The  
434 reason Mr. Sayen's town maybe isolated on the ATV trails in the North Country is  
435 because the private landowners are shutting down access to the lands as there have  
436 been problems. ATV's cause a lot of problems with trails, such as mud, siltation, dust.  
437 Just because you see animals on an ATV does not mean there is no impact, especially  
438 when it comes to childbearing. There is a need for real studies and not something from  
439 Yellowstone. Mr. Sayen said that the economic study mentioned earlier was done three  
440 years ago by Plymouth University and only looked at the benefits of ATV's but did not  
441 consider the costs, externalities, or stress that the towns are under, such as Gorham,  
442 which is currently undergoing a lawsuit with one of the neighborhoods that is being  
443 harassed by a trailhead that could be moved. This is not a happy solution to our  
444 economic woes. And then there is climate change. Shutting down Kelsey Notch will not  
445 solve the climate crisis, but it will send a message that New Hampshire is serious about  
446 combatting unnecessary carbon emissions into the atmosphere. Mr. Sayen said that he  
447 urges CORD to consider the totality of it and the fact that in all these years the state has  
448 not gotten it right and has been asking for more and more time. He said that CORD can  
449 continue to give them more time, but if there is no adequate funding for monitoring and  
450 no peer reviewed studies, it is not going to work out.

- 451 - Joshua Philips rebutted Mr. Sayen's words about landowners shutting their land for use
- 452 by the club and there are no closed trails right now, therefore it was false information. He
- 453 added that there are people in Stratford who are anti ATV and they have always been
- 454 against ATV use. He reiterated that a lot of what Mr. Sayen said is false.
- 455 - Tom Levesque, from Derry, who also owns a camp in Erroll, spoke about the fact that
- 456 every agency has a lawyer and if that was illegal, they would have already said so. He

- 457 also noted that one of the comments made was about controlling erosion. For the last  
458 four to six years Bureau of Trails and Fish and Game along with volunteers have been  
459 addressing the concerns that have been brought up the local landowners. He added that  
460 he is sure that going forward they would keep up the good work and if CORD did not  
461 thing it would be possible, it would not have made that recommendation.
- 462 - Craig Washburn, Metallak ATV club, spoke about growing up in the area and knowing it  
463 very well. He spoke about people who originally planned this trail, some of them being  
464 NHDES employees and that they worked together to try to monitor and take care of this.  
465 Mr. Washburn agreed that monitoring is needed and said that the club's trail patrols are  
466 out there on a regular basis, and Fish & Game has a couple officers in the North  
467 Country. He continued to say that there is plenty of wildlife in Kelsey Notch and offered  
468 to answer questions for anyone who has any.
  - 469 - Larry Gomes, spoke about the location of the ATV trail and the road relative to the Nash  
470 Stream and that it is up on a hill and is quite a way away from Nash Stream. All the  
471 embankments are wooded, and that vegetation would stop the sediment that may be  
472 coming to the river due to erosion. He said that part of the West Side trail has been  
473 moved a couple years ago due to a culvert repair on the West Side Road. Mr. Gomes  
474 also said that Nash Stream Road is much closer to the river and if anyone is worried  
475 about invasives, that should be taken into account. He also said that the lawsuit in  
476 Gorham has not yet been resolved but the trailhead has been moved to reduce the  
477 impact on the neighborhood.
  - 478 - Jamie Sayen, said that he did not mean to imply that trails are being closed right now by  
479 landowners, and if he did, he apologized; what he meant to say was that there were trail  
480 closures throughout the network from time to time. He said that if we rely for our  
481 economic salvation on a network where landowners are getting really upset over the  
482 destruction and also the disrespect by some riders. He continued to say that most riders  
483 are great but there are some who are quite disrespectful and that he knows some folks  
484 in Stratford who will consider closing the trails on their land in certain circumstances.
  - 485 - Bob Gale said that Nash Stream is a public land, and it belongs to anybody in New  
486 Hampshire. He talked about the flooding, erosion and other issues that are associated  
487 with the river and that Nash Stream Road is indeed much closer to it than the ATV trail.  
488 He also asked if Mr. Sayen was a member of Trout Unlimited, which Mr. Sayen said he  
489 was not.

490 Mr. Ruderman asked to properly identify the trail on the map for some CORD members who  
491 may have questions about its location. It was shown to the members on the map.

492 Mr. Caswell opened the floor for CORD discussion and questions.

493 Mr. Doyle asked a question about enforcement and how it is done in the area.

494 Michael Eastman responded that there is an OHRV police department grant program where  
495 money is given to municipalities and Coos County's Sheriff's Department is a recipient of it as  
496 well. He said that he cannot speak as to how they patrol their respective areas, but speaking for  
497 his own agency, he can say that enforcement in Coos County has been ramped up over the  
498 past few years, including Nash Stream Forest area.

499 Mr. Doyle asked Mr. Eastman if there was a capability to extract some data related to  
500 enforcement in that area.

501 Mr. Eastman said that he could go through the reports to see if he can find some particular data  
502 for this area but noted that the enforcement encompasses a much larger area and there are  
503 places where there are a lot more enforcement events than in Kelsey Notch. He also noted that  
504 his agency is in the process of hiring more officers too.

505 Ray Gorman said that Coos County Sheriff and police are also involved in the enforcement  
506 effort and that things are headed in the right direction.

507 Mr. Jasper spoke about his personal experience growing up on a poultry farm and the dislike of  
508 ATVs because of their negative impacts to the birds, and that he made the motion while  
509 personally having a prejudice towards ATV's but at the same time recognizing their economic  
510 benefit to the North Country. He also spoke about the importance of the deed and what has  
511 been transferred according to the deed. Mr. Jasper spoke about personally hearing about this  
512 issue as a CORD member for the last five years and the fact that there were mentions of  
513 various studies that are needed, and the fact that neither CORD nor the state has any money to  
514 order any of those studies, therefore it is not really anyone's fault that there are no studies. Mr.  
515 Jasper said that he has heard enough over the years about what is being done there and how  
516 things are monitored and what is monitored. He said that monitoring is not that expensive, and  
517 the state does a lot of it and does it well. As for intent, Mr. Jasper said that it is only guidance, it  
518 has no legal standing. He said that what the intent was back in the day when this was done is  
519 really not relevant to what is happening now. What matters is what is in the deed and Mr. Jasper  
520 said that after listening to the legal scholars, the deed does not say there cannot be ATVs out  
521 there. He continued to say that if this were to be litigated it would be between the parties  
522 involved, who are the original seller, the Forest Service and the state and if none of these  
523 parties think that the deed is being violated, there is nothing to be done. He concluded that after  
524 hearing all the evidence for the past five years and having overcome his own personal prejudice  
525 against ATVS he is in support of the motion that he made and that is on the table.  
526 Mr. Hackley noted that there was a suggestion to change the word "permanent" to "designated  
527 ATV trail" in the motion.

528 *Mr. Jasper agreed to the friendly amendment and Mr. Sanborn duly seconded it.*

529 Chairman Caswell also noted that there was a suggestion to change the reference to mid-July  
530 monitoring for dealing with environmental effects. He proposed to take out "mid-July monitoring  
531 visit" and substitute "any monitoring visit" for it.

532 *Mr. Jasper agreed to the second friendly amendment and Mr. Sanborn duly seconded it.*

533 Mr. Caswell asked a question about the status of the trail in the Management Plan and Ms.  
534 Machinist responded that it is referred to as a pilot trail in the current plan.

535 There was discussion if there should be any language in the motion that would refer to the  
536 status change of the trail and all the associated changes that will be related to that. It was  
537 determined that if the decision is to make the trail permanent or designated for ATVs it would  
538 automatically be reflected in the updated Management Plan.

539 Ms. McNaughten also talked about the studies or lack thereof discussed throughout the meeting  
540 and asked if anyone has ever attempted or consider contracting a study out? There was  
541 discussion about funds for any studies, contracted or not, and the fact that money is always a  
542 problem. It was also noted that it is not CORD's role to require or carry out studies, and those  
543 who want a study to be done should go through the legislative process to secure funding for it.  
544 Jim O'Brien from The Nature Conservancy said that their organization offered to work with the  
545 state in 2016.

546 There was a comment from the public that NHDOT gets several million dollars from registrations  
547 and whether some of that money could be used to assess the impacts of ATVs on wildlife.

548 Ms. Verdile recapped the motion that was made by Mr. Jasper and seconded by Mr. Sanborn,  
549 which consisted of the language from the DNCR recommendation letter combined with two  
550 sentences from Fish & Game recommendation as follows: *Department of Natural and Cultural*  
551 *Resources officially recognizes the Kelsey Notch Trail as permanent on the condition that*  
552 *monitoring occur twice annually during the riding season and that year-end maintenance work, if*  
553 *needed, be done prior to seasonal trail closure. The first monitoring visit would be conducted in*  
554 *mid-July at/near the peak of riding activity followed by a second visit in late October, just prior to*  
555 *year-end maintenance and close-out. The monitoring team would consist of North Region*  
556 *representatives from the Division of Forests & Lands, Fish & Game, and Bureau of Trails. If any*  
557 *significant erosion or other environmental impacts are observed at the mid-July monitoring visit,*

558 *those conditions would be addressed as promptly as the state contracting process will allow. A*  
559 *comprehensive monitoring report will be submitted to CORD annually. Should monitoring*  
560 *indicate persistent unmitigated issues of soil erosion, water quality violations, or other significant*  
561 *environmental impacts, the status of the trail on Nash Stream Forest will be reassessed by*  
562 *CORD and DNCR. Mr. Sanborn duly seconded and made a friendly amendment to include the*  
563 *following language in the motion from the Fish & Game recommendations: "However, the*  
564 *Department continues to have concerns on the impact of ATV noise on the high-volume trail use*  
565 *days during the nesting season, particular during spring and early summer month as stated in*  
566 *the 2022 monitoring report. NHFG ask that these concerns remain in the annual monitoring*  
567 *reports until such time that there is an effective strategy or method to evaluate these impacts*  
568 *and determine if tail use should be reduced, restricted, or otherwise managed to reduce impacts*  
569 *if any are found."*

570 Then was also a change made in the trail status, where "permanent" was changed to  
571 "designated OHRV trail" and there was a change to the following language "If any significant  
572 erosion or other environmental impacts are observed at the mid-July monitoring visit" to state "If  
573 any significant erosion or other environmental impacts are observed at any monitoring visit".  
574 Mr. Jasper and Mr. Sanborn both agreed to the recap of the motion and friendly amendments  
575 recapped by Ms. Verdile.  
576 Mr. Caswell called for the vote. Motion passed by a majority vote in favor. Mr. Hackley  
577 abstained.

578

## 579 **OTHER BUSINESS**

580

### 581 **A. Next Meeting: May 11, 2023, from 3:00 to 4:00 P.M.**

582

583 Ms. Verdile updated the members on the 30-day deadlines for SLR and administrative  
584 deadlines for the 2023 meetings. She said that the deadline for May 11<sup>th</sup> meeting is March 31<sup>st</sup>.

585

586 **MOTION:** *After a motion by Mr. Caswell the meeting was adjourned at 4:00 PM.*

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

**A. Steve Walker, Director Conservation Land  
Stewardship Program (CLS) update.**

May 4, 2023

TO: CORD

FR: Stephen Walker, CLS

RE: Agency Update

CLS began as the Land Conservation Investment Program (LCIP) in 2004, and that is our connection to CORD in statute. One of my purposes in providing CORD with periodic updates is simply to let you know what we are up to. CORD provides CLS with its most significant part of funding through the Land Conservation Endowment, and in that regard, we work for you. On some occasions, thankfully rare, LCIP issues need to come before CORD so it is valuable for CORD to have a finger on the LCIP pulse. This can be for example items such as the Tamworth-Perkins subdivision, a municipal LCIP property that is part of the CLS assemblage of properties that we are involved in. It can also include a state-owned LCIP property such as Nash Stream or Wild Goose. CORD has an extremely important responsibility for all things LCIP.

CLS went from being administratively attached to the offices of State Planning, to Energy and Planning, to Strategic Initiatives, and now as an agency attached to Administrative Services. The last two years getting our new shop in order have been busy, productive, and I believe successful. First, I would like to thank the folks at DAS for all of their support on this journey. I liken it to CLS being dropped off on their doorstep in a basket. They said, “they’re kinda cute, maybe we should keep them?”. Thankfully, they took us in. Second I would like to thank Charlotte Harding my partner in this agency who has done yeoman’s work. She started with CLS 12 days before the end of the last biennium at OSI. Among a host of attributes, she is energetic, enthusiastic, talented, and so importantly to be considered in today’s world, technologically proficient which I do not make a claim to be. She possesses an awesome combination of skills and personality. Third, I also need to recognize Jocelyn Duffy who returned for a fifth round as a seasonal steward. She too is just a bundle of talent and productivity. I give her enormous credit for helping make our three signature manuals a reality. These are the *Conservation Easements: A Guide for Landowners*, the *Municipal Conservation Land Stewardship Guide*, and lastly our *CLS Policy and Procedures Manual*.



The principal update that I wanted to share with you today is this last item mentioned. As I begin the process of considering my own retirement the one thing I want to make sure of is that CLS is in the best shape possible. This comes down to two items, both essential for the future. First, by the time this current biennium ends Charlotte will have been to, or been involved in, all of the 450+ properties we are associated with. In addition to that, she basically knows every facet of how CLS operates, and some of those facets she knows better than I because she created them. The second item is for CLS to have a proper manual regarding our policies and procedures. The first director was hired almost three decades ago in the spring of 2004. Much material has been generated during this time, and throughout it, we have worked diligently to operate in a consistent fashion according to commonly accepted industry standards. What we did not have was a single source where all the parts and pieces were gathered and documented in an organized and easily accessible location. Our Policies and Procedures is first and foremost a tool for succession that can help maintain quality and consistency of operations across time. Secondly it will serve as a mechanism for communication both internally and externally. What I am sharing with you today is a reasonably polished first chapter to that manual, the Stewardship Policy. Within this overarching policy you will notice there are a number of other policies listed. These additional chapters are all well under way at this time, but require the time consuming effort to refine and edit. My goal is to have this work finished by the end of the coming fiscal year. My hope is that Jocelyn will return for a sixth adventure and help us get it over the line. This manual will always be a work in progress. However, perhaps the most important aspect of what CLS does is to be *consistent* across all the work we do. Consistency is the intelligent, fair, and correct way to conduct our type of business. Conservation easements are legal documents crafted to be perpetual. Our job is to keep CLS current and be ready for the future, which always starts with the next day before us.

As always, we welcome feedback. Thank you.

# Stewardship Policy

**Last Revised:** May 2, 2023

**RSAs/Mandates:** RSA 162-C

**References:**

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## CONTENTS

CONTENTS.....	1
PURPOSE .....	1
POLICY .....	2
DEFINITIONS.....	2
PROCEDURES.....	3
Stewardship Guides.....	3
Stewardship Plans .....	3
Technical Assistance for Municipalities.....	4
RESOURCES .....	5
Legal Opinions Related to Conservation Easements from NH DOJ.....	5
REFERENCES.....	6

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## PURPOSE

To provide guidance to CLSP staff when recommending and carrying out stewardship activities related to protected properties in which the State of NH has invested public funds and has an interest, whether through state-held conservation easements or through the municipally conserved properties. Stewardship encompasses every facet of the CLSP.

CLSP was created, in part, to protect the conservation of natural resource lands in New Hampshire for the perpetual use of the people of New Hampshire, by conducting stewardship, monitoring, and oversight of conservation properties which the State of New Hampshire invested in through the former land conservation investment program (RSA 221-A (repealed 1995)). The LCIP was undertaken, in part, with significant donations of cash and land value by citizens of the state who intended that the conservation value of these lands be protected in perpetuity (RSA 162-C:6, I).

CLSP works with State agencies to which state-held conservation easements are assigned, and private landowners, including NGOs, who own properties encumbered by State-held conservation easements. CLSP also works with municipalities who own or hold Grantee interest in conservation properties acquired through the LCIP.

The authority for the LCIP was transferred from the LCIP Board of Directors to the Council on Resources and Development (CORD) in accordance with [RSA 162-C](#). CORD is given certain authorities by virtue of RSA 162-C and as such possesses an authority for certain decision making. CLSP and CORD act together to fulfill the requirements of RSA 162-C.

# POLICY

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Stewardship is the ongoing, long-term commitment of time and resources to the conservation of land and the protection of its conservation values. It is the ethical and legal obligation to monitor and enforce a conservation easement in perpetuity. Stewardship is all encompassing and includes monitoring inspections and field visits, documenting conditions, developing a relationship with the landowner or municipality, interpreting easement terms and conditions, resolving problems, maintaining necessary records, and if necessary enforcing the easement.

CLSP exists to provide and support stewardship of properties where the State of New Hampshire holds an interest. Responsible stewardship upholds the ethical and legal responsibilities of holding conservation easements, maintains the credibility of CLSP and the State of NH, helps prevent violations, and provides a legal record for future stewards or for future court action if necessary.

**The following additional CLSP policies and procedures are intended to help fulfill CLSP stewardship responsibilities:**

## General and Operational Policies

- Communication Policy
- Safety Policy
- Boundaries Policy
- Document Management and Retention Policy

## State Conservation Easement Related Policies

- Monitoring Policy and Procedures (state-held properties)
- Interpretation Policy (state-held properties)
- Compliance Management Policy (state-held properties)

## Municipal Conservation Properties Related Policies

- Field Visit Policy (municipal properties)
- Interpretation Policy (municipal properties)
- Compliance Management Policy (municipal properties)

# DEFINITIONS

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“CLSP” means the Conservation Land Stewardship Program

“CORD” means the Council on Resources and Development

“FVR” (Field Visit Report) means the document detailing the property visit and shared with designated municipal contacts. It is not intended to be considered a full monitoring inspection as the municipality holds the primary interest in municipal LCIP properties.

“Grantee” or “Holder” means the holder of the conservation easement. The CE provides the Holder the affirmative right to periodically assess the condition of the Property to ensure it is maintained according to the terms of the legal agreement.

“Grantor” means the landowner. The Grantor owns and manages the land.

“LCIP” means the Land Conservation Investment Program

“MIR / MVR” (Monitoring Inspection Report / Monitoring Visit Report) means the document detailing the property visit and shared with the landowner and the applicable state agency for state-held conservation easements.

“Monitoring” means the specific process related to checking the physical condition of a given conservation easement property. It typically involves communication with the landowner.

“Property” with a capital **P** means the encumbered property or portion thereof a larger property to which the conservation easement applies.

“Stewardship” for the landowner means sustainable use (including conservation) of natural resources, taking into consideration the interests of society today, future generations, and other species, as well as private needs.

“Stewardship” for CLSP means the ethical and legal duty to monitor and enforce a conservation easement in perpetuity. When the State of New Hampshire agrees to hold an easement it takes on the responsibility of stewarding the Property forever.

## PROCEDURES

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In addition to the policies listed above, CLSP stewardship information is further articulated in other documents including, but not limited to, the following:

- CLSP Website
- *Conservation Easement Stewardship: A Guide for Landowners*
- *A Conservation Land Stewardship Guide for Municipal LCIP Properties*
- Stewardship plan recommendations
- Technical assistance to municipalities

## Stewardship Guides

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CLSP created stewardship guides for landowners and municipalities with LCIP properties to help these entities understand and care for their conserved properties. There are a number of necessary obligations and important actions required on the part of landowners, municipalities and CLS staff to ensure successful easement stewardship.

*Conservation Easement Stewardship: A Guide for Landowners*, and, *A Conservation Land Stewardship Guide for Municipal LCIP Properties* are reviewed by CLSP staff on a periodic basis. The guides are provided for free as a PDF document on the CLSP website. CLSP gives new landowners of state-held conservation easements a copy of the landowner guide and/or notifies landowners where they can download a copy. This action of initially sharing *A Guide for Landowners* is documented in the first monitoring report.

Notification regarding updates to the Stewardship Guides is part of every MVR and FVR, and, in the case of municipalities, will also be communicated through periodic emails. A PDF or hard copy will be available upon request.

## Stewardship Plans

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Plans guiding the stewardship of any given property can have many different names, and can serve different purposes. A single property can have more than one type of plan. A stewardship, forest, or resource management plan is a comprehensive working guide intended to help a landowner achieve their goals and specific land management objectives while also maintaining a healthy, sustainable property for the future. CLSP does not create or participate in the creation of stewardship plans; however, state-held LCIP conservation easements require stewardship plans for actively managed properties. A stewardship plan is part of best management practices for any landowner, and CLSP can connect landowners to resources for creating a stewardship plan. Plans today often take into account rapidly changing

climate and weather patterns that in turn affect the resources. Plans may also be preceded by a natural resource inventory to help guide development of the stewardship plan. A stewardship plan serves as an important communication tool. Properties practicing active agriculture will typically have a variety of plans directed toward specific farming practices such as integrated past management, crop management, and manure management. These types of plans usually involve other agencies such as the US Department of Agriculture (USDA).

The first step is to review the conservation easement for the property. Requirements of earlier CEs may not include detailed management plan requirements, while newer CEs can be highly detailed. Almost all easements call for an approved stewardship plan to be in place when management is actively pursued. These long-term plans can range from “leave it alone” to a very hands-on approach; at the very least, they must contain a reference to the CE if implementation issues are to be avoided. A typical stewardship plan begins with the landowner’s goals and objectives for the Property, an inventory of the Property resources, and management recommendations in a timeline for reaching the stated goals. Plans are usually valid for a limited period, typically 10 years, and must be updated at the end of that time. Updates are commonly a much simpler endeavor than an initial or new plan. Newer CEs usually outline very specific conditions and requisite approvals for stewardship plans.

CLSP recommends a landowner include any activities they are considering doing on their property. If a landowner wants to conduct a management activity that is not included in the plan, the landowner may need to go through a plan amendment process. In some circumstances, when a plan has expired, a temporary “Scope of Work” plan may be allowed. This might occur when a plan update is underway, and conditions delayed activities already scheduled in the most recent plan.

It is highly recommended, *and sometimes required*, that a licensed resource professional be involved in developing and implementing stewardship plans. The UNH Cooperative Extension Program has an office in every county in the state, staffed with knowledgeable people with local expertise. They offer their services and resource recommendations free of charge. At times there may be cost-sharing opportunities available to landowners through the USDA for the development of a stewardship plan.

Helpful resources for creating a stewardship plan include:

- *Good Forestry in the Granite State: Recommended Voluntary Forest Management Practices for New Hampshire* is the most comprehensive resource that provides practical recommendations for ensuring a forest is healthy and productive.
- *Forest Resource Management: A Landowners Guide to Getting Started*
  - Available online through eCommons: <https://ecommons.cornell.edu/handle/1813/69464>
- The NH Wildlife Action plan is a source of information useful when developing a plan.
- Foresters or natural resource consultants are helpful for more extensive management goals.

## Technical Assistance for Municipalities

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As part of CLSP’s responsibilities for municipal projects, technical assistance and training are available to municipalities to aid them in the stewardship of their properties. Municipalities are responsible for the stewardship, monitoring, and management of their LCIP properties, but CLSP is there to help if municipalities have questions or concerns.

Assistance to municipalities from CLSP generally includes the following:

- Accompany a municipality at their request during an onsite monitoring visit.
- Provide training on monitoring, relevant technology, survey interpretation, and boundary marking.
- Boundary tags can be supplied free to municipalities for marking boundaries.
- Recommend property tracking and document storage strategies.
- Discuss land conservation issues and provide general guidance.
- **CLSP does not provide legal advice.**

Every municipal LCIP property is subject to a Project Agreement. This agreement was signed by the Board of Selectmen for each municipality and is considered a binding contract between the municipality and the State of New Hampshire. Each signed Project Agreement requires the municipality to limit the use of lands or interests in lands acquired to conservation purposes as provided for in RSA 221:A and the Administrative Rules of the CLSP.

Municipalities are required to monitor their LCIP conservation properties and submit annual monitoring reports to CLSP. CLSP works to keep all LCIP municipalities on track to achieve these standards through periodic monitoring reminders and information on new technologies and techniques. When potential issues, questions, or concerns are noted on municipal monitoring reports, CLSP staff work to follow up promptly and address the items at hand. Additional information is found in the Communications Policy.

CLSP staff conduct field visits to municipal LCIP properties every 4-6 years to ensure the properties are being used for LCIP purposes. Field visits also help to familiarize new CLSP staff with municipal properties which, in turn, helps staff to interpret annual monitoring reports submitted by municipalities. CLSP staff may conduct field visits to municipal properties more frequently if they are notified of a compliance issue or if a municipality has requested assistance. Field visits are meant to be information-gathering sessions and are a good time to ask questions of the municipality and conservation easement landowners. CLSP staff do not make compliance determinations while in the field. After a field visit, photo documentation and other materials will be reviewed with the program director. If it is determined a violation has occurred, CLSP staff will contact the municipality promptly to follow up. For more information about monitoring, see our Municipal Monitoring and Field Visit Policy.

CLSP compliance and violation procedures are articulated in the State CE Compliance Management Policy and the Municipal Compliance Management Policy.

## RESOURCES

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### Legal Opinions Related to Conservation Easements from NH DOJ

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#### Management plans

Are management plans required by conservation easements? In a 2019 discussion with Chris Aslin, Senior Assistant Attorney General, the answer was “it depends.” The original question CLSP sent to Aslin asked if management plans are required by state-held conservation easements and referenced CE deed language under Use Limitations – “(ii) Agriculture and forestry shall be performed to the extent reasonably practicable in accordance with a coordinated management plan for the sites and soils of the Property.”

Aslin responded:

“As with all lawyerly answers, it depends. The phrase “to the extent reasonably practicable” opens the door to argument that a management plan is not reasonable practicable under specific circumstances. I would support the position that a management plan is required, but the program will have to acknowledge that there could be some circumstances where it is not necessary. Perhaps small domestic gardens don’t need a plan or thinning to maintain a view, but those would all be case-by-case determinations. The general rule should be a management plan is required.

Sorry I can’t be more definitive than that given the reasonably practicable language.”

CLSP responded:

“...Our approach is to assume a management plan was intended as a requirement in keeping with the spirit of protecting conservation values. We feel it is also smart to do as it can be to a landowner’s best advantage as well. We

also recognize that each property is unique, and a plan can be from 1 page to 50 and only expect that it proportionate to the need.”

## Private use of municipal fee-owned properties

From the NH Assistant Attorney General in 2016: Absent a specific and applicable reservation of rights in the deed or project agreement, **private use of municipal fee-owned LCIP property** constitutes a violation of the deed and/or project agreement purposes and restrictions and is inconsistent with the statutory requirement that the property be held in the public trust (created by RSA 221-A and RSA 162-C).

## Duty of Care

In a Report of the Attorney General regarding the Lamprey Field Conservation Easement in North Hampton, NH (2015), the Attorney General and the Director of the Charitable Trusts define the duties of loyalty, care and obedience as they pertain to fiduciaries of any charitable trust.

“In the case of holders of conservation easements, the duty of loyalty, for instance, prohibits engaging in conflicts of interest transactions with respect to the conserved property or neighboring property. The duty of care requires active monitoring and enforcement of the easement. The duty of obedience requires adherence to the conservation values set forth in the easement deed.

More specifically, the easement holder has a duty of care to monitor the activities on and the changes to the conserved property to insure compliance with the terms of the easement deed. That responsibility includes periodic inspections and a review of complaints. If an inspection or a complaint uncovers a possible violation, then it should be forwarded for investigation to those responsible at the easement holder organization. The nature of the possible violation determines the scope of the investigation, i.e. a more serious or immediate alleged violation requires a more robust inquiry.

If the investigation leads to a determination that a violation occurred, then the duty of obedience applies, as well as the duty of care. The easement holder should notify the landowner and anyone else who may be responsible for causing the violation. The easement holder then must take steps to make sure that a violation is remedied, keeping in mind the overall purpose of the easement. The nature of that remedy may vary with the seriousness of the infraction, its permanency and its effect on the overall conservation values protected by the easement.”

## REFERENCES

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DRAFT



## **V. SURPLUS LAND REVIEW**

### **A. 2023 SLR 002 (Continued from the January 12, 2023, meeting)**

**Request from the New Hampshire Department of Environmental Services (NHDES) to transfer ownership of the Weeks Crossing Dam and associated property and easements to the Town of Warren. The dam is a 113-foot long, 14-foot-high concrete structure with earth abutments. The associated property and easements total 0.42 acres. The dam and property are located on Black Brook off Gould Hill Road in Warren, NH.**

New Hampshire Council on  
Resources and Development

MEMORANDUM

<b>TO:</b>	CORD Members and Other Interested Parties  <i>Via Email Distribution Lists (Bcc)</i>	Grafton County Board of Commissioners c/o Ms. Julie Libby, County Administrator 3855 Dartmouth College Hwy. North Haverhill, NH 03774  <i>Via Email (<a href="mailto:jlibby@co.grafton.nh.us">jlibby@co.grafton.nh.us</a>)</i>
	Town of Warren C /o Mr. Austin Albro, Town Administrator PO Box 40 Warren NH 03279  <i>Via Email (<a href="mailto:administrator@warren-nh.com">administrator@warren-nh.com</a>)</i>	Michelle Moren-Grey, Executive Director North Country Council 161 Main Street Littleton, NH 03561  <i>Via Email (<a href="mailto:mmoren@nccouncil.org">mmoren@nccouncil.org</a>)</i>

**FROM:** Stephanie N. Verdile, Principal Planner, Office of Planning and Development

**DATE:** December 15, 2022

**SUBJECT:** *State Owned Land, Surplus Land Review, Warren, NH  
2023 SLR 002*

**RESPONSE DEADLINE:** **Tuesday, January 3, 2023**

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please provide this office with any comment(s) in writing by the response deadline indicated above. Responses may be emailed to [stephanie.n.verdile@livefree.nh.gov](mailto:stephanie.n.verdile@livefree.nh.gov)

Information regarding CORD and its meetings may be obtained at:  
<https://www.nh.gov/osi/planning/programs/cord/index.htm>.

The Department of Natural and Cultural Resources is asked to review this request in accordance with RSA 227-C:9.

Members of the Public Water Access Advisory Board are asked to review this request in accordance with RSA 233-A.

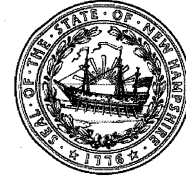
The Lakes Management and Protection Program, through the Rivers and Lakes Program Coordinator, is asked to review this request in accordance with RSA 483-A:5, II.

The Rivers Management and Protection Program, through the Rivers and Lakes Program Coordinator, is asked to review this request in accordance with RSA 483:8, VII and 14.



The State of New Hampshire  
**Department of Environmental Services**

**Robert R. Scott, Commissioner**



November 18, 2022

**SENT VIA ELECTRONIC MAIL**

Commissioner Taylor Caswell  
NH Department of Business and Economic Affairs  
Chair, Council on Resources and Development  
100 North Main Street, Suite 100  
Concord, NH 03301

**Re: Transfer of Weeks Crossing Dam and Associated Property and Easements to the Town of Warren**

The Department of Environmental Services (NHDES) proposes to transfer ownership of the Weeks Crossing Dam and associated property and easements to the Town of Warren. The dam is a 113-foot-long, 14-foot-high concrete structure with earth abutments, and the associated property and easements total 0.42 acres. The dam and property are located on Black Brook off Gould Hill Road in Warren.

On July 1, 2017, the state-owned Weeks Crossing Pond Dam in Warren, which was formerly owned by the New Hampshire Fish and Game Department (NHFG), was destroyed during a flooding event. The flood event was declared a major disaster (FEMA-4329-DR-NH) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) for the State of New Hampshire on August 9, 2017, making the state eligible for federal financial assistance to reconstruct the dam. The impoundment formed by the Weeks Crossing Dam provided the Town of Warren with a water supply for fire protection and a wildlife recreation resource for fishing, boating and swimming. For that reason, the Town of Warren and NHFG agreed that, if the state would rebuild the dam with federal assistance, the Town would take ownership of the dam, as well as responsibility for the operation and maintenance of the dam. This request is to fulfill that agreement and transfer ownership and responsibility for the liability and the operation and maintenance of the dam from the state to the Town of Warren.

NHDES is responsible for the repair and reconstruction of state-owned dams and operates and maintains the dams owned by NHFG. To facilitate the transfer of the reconstructed dam to the Town of Warren, NHDES acquired NHFG's property rights associated with the dam, as approved by the Governor and Executive Council on May 20, 2020 (Item #42), which conditioned that acquisition on the ultimate transfer of the property to the Town of Warren. In addition, because the footprint of the reconstructed dam needed to be larger to meet current dam safety standards, NHDES acquired additional property and easement rights from the two adjacent property owners to construct and maintain the dam in the future. This property acquisition was approved by the legislature, as required under RSA 482:44, by enactment of Chapter 195:1 of the Laws of 2019, and approved by the Governor and Executive Council on February 5, 2020 (Item #41).

[www.des.nh.gov](http://www.des.nh.gov)  
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • Fax: 271-2867 • TDD Access: Relay NH 1-800-735-2964

Commissioner Taylor Caswell  
NH Department of Business and Economic Affairs  
Chair, Council on Resources and Development  
November 18, 2022  
Page 2

NHDES completed the reconstruction of Weeks Crossing Dam in the fall of 2021, with 75% of the funding provided by the Federal Emergency Management Agency in disaster relief funds from the federally declared disaster. Now that the reconstruction of the dam is complete, NHDES is seeking to transfer ownership of the dam and the property and easements needed to operate and maintain the dam to the Town of Warren.

Please submit this proposal to the Council on Resources and Development (CORD) for review at its next meeting. If you have any questions, please contact either Corey Clark at (603) 271-8871 or Patrick Bell at (603) 271-1960.

Sincerely,



Robert R. Scott  
Commissioner

cc: Stephanie N. Verdile, Principal Planner, Office of Strategic Initiatives

**Council on Resources and Development**  
**REQUEST FOR SURPLUS LAND REVIEW ACTION**

**Name of Requesting Agency:** New Hampshire Department of Environmental Services

**Agency Contact Person:** Corey J. Clark, P.E.  
Address: 29 Hazen Drive, P O Box 95 Concord, NH 03302-0095  
Phone Number: 603-271-8871  
E-Mail: Corey.J.Clark@des.nh.gov

**Applicant Contact Person:** Patrick L. Bell, LLS  
Address: 29 Hazen Drive, P O Box 95 Concord, NH 03302-0095  
Phone Number: 603-271-1960  
E-Mail: Patrick.Bell@des.nh.gov

**Location of Property:** Gould Hill Road, Warren NH Tax Map 221, Lots 17 & 18

**Acreage:** Total Easement area = 18097.0 sq. ft. or 0.42 acres

**Requested Action:** Surplus to the Town of Warren

**Term of Lease or Easement:** Perpetual

.....

Please complete ALL questions below, submit one digital copy, one hardcopy with original signatures, and three photocopies of the completed application to:

NH Bureau of Economic Affairs  
NH Office of Planning & Development  
100 North Main St, Suite #100,  
Concord, NH 03301  
Attn: Stephanie N. Verdile, Principal Planner [stephanie.n.verdile@livefree.nh.gov](mailto:stephanie.n.verdile@livefree.nh.gov)

**1. What is the current use of this property?**

A state-owned dam impounding an 8-acre pond

**2. What is the proposed use of this property if surplusd?** Please note if proposed use is intended to create a public benefit.

The property will continue its current use. The dam will become a town-owned dam, and its impoundment will continue to provide the public benefits as a water supply for fire protection and as a wildlife management and recreation resource for fishing, boating and swimming.

**3. Does the proposed use of this property entail new development?**  Yes  No

a. If yes, is it consistent with adjacent and existing development?  Yes  No

b. Please describe how the proposed new development differs from or is similar to its surroundings. Also indicate how it may initiate a future change in the use of the property or its surroundings.

**4. Are there any structures located on this property?**  Yes  No

a. If yes, please describe the structures including how many and what kind?

A concrete dam.

**5. Are there historical architectural or archaeological resources identified on this site?**

Yes  No

a. If yes, describe the resource(s)?

b. If no, contact the NH Division of Historical Resources prior to application submission.

6. **Is there any existing development or structures on adjacent sites?**  Yes  No

a. If yes, describe the use and number of structures of adjacent sites.  
If no, where is the nearest development? (Describe distance, use, and number)

There is a summer home located on the shore of the impoundment with a few year-round/summer homes and cabins in the immediate vicinity. The land surrounding the pond is generally privately owned and undeveloped. The impoundment is also within property owned by the United States Department of Agriculture (USDA), Forest Service, White Mountain National Forest (WMNF).

7. **Does the site represent the entire state property in this location?**  Yes  No

a. If no, please describe its relationship to the entire state holding (percentage of total acreage, percentage of overall rail length, etc).

8. **Is access to this property available?**  Yes  No

a. If yes, how is the site accessed? (from rail, water, across applicant's property, etc)

Access to the property is from Gould Hill Road

b. If yes, is there a potential for public access interruption?  Yes  No

9. **Are there water resources related to this property, such as:**  
**Lakes/Ponds -**  Yes  No **OR Rivers -**  Yes  No **OR Wetlands -**  Yes  No?

a. If yes, please indicate the size or extent of such resources.

Weeks Crossing Pond is an 8-acre impoundment.

b. If yes, briefly describe how the requirements of RSA 483-B (Shoreland Water Quality Protection Act) apply to potential development of this property:

Since the impoundment has an area of less than 10 acres, the requirements of RSA 483-B (Shoreland Water Quality Protection Act) does not apply to this property.

c. If yes, briefly describe how any municipal zoning requirements for buffers or setbacks from lakes, rivers or wetlands apply to potential development of this property:

There are no municipal zoning requirements for buffers or setbacks that apply to this property

d. Is the property within 250 feet of a lake/pond or river/stream?  Yes  No

e. If lakes or rivers are related to this property, describe current public or private access from the site to the water body?  Public  Private  No Access Available

Description: Public access is via Gould Hill Road and over the earthen abutments of the dam, and private access is through private property abutting the waterbody.

f. How would the proposal affect the access opportunities described in e?

No change. Both public and private access will be maintained.

**10. Please identify any other significant resources or sensitive environmental conditions known to be located on or adjacent to this property.**

	Yes (property)	Yes (adjacent property)	No
a. Steep slopes .....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Wetlands (Prime and NWI) .....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Threatened or endangered species .....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Wildlife Action Plan Critical Habitats .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Increased impervious surface .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Potential stormwater flow changes.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Agricultural soils of prime, statewide, or local importance .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Potential river channel change .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Other special designations .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please provide a description for any "yes" responses to question #10.

a. The area is on Monadnock and Hebron soils with slopes of 15 to 35%

b. The wetlands consist of peatlands north of the property and a freshwater pond surrounded by a freshwater forest shrub and riverine wetland

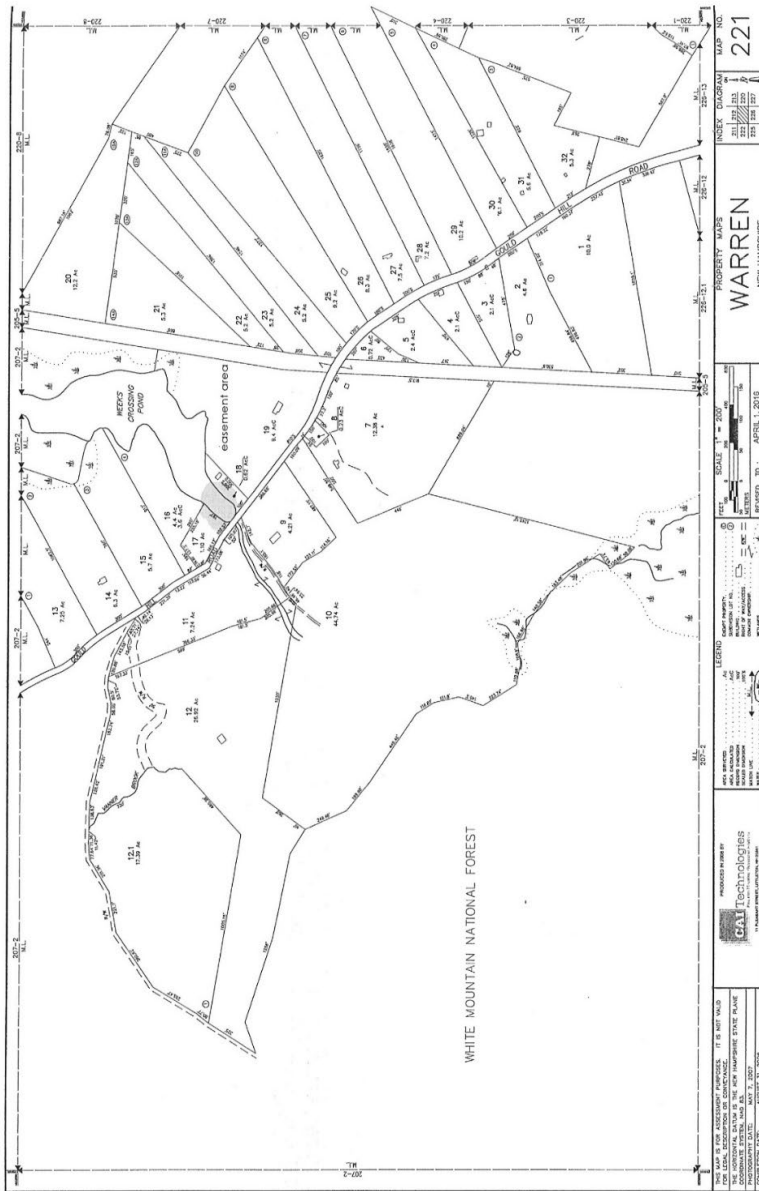
c. The U.S. Fish and Wildlife Service has identified that the northern long-eared bat could potentially be in the area.

An Environmental Assessment performed by the Federal Emergency Management Agency determined that reconstruction and maintenance of the dam on the have no significant impact on the quality of the human environment on the property.

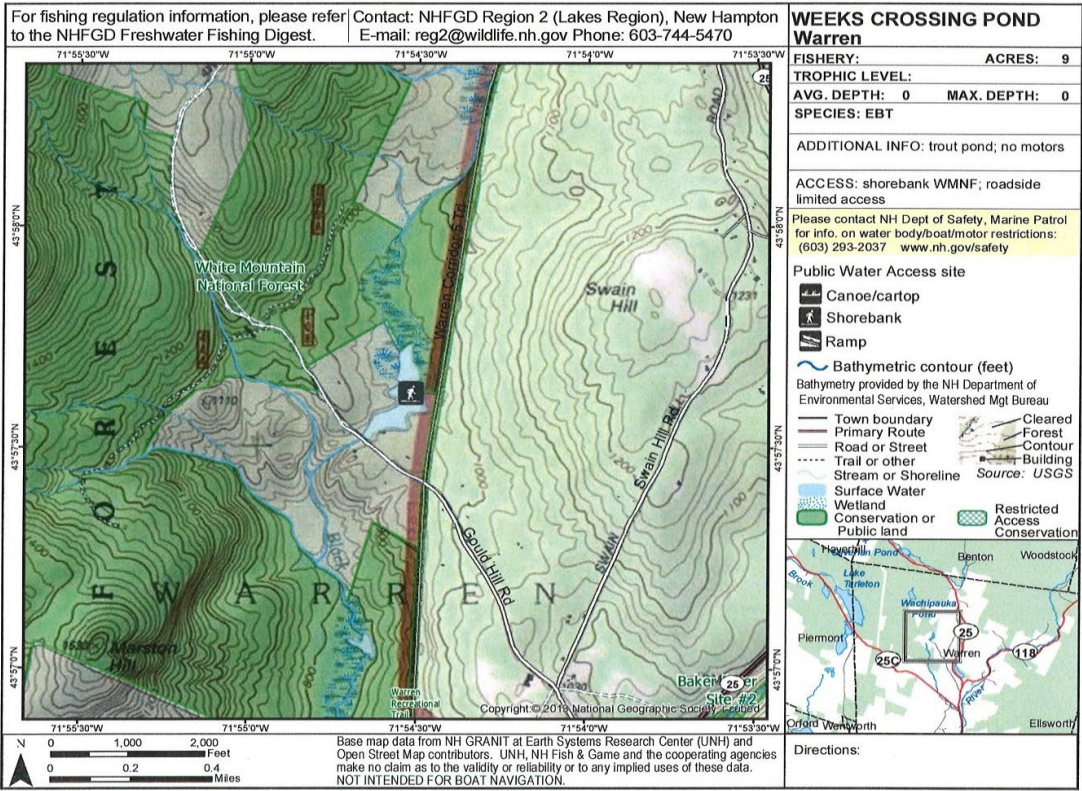
**11. Attach photographs and maps of the property. Maps should highlight the requested property location and help to adequately place the property within the town.**

- a. Warren tax map showing all abutters see page 4.
- b. NHFG general Fishing digest map see page 5.
- c. USGS Map page 6.
- d. Easement Plan by NHDES page 7
- e. Photos of dam area pages 8-11

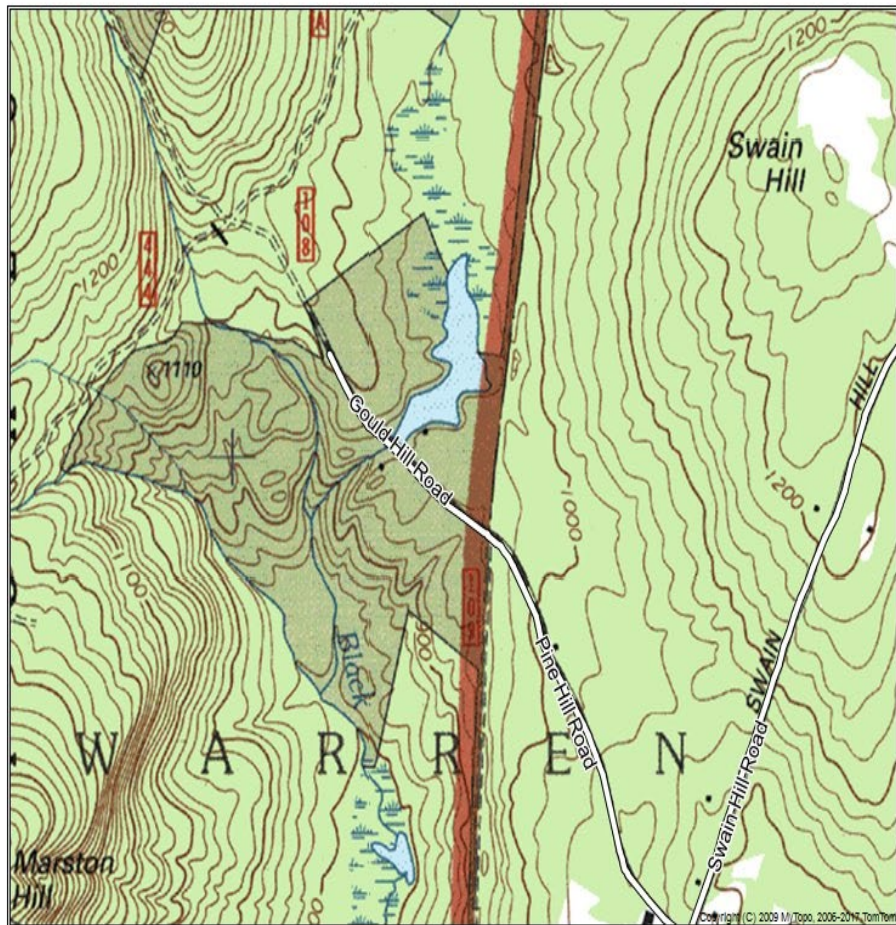




Warren Tax Map # 221 showing approximate easement area highlighted in gray.



NHFG general Fishing digest map







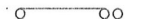
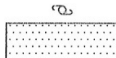
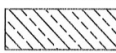


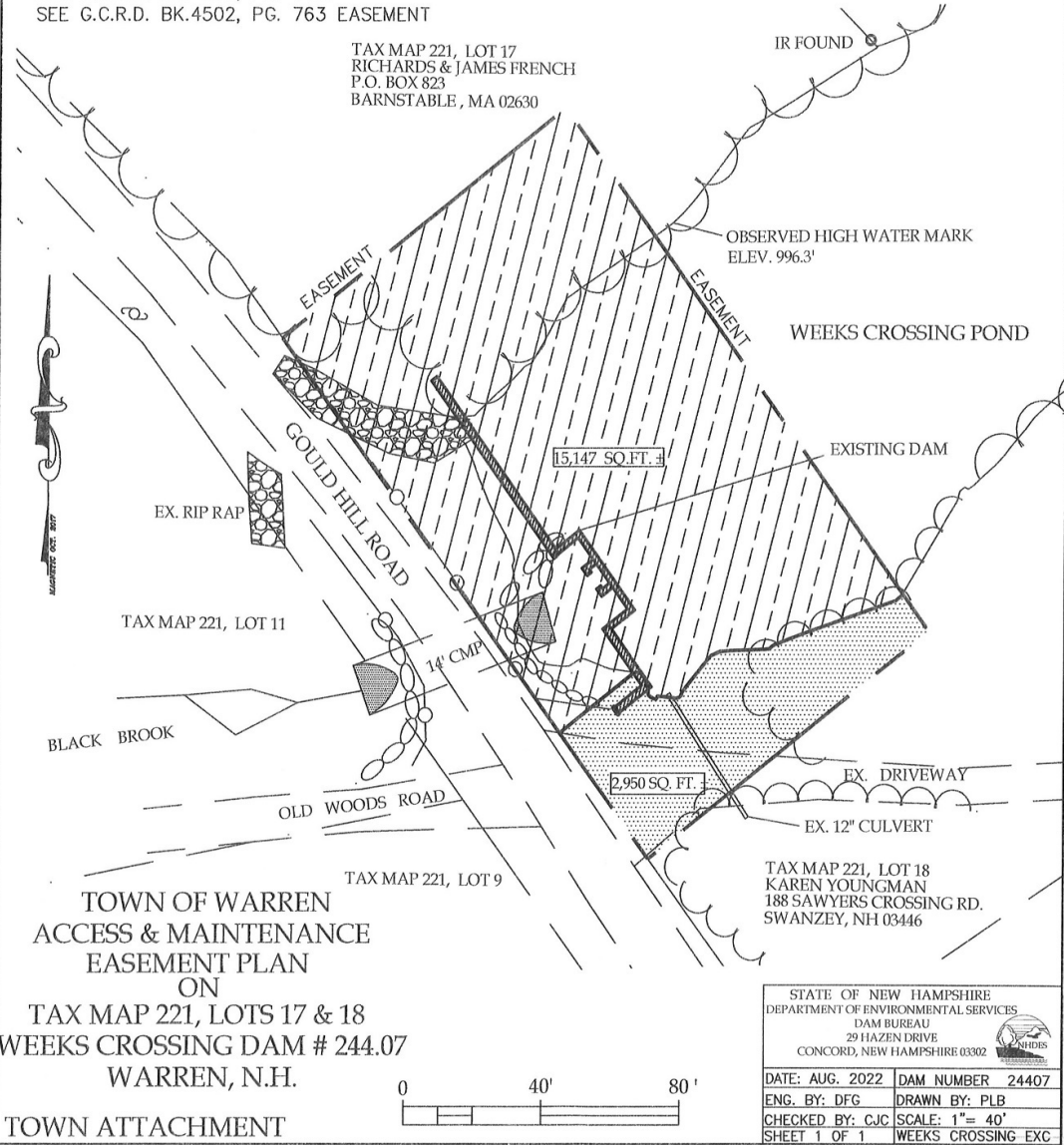
USGS Map

**NOTES**

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE DAM EASEMENT ON LOTS SHOWN ON WARREN TAX MAP 221, LOTS 17&18.
2. OWNERS OF RECORD:  
 TAX MAP 221, LOT 17  
 RICHARDS & JAMES FRENCH  
 P.O. BOX 823  
 BARNSTABLE, MA 02630  
 SEE G.C.R.D. BK.1301, PG. 877  
 SEE G.C.R.D. BK.4502, PG. 765 EASEMENT  
  
 TAX MAP 221, LOT 18  
 KAREN YOUNGMAN  
 188 SAWYERS CROSSING ROAD  
 SWANZEY, NH 03446.  
 SEE G.C.R.D. BK. 943, PG. 419.  
 SEE G.C.R.D. BK.4502, PG. 763 EASEMENT

**LEGEND**

-  EXISTING TREELINE
-  EDGE OF GRAVEL
-  EASEMENT LINE
-  EXISTING EDGE OF WATER
-  ABUTTERS PROPERTY LINE
-  GUARD RAIL
-  UTILITY POLE
-  YOUNGMAN EASEMENT
-  FRENCH EASEMENT



**Easement Plan by NHDES for the Town of Warren**

## Weeks Crossing Dam Photos



*Photo 1: Weeks Crossing Dam looking northwest before failure. 7/2010*



*Photo 2: Looking northeast at failed Weeks dam and washed-out Gould Hill Road in 7/2017.*



*Photo 3: At repaired Gould Hill Road looking northeast at former Weeks Pond.*



*Photo 4: At repaired Gould Hill Road and culvert looking northwest 10/2018.*



*Photo 5: New Weeks Crossing dam looking southeast 11/2021.*



*Photo 6: New Weeks Crossing dam looking northeast at Pond 11/2021.*



*Photo 7: New Weeks Crossing dam looking northwest at pond 11/2021.*



*Photo 8: New Weeks Crossing dam looking southeast at road 11/2021.*



WARREN, NH  
TOWN MEETING MINUTES  
MARCH 14, 2023

Moderator Lesa Romano called the meeting to order and opened Town Meeting at 9:00am with the Pledge of Allegiance and a short moment of thanks and reflection given by Fred Delman.

Motion made by Donald Bagley Sr, Seconded by Charles Chandler to recess Warren Town Meeting and open the deliberative session of the Warren School District Meeting at 9:05am. Warren Town Meeting returned from recess and called to order by Moderator Romano at 10:40am.

TO THE INHABITANTS OF THE TOWN OF WARREN in the county of Grafton in the State of New Hampshire, qualified to vote in town affairs are hereby notified that the Annual Town Meeting will be held as follows:

Date: Tuesday March 14, 2023

Time: 9:00am

Location: Warren Town Hall

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**Article 01 Election of Town Officials**

To bring in your votes to elect all town officers which appear on the official ballot for the ensuing year, as follows:

SELECTBOARD	3 YR TERM – Shirley McCartin
TREASURER	1 YR TERM – Sheila Foote
TAX COLLECTOR	2 YR TERM – Maria Sanders
CHIEF OF POLICE	1 YR TERM – John Semertgakis
PLANNING BOARD	3 YR TERM – Jay Johnson
PLANNING BOARD	3 YR TERM – Tom McGuy
CEMETERY TRUSTEE	3 YR TERM – Marlene Wright
LIBRARY TRUSTEE	3 YR TERM – Donna Campbell
TRUSTEE OF TRUST FUNDS	3 YR TERM – Heather Sackett

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**Article 02 Hear and Accept Reports**

To hear and accept the report of the Selectmen and other Town Officers and to vote on any subject relating thereto.

**Moved by:** Charles Chandler

**Second:** Donald Bagley Sr

**Discussion:** Permission to grant Town Administrator Austin Albro to speak at the meeting and answer and questions that may arise.

**Disposition of Article:** Passed

**Article 03 Adopt Floodplain Management Ordinance Amendments**

To vote to see if the Town is in favor of adopting the revised Floodplain Management Ordinance as proposed by the planning board, necessary to comply with the requirements of the National Flood Insurance Program.

**Moved by:** Charles Sackett

**Second:** Charles Chandler

**Discussion:** None

**Disposition of Article:** Passed by Ballot Vote (75 yes – 7 No)

**Article 04 General Government**

To see if the Town will vote to raise and appropriate the sum of three hundred seventy-six thousand six hundred and fifty-two dollars (\$376,652) for the following:

GENERAL GOVERNMENT

a. Executive	79,402
b. Elections/Registration	19,501
c. Financial Administration	26,966
d. Tax Collector	20,115
e. Assessing Services	20,000
f. Legal Expenses	15,000
g. Personnel Administration	35,501
h. Planning Board	600
i. Buildings & Grounds	81,810
j. Cemeteries	18,500
k. Insurance	59,006
l. Town Clock	250
m. Contingency Fund	1

**Moved by:** Donald Bagley Sr

**Second:** Sheila Foote

**Discussion:** Last year's budget was less than this year's and not all of the budget money was spent last year; an explanation was given why there is an increase in the budget from last year.

**Disposition of Article:** Passed

**Article 05 Advertising and Regional Associations**

To see if the Town will vote to raise and appropriate the sum of three thousand five hundred and twelve (\$3,512) for the following:

ADVERTISING & REGIONAL ASSOCIATIONS

a. Advertising	500
b. NHMA	1,137
c. North Country Council	900
d. Pemi-Baker Solid Waste	800

e. NH Assoc. of Assessing Officials	20
f. NH Tax Collectors Assn	40
g. NH Town Clerks Assn	20
h. NH Health Officers Assn	25
i. NHGFOA	70

**Moved by:** Arthur Heath

**Second:** Charles Sackett

**Discussion:** None

**Disposition of Article:** Passed

## Article 06 Public Safety

To see if the Town will vote to raise and appropriate the sum of ~~one hundred thirty-three thousand two hundred fifty-seven dollars (\$133,257)~~ ~~one hundred thirty-one thousand two hundred fifty-seven dollars (\$131,257)~~ one hundred twenty-six thousand four hundred fifty nine dollars (\$126,459) for the following:

### PUBLIC SAFETY

a. Police Department	<del>84,347</del> 79,549
b. Fire Department	<del>45,058</del> 43,058
c. Emergency Management	3,501
d. Animal Control	1
e. E-911	350

**Moved by:** Charles Chandler

**Second:** Donald Bagley, Sr

**Amendment:** To reduce line b. Fire Department appropriation by \$2,000 from \$45,058 to \$43,058 and reduce the total from \$133,257 to \$131,257.

**Moved by:** Victoria Saucier

**Second:** Charles Chandler

**Discussion:** Reduction of \$2,000 will be offset and donated directly back to the organization by Appleknockers.

**Disposition of Amendment:** Passed

**Amendment:** To reduce line a. Police Department appropriation by \$4,798 from \$84,347 to \$79,549 and reduce total of Article 6 from \$131,257 to \$126,459.

**Moved by:** Robert Giuda

**Second:** Charles Chandler

**Discussion:** Money spent on OHRV enforcement is only billed to the town if a Fish and Game/OHRV Grant has been received to offset the cost.

**Disposition of Amendment:** Passed

**Discussion:** None

**Disposition of Amended Article:** Passed

## Article 07 Highways and Streets

To see if the Town will vote to raise and appropriate the sum of two hundred sixteen thousand two hundred ninety-two dollars (\$216,292) for the following:

HIGHWAYS AND STREETS

a. Administration	64,360
b. Highways and Streets	60,000
c. Bridges	3,100
d. Vehicles & Equipment	49,631
e. Sub-contracted Work	30,000
f. Street Lights	8,500
g. Equipment Rental	500
h. Mileage	200
i. Other	1

**Moved by:** Charles Chandler

**Second:** Donald Bagley Sr

**Discussion:** None

**Disposition of Article:** Passed

**Article 08 Sanitation**

To see if the Town will vote to raise and appropriate the sum of sixty-one thousand eight hundred twenty-nine dollars (\$61,829) for the following:

SANITATION

a. Transfer Station Administration	24,698
b. Recycling	7,720
c. Solid Waste Collection/Compactor	26,810
d. Clean-Up/Monitoring/Tires	2,601

**Moved by:** Charles Chandler

**Second:** Arthur Heath

**Discussion:** None

**Disposition of Article:** Passed

**Article 09 Non-profits/Health**

To see if the Town will vote to raise and appropriate the sum of ~~one hundred thirty-two thousand six hundred thirty-six dollars (\$132,636)~~ ~~one hundred twenty-eight thousand five hundred eleven dollars (\$128,511)~~ one hundred twenty-six thousand five hundred eleven dollars (\$126,511) for the following:

NON-PROFITS / HEALTH

a. Ammonoosuc Community Health Services (ACHS)	4,500
b. Warren Wentworth Food Pantry	<del>950</del> 1,200

c. WW Ambulance Services	405,000	103,000
d. Visiting Nurse & Hospice (VNH)	2,940	
e. Grafton County Senior Citizens	2,500	
f. Tri-County CAP	1,650	
g. Warren Historical Society	2,500	
h. Transport Central	500	
i. Pemi-Baker Home Health & Hospice	4,099	
j. Willing Worker's Society	2,500	
k. White Mountain Mental Health	1,122	
l. The Bridge House	<del>2,000</del>	0
m. Good Shepherd Food Pantry	<del>825</del>	0
n. Court Appointed Advocates	<del>1,000</del>	0
o. Voices Against Violence	<del>550</del>	0

**Moved by:** Arthur Heath

**Second:** Charles Chandler

**Amendment:** To increase b. Warren Wentworth Food Pantry from \$950 to \$1,200 and reduce line items l. The Bridge house from \$2,000 to 0, m. Good Shepherd Food Pantry from \$825 to 0, n. Court Appointed Advocates from \$1000 to 0, o. Voices Against Violence from \$550 to 0 and the total of Article 9 from \$132,636 to \$128,511

**Moved by:** Sheila Foote

**Second:** Robert Giuda

**Discussion:** Donation money being kept locally, selectmen submit to the voters all donation requests if the organization submits required report and documentation to the selectmen.

**Disposition of Amendment:** Passed

**Amendment:** To decrease c. WW Ambulance Services by \$2,000 from \$105,000 to \$103,000 and the total of Article 9 from \$128,511 to \$126,511.

**Moved by:** Victoria Saucier

**Second:** Charles Chandler

**Discussion:** Reduction of \$2,000 will be offset and donated directly back to the organization by Appleknockers.

**Disposition of Amendment:** Passed

**Discussion:** None

**Disposition of Amended Article:** Passed

## Article 10 Welfare

To see if the Town will vote to raise and appropriate the sum of three thousand five hundred and one dollars (\$3,501) for the following:

### WELFARE

a. Direct Assistance	1
b. Vendor Payments	3,500

**Moved by:** Donald Bagley Sr

**Second:** Charles Chandler

**Discussion:** None

**Disposition of Article:** Passed

**Article 11 Culture and Recreation**

To see if the Town will vote to raise and appropriate the sum of ~~five thousand five hundred ninety-eight dollars (\$5,598)~~ fifty-three thousand five hundred ninety-eight dollars (\$53,598) for the following.

**CULTURE AND RECREATION**

a. Parks and Recreation	5,200
b. Library	39,548
c. Patriotic Purposes: Old Home Days	9,200 8,200
d. Flags	650

**Moved by:** Charles Chandler

**Second:** Arthur Heath

**Amendment:** To reduce line item c. Patriotic Purposes: Old Home Days by \$1,000 from \$9,200 to \$8,200 and total of Article 11 from \$54,598 to \$53,598.

**Moved by:** Victoria Saucier

**Second:** Charles Chandler

**Discussion:** Reduction of \$1,000 will be offset and donated directly back to the organization by Appleknockers.

**Disposition of Amendment:** Passed

**Amendment:** To appropriate \$650 (line item c-1) for Art Supplies/Materials to distribute for patriotic projects. (i.e. school, library, etc)

**Moved by:** Justin Monninger

**Second:** Charles Chandler

**Discussion:** What Patriotic Purposes money is currently being spent on, Distribution of flags within the town, including flags on veteran's grave stones.

**Disposition of Amendment:** Failed

**Discussion:** None

**Disposition of Amended Article:** Passed

**Article 12 Conservation/Debt Service**

To see if the Town will vote to raise and appropriate the sum of fifteen thousand nine hundred and forty-seven dollars (\$15,947) for the following:

**CONSERVATION**

a. Care of Trees 1

**DEBT SERVICE**

i. Principal - Bonds & Notes	15,622
ii. Interest - Bonds & Notes	322
iii. Interest on TAN	1
iv. Other Debt Service	1

**Moved by:** Charles Chandler

**Second:** Norman Roulx

**Discussion:** None

**Disposition of Article:** Passed

#### **Article 13 ETF/CRF Appropriations**

To see if the Town will vote to raise and appropriate the sum of seventy-six thousand nine hundred dollars (\$76,900) to be placed into the following funds. The Selectmen recommend this article by a vote of 3 to 0.

a. Fire Truck CRF	5,000
b. Highway Building Fund CRF	15,000
c. Highway Equipment CRF	5,000
d. Police Cruiser CRF	5,000
e. Missile CRF	200
f. Bridges CRF	2,500
g. Town Hall CRF	2,000
h. Paving Fund ETF	25,000
i. Major Road Projects ETF	1,000
j. Fire Department/Pub Safety CRF	15,000
k. Dam Maintenance ETF	1,000
L. Veteran's Memorial ETF	200

**Moved by:** Charles Chandler

**Second:** Arthur Heath

**Discussion:** Description of \$1000 appropriated for Dam Maintenance

**Disposition of Article:** Passed

#### **Article 14 Brush Hog Mower Purchase**

To see if the town will vote to raise and appropriate the sum of two thousand five hundred dollars (\$2,500) for the purchase of a walk behind brush hog.

**Moved by:** Charles Chandler

**Second:** Donald Bagley Sr

**Discussion:** Amount of brush hogging being done in town, rental vs buying options

**Disposition of Article:** Passed

#### **Article 15 Start Common Irrigation Project**

To see if the town will vote to raise and appropriate the sum of two thousand five hundred dollars (\$2,500) for the purpose of beginning the irrigation project for the

Town Common.

**Moved by:** Charles Chandler

**Second:** Donald Bagley Sr

**Discussion:** Water from the contaminated S.Main Street Water District well will be used.

**Disposition of Article:** Passed

#### **Article 16 Fire Department Fund Deposit**

To see if the Town will vote to raise and appropriate the sum of ~~one thousand eight hundred and forty four (\$1,844)~~ seven thousand one hundred seventy dollars (\$7,170) to be added to the Fire Department Expendable Trust Fund with said funds to come from unassigned fund balance as of December 31, 2022, with no funds to be raised from taxation. This amount represents a portion of the surplus of the Fire Department 2022 budget. The Selectmen recommend this article by a vote of 3 to 0.

**Moved by:** Arthur Heath

**Second:** Charles Chandler

**Amendment:** To see if the Town will vote to raise and appropriate the sum of seven thousand one hundred seventy dollars (\$7,170) to be added to the Fire Department Expendable Trust Fund with said funds to come from unassigned fund balance as of December 31, 2022, with no funds to be raised from taxation. This amount represents a portion of the surplus of the Fire Department 2022 budget.

**Moved by:** Arthur Heath

**Second:** Charles Chandler

**Discussion:** Additional money that was not spent by the Fire Department last year from Article 25 added to Article 16.

**Disposition of Amendment:** Passed

**Discussion:** None

**Disposition of Amended Article:** Passed

Motion Made to Change the Order of Articles and Vote on Article 25 before returning to Article 18.

**Moved by:** Charles Chandler

**Seconded by:** Donald Bagley

**Disposition of Motion:** Passed

#### **Article 17 Emergency Management Fund Deposit**

To see if the town will vote to raise and appropriate the sum of three thousand (\$3000) to be added to the Emergency Management Expendable Trust Fund with said funds to come from unassigned fund balance as of December 31, 2022, with no funds to be raised from taxation. This amount represents a portion of the surplus of the Emergency Management 2022 budget. The Selectmen recommend this article by a vote of 3 to 0.



**Moved by:** Charles Chandler

**Second:** Arthur Heath

**Discussion:** None

**Disposition of Article:** Passed

**Article 18 Cemetery Fund Deposit**

To see if the Town will vote to raise and appropriate the sum of three thousand five hundred seventy-three dollars (\$3,573) to be added to the Cemetery Expendable Trust Fund with said funds to come from unassigned fund balance as of December 31, 2022, with no funds to be raised from taxation. This amount represents a portion of the surplus of the Cemetery 2022 budget. The Selectmen recommend this article by a vote of 3 to 0.

**Moved by:** Donald Bagley Sr

**Second:** Arthur Heath

**Discussion:** None

**Disposition of Article:** Passed

**Article 19 To Pave Batchelder Brook Road**

To see if the town will vote to raise and appropriate the sum of twenty-six thousand dollars (\$26,000) for the purpose of paving a 1" overlay on Batchelder Brook Road.

**Moved by:** Charles Chandler

**Second:** Donald Bagley Sr

**Discussion:** None

**Disposition of Article:** Passed

**Article 20 To Pave Pine Hill Road**

To see if the town will vote to raise and appropriate the sum of eighty-six thousand dollars (\$86,000) for the purpose of paving a 1" overlay on Pine Hill Road. to be applied to the Major Road Projects Non-Capital Reserve Fund.

**Moved by:** Charles Chandler

**Second:** Bryan Flagg

**Amendment:** To see if the town will vote to raise and appropriate the sum of eighty-six thousand dollars (\$86,000) to be applied to the Major Road Projects Non-Capital Reserve Fund.

**Moved by:** Robert Giuda

**Second:** Charles Chandler

**Discussion:** Money can then be deposited into the Non-Capital Reserve fund and used if the Pine Hill project isn't finished this year or as needed by other road projects.

**Disposition of Amendment:** Passed

**Discussion:** None

**Disposition of Amended Article:** Passed

#### **Article 21 Engage Professional Grant Writing Services**

To see if the town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) for the purpose of engaging professionals to assist the Town project development, grant writing, project management, and grant management with said funds to come from the Community Development Expendable Trust Fund. No funds to come from taxation. The Selectmen recommend this article by a vote of 3 to 0.

**Moved by:** Charles Chandler

**Second:** Arthur Heath

**Discussion:** There was no success in finding a grant writer last year and money raised last year was not used.

**Amendment:** Any funds paid by the grant to the grant writer will be reimbursed to the town up to the amount paid by the town to the grant writing entity

**Moved by:** Robert Giuda

**Second:** Charles Chandler

**Discussion:** None

**Disposition of Amendment:** Failed

**Discussion:** None

**Disposition of Article:** Passed

#### **Article 22 Creation of Town Webpage**

To see if the town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) for the purpose of creating a new Town webpage with said funds to come from the Community Development Expendable Trust Fund. No funds to come from taxation. The Selectmen recommend this article by a vote of 3 to 0.

**Moved by:** Donald Bagley Sr

**Second:** Arthur Heath

**Discussion:** Update appearance of current website and ability to offer town requests/services through direct website links.

**Disposition of Article:** Passed

#### **Article 23 Town Hall Deck Replacement**

To see if the town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) for the purpose of replacing the Town Hall deck.

**Moved by:** Charles Chandler

**Second:** Sheila Foote

**Discussion:** None

**Disposition of Article:** Passed

#### **Article 24 Pump Repair Engine #2**

To see if the town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) for the purpose of repairing the pump on Engine #2.

**Moved by:** Charles Chandler

**Second:** Bryan Flagg

**Amendment:** To see if the town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) for the purpose of repairing the pump on Engine #2 with any additional costs to come from Fire Department Expendable Trust Fund.

**Moved by:** Robert Giuda

**Second:** Charles Chandler

**Discussion:** Explanation of the problems with the pump, pump will be replaced if cost of a rebuild is more than a new pump.

**Disposition of Amendment:** Passed

**Discussion:** None

**Disposition of Amended Article:** Passed

#### **Article 25 Purchase of Fire Department Equipment**

To see if the town will vote to raise and appropriate the sum of five thousand three hundred twenty-six dollars (\$5,326) for the purpose of purchasing fire department equipment with said funds to come from unassigned fund balance as of December 31, 2022, with no funds to be raised from taxation. This amount represents a portion of the surplus of the Fire Department 2022 budget. The Selectmen recommend this article by a vote of 3 to 0.

**Moved by:** Charles Chandler

**Second:** Donald Bagley

**Move to Table Article:** Charles Chandler

**Second:** Donald Bagley

**Disposition to Table Article:** Passed

**Return to Article 17**

**Article 26 Complete Town Hall Floor Refinishing**

To see if the town will vote to raise and appropriate the sum of four thousand five hundred dollars (\$4,500) for the purpose of completing the Town Hall floor refinishing project.

**Moved by:** Charles Chandler

**Second:** Sheila Foote

**Discussion:** Completion of the project will be applying an additional coat to the main floor and refinishing the stage and foyer.

**Disposition of Article:** Passed

**Article 27 Re-Adoption of All Veterans Tax Credit**

Shall the town readopt the ALL VETERANS TAX CREDIT in accordance with RSA 72:28-b, for an annual tax credit on residential property which shall be equal to the same amount as the standard or optional veterans tax credit voted by the town under RSA 72:28

**Moved by:** Charles Sackett

**Second:** Charles Chandler

**Discussion:** None

**Disposition of Article:** Passed

**Article 28 Re-Adoption of Optional Veterans Tax Credit**

Shall the town readopt the OPTIONAL VETERANS TAX CREDIT in accordance with RSA 72:28, II, for an annual tax credit on residential property of \$500?

**Moved by:** Donald Bagley Sr

**Second:** Charles Sackett

**Discussion:** None

**Disposition of Article:** Passed

**Article 29 Modify Warren's Elderly Exemption**

Shall the town modify the provisions of RSA 72:39-a for elderly exemption from property tax in the Town of Warren, based on assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years, \$15,000; for a person 75 years of age up to 80 years, \$20,000; for a person 80 years of age or older \$25,000. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$25,000 or, if married, a combined net income of less than

\$45,000; and own net assets not in excess of \$50,000 excluding the value of the person's residence.

**Moved by:** Charles Chandler

**Second:** Donald Bagley Sr

**Discussion:** None

**Disposition of Article:** Passed

### **Article 30 Week's Crossing Dam Acquisition**

To see if the Town will vote to authorize the Board of Selectmen to accept the transfer of ownership from the State of NH, Department of Environmental Services, to the Town, the dam known as the "Weeks Crossing Dam," which was rebuilt by the State in 2021, at the outlet of Weeks Crossing Pond, located on the northeastern side of Gould Hill Road, including all easements, flowage rights, and associated rights and appurtenances as necessary to operate and maintain the dam.

**Moved by:** Charles Chandler

**Second:** Robert Giuda

**Discussion:** Weeks Crossing Pond is used as an emergency water supply by Fire Departments. There is a "v" shaped crack apparent in the dam, the state was in Warren to view the dam two months ago and did not note anything that needed attention or repair.

**Disposition of Article:** Passed

### **Article 31 Conduct any other business**

To transact any other business that may legally come before said meeting.

**Moved by:** Donald Bagley

**Second:** Charles Chandler

**Discussion:** Appleknockers was thanked profusely for donations made to various organizations to reduce the tax burden. Moderator Romano was applauded for an outstanding job in her first year as moderator. Austin Albro was recognized for doing a thorough job in all his tasks as administrator and for going above and beyond to assist the town.

**Motion to Adjourn** made at 1:35pm

**Moved by:** Donald Bagley

**Second:** Charles Chandler

All in Favor

Respectfully Submitted

A handwritten signature in cursive script that reads "Suzanne Flagg". The signature is written in black ink and is positioned above the printed name.

Suzanne Flagg  
Warren Town Clerk

January 3, 2023

Stephanie N. Verdile  
NH Office of Planning and Development  
100 N. Main Street, Suite 100  
Concord, NH 03301

Re: State Owned Land, Surplus Land Review, Warren, NH  
2023 SLR 002 (DHR# 14518)

Dear Ms. Verdile:

In accordance with RSA 227C-9, the Division of Historical Resources (DHR) has been asked to comment on the parcel of state-owned land referenced above.

The project involves a state-owned dam impounding an 8-acre pond in Warren, NH. The property will continue its current use. The dam will become a town-owned dam, and its impoundment will continue to provide the public benefits as a water supply for fire protection and as a wildlife management and recreation resource for fishing, boating and swimming.

The DHR does not object to the proposed transfer of the current Department of Environmental Services-owned property.

Please note that the DHR requires 30 days' notice to review projects under our jurisdiction. Should you have any questions regarding these comments, please feel free to contact me at 271-6628.

Sincerely,

*Nadine Miller*

Nadine Miller  
Deputy State Historic Preservation Officer

**From:** [Marks, Nisa M](#)  
**To:** [Verdile, Stephanie](#)  
**Cc:** [Sales, Tracie](#); [Michele L. Tremblay](#)  
**Subject:** RE: State of NH SLR CORD Application  
**Date:** Thursday, January 19, 2023 3:59:15 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Hello Stephanie,

On behalf of the Rivers Management Advisory Committee (RMAC), thank you for the opportunity to comment on 2023 SLR 002 in Warren, the proposed transfer of the Weeks Crossing Dam and associated abutting easements to the town.

At the January 18, 2023 meeting, the RMAC voted to support the transfer of this property to town ownership, provided that no conditions are placed in the deed that would require the town to maintain the dam in perpetuity or that would preclude the town from choosing to remove the dam in the future.

Thank you for the opportunity to provide comments. Please contact me if you have any questions about this response.

Sincerely,

Nisa Marks  
(she/her)

Watershed Coordinator  
Rivers and Lakes Management and Protection Programs  
NH Department of Environmental Services  
29 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095  
(603) 271-8811  
[nisa.m.marks@des.nh.gov](mailto:nisa.m.marks@des.nh.gov)



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**From:** Verdile, Stephanie <[Stephanie.N.Verdile@livefree.nh.gov](mailto:Stephanie.N.Verdile@livefree.nh.gov)>  
**Sent:** Friday, December 16, 2022 1:59 PM  
**To:** Marks, Nisa M <[nisa.m.marks@des.nh.gov](mailto:nisa.m.marks@des.nh.gov)>  
**Subject:** State of NH SLR CORD Application

Good afternoon Nisa,

The attached proposal will be on the agenda for the January 13, 2023, CORD meeting, we encourage you to review the information and invite you to provide comments on the proposal.



You may also attend the meeting on January 12, 2023, from 3PM-4PM. These meetings are open to the public, are in person, and will be held at 100 North Main Street, Concord, NH 03301.

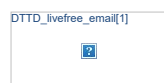
If you have specific questions about the application, please reach out to the Application Contact person, Patrick Bell, LLS, NHDES by phone 603-271-1960 or email [Patrick.bell@des.nh.gov](mailto:Patrick.bell@des.nh.gov)

If you have questions about the meeting, please feel free to reach out to me.

Thank you.

Merry Christmas!

Stephanie N. Verdile  
Principal Planner  
Department of Business and Economic Affairs  
Office of Planning and Development  
State of New Hampshire  
Phone (603) 271-1765  
[Stephanie.N.Verdile@livefree.nh.gov](mailto:Stephanie.N.Verdile@livefree.nh.gov)  
[nheconomy.com](http://nheconomy.com) // [choosenh.com](http://choosenh.com) // [visitnh.gov](http://visitnh.gov)



## **VI. OTHER BUSINESS**

**A. Board on Geographic Name (BGN)- Ken  
Gallager, Principal Planner, Office of Planning  
and Development (OPD). BGN presentation  
and discussion regarding two name change  
requests for Mt. Washington and the Baker  
River.**

## DOMESTIC NAMES DECISIONS

Domestic geographic name problems and proposals submitted to the Board are researched individually by the support staff for the Domestic Names Committee for all factors that may affect the decision process and are put onto a docket list. The Domestic Names Committee has identified several factors to be considered, along with its principles, policies, and procedures, when deciding on name problems and proposals. These factors and their definitions are listed here alphabetically:

### **Established Usage**

A geographic name that has appeared consistently in written usage and (or) has been expressed consistently in verbal usage, and that is supported by historical and (or) current written materials and (or) in folklore.

### **Historical Usage**

A geographic name given and used during the early history of a place or feature; the name may be either obsolete or in current use.

### **Legal Usage**

A geographic name that appears in a document generated as part of a legal procedure established by a government body; the document may either (1) establish the name, or (2) apply it incidentally in order to identify or locate an area, site, or feature important to the principal purpose of the document. This category includes "legislated usage," which, because of its importance to the naming process, is given special recognition.

### **Legislated Usage**

A geographic name established by a legislative body--local, tribal, State, or Federal.

### **Local Usage**

A geographic name commonly and currently used for an entity, whether in verbal and (or) written form by persons having frequent enough contact with the entity to use the name on a regular basis.

### **Unnamed Feature**

A geographic entity that is not known to have had a verbal or written name.

### **Verbal Usage**

A name used by people when referring to a place, feature, or area in their own language as spoken every day.

### **Written Usage**

A geographic name in handwritten or printed form; for example, handwritten letters, diaries, and logs or names printed in newspapers or on maps or recorded in official, digital records.

Each docket list is sent to cooperating Federal, State, and tribal agencies and to interested

organizations and individuals about 3 months before the Domestic Names Committee meeting at which the list is to be considered.

Reviewing the merits of each case, the Committee decides between conflicting names and approves or disapproves proposed names for unnamed features and name changes. Each decision is guided by existing principles and policies and by factors involving established, historical, legal, legislated, written, and verbal usage (see factors and definitions).

Some actions are temporarily deferred to allow more time for State and local response or to obtain more information useful for making a decision. A record of the decisions at each monthly meeting is submitted to the Secretary of the Interior for review and concurrence. Name decisions of the Domestic Names Committee are decisions of the U.S. Board on Geographic Names and are entered into the National Geographic Names Database and published in decision lists.

## SPELLING OF GEOGRAPHIC NAMES

The Board's decisions establish standard spellings of geographic names for use by the Federal Government. When determining the spelling of names in the United States, the Board recognizes that geographic names, like other proper names, are not necessarily subject to the spelling rules that apply to other words in the English language. Although these standard spellings generally conform to rules of English, they may reflect historical spellings or forms commonly used or preferred by local citizens and may therefore include what appear to be grammatically incorrect, misspelled, improperly combined, or clipped words.

## Chapter 2

### DOMESTIC GEOGRAPHIC NAMES PRINCIPLES

#### INTRODUCTION

Public Law 80-242 (1947) instructs the U.S. Board on Geographic Names, subject to the approval of the Secretary of the Interior, to formulate principles, policies, and procedures with reference to both domestic and foreign geographic names and to decide the standard names, their orthographies, and applications for official use. The following domestic geographic names principles reflect the underlying philosophy and primary guidelines used in national standardization since 1890. The Committee and the Board are guided by these principles when establishing policies and procedures and making decisions on domestic names.

#### Principle I:

Use of the Roman Alphabet--Official domestic geographic names are written in the Roman alphabet as normally used for writing the English language. Diacritical marks, however, may be added to names as specified in Policy VI: Use of Diacritical Marks.

#### Principle II:

Names in Local Usage--The underlying principle of the U.S. Board on Geographic Names for establishing official geographic names and their applications is recognition of present-day local usage or preferences. Exceptions occur when local spoken or written usage is in conflict with specific Board policy. In cases where local usage is conflicting or weak, well-established documented names and names with historical significance are given strong consideration (see Domestic Names Decisions).

#### Principle III:

Names Established by Act of Congress or Executive Order--Geographic names and their applications specifically established by an act of Congress or Executive order are official by law. This does not apply to geographic names used incidentally in language of an act of Congress intended for other purposes, unless the language clearly indicates that naming is part of the intent of the act.

Names established by an act of Congress or by Executive order may include any of the entities specified in Note 1 at the end of this chapter. If not named by act of Congress or Executive order, such entities generally are named by the administering agency under the authority of an act of Congress (see Principle IV).

#### Principle IV:

Names Established by Other Authorities--Certain categories of names only rarely are the subject of decisions by the Board, generally because they fall within the purview of other authorities. These are specified in Note 2 at the end of this chapter. The Board may, however, decide to rule on such names if necessary to settle conflicts between different agencies. Independent of whether decisions are rendered, the Board may include such names in lists it issues from time to time, as part of its responsibility to promulgate standard names for U.S. Government use. (See Sec. 5 of Public Law 80-242 in Appendix A.)

#### Principle V:

One Name for One Geographic Entity--The U.S. Board on Geographic Names identifies one name, spelling, and application as official for a geographic entity in the United States and its territories and outlying areas. For certain entities a shortened version of the official name may also be used in Federal publications (example: State of Wisconsin and Wisconsin; City of Atlanta and Atlanta).

### END NOTES FOR CHAPTER 2

#### NOTE 1 (See Principle III)

National Fish Hatcheries (Interior/Fish and Wildlife Service)  
National Forests (Agriculture/Forest Service)  
National Game Ranges (Interior/Fish and Wildlife Service)

National Grasslands (Agriculture/Forest Service)  
National Historic Landmarks (Interior/National Park Service)  
National Historic Sites (Interior/National Park Service)  
National Marine Sanctuaries (Commerce/National Oceanic and Atmospheric Administration)  
National Monuments (Interior/National Park Service)  
National Parks (Interior/National Park Service)  
National Recreation Areas (Agriculture/Forest Service and Interior/National Park Service)  
National Recreation Trails (Agriculture/Forest Service and Interior/National Park Service)  
National Scenic Trails (Agriculture/Forest Service and Interior/National Park Service)  
National Seashores (Interior/National Park Service)  
National Wild and Scenic Rivers (Agriculture/Forest Service and Interior/National Park Service)  
National Wildlife Refuges (Interior/Fish and Wildlife Service)  
Wilderness Areas (Interior or Agriculture)

The names of some reservoirs also have been established by Congress.

NOTE 2 (See Principle IV)

The following categories of names generally are not the subject of decisions by the Board:

Facilities, offices, establishments, and bounded areas of administration of Federal agencies--Examples are Forest Service stations and ranger districts (Department of Agriculture, Forest Service); military bases and reservations (Department of Defense); Coast Guard lighthouses and lifesaving stations (Department of Transportation); and post offices (U.S. Postal Service). However, the names adopted by these agencies apply to the facilities themselves, but not necessarily to similar names of adjacent communities or geographic features. Such names may be the subject of Board decisions.

Facilities, offices, establishments, and bounded areas of administration of State and local governments--Examples are regional forest preserves, State parks, municipal buildings and parks, municipal airports, and public schools.

Indian reservations--Names of these generally are specified in an act of Congress, a treaty, or an Executive order.

Administrative geographic subdivisions (counties, cities, townships, and similar legally incorporated units)--These entities are created under State law, which typically prescribes procedures for establishing their names. Included are entities that generally have local self-government such as cities, towns, townships, boroughs, villages, and plantations (in Maine); districts, precincts, and similar entities established as administrative subdivisions of larger units; wards of cities; and municipios, barrios, and similar entities in Puerto Rico and the outlying areas. The Board frequently promulgates current information on such names but renders decisions only in rare instances of conflict or ambiguity between established sources.

Local transportation, communication, navigational, and water-management features--Names of

highways, streets, bridges, ferries, tunnels, airports, radio and television towers, buoys, artificial fishing reefs, dams, ditches, and canals that are constructed or administered by a government or quasi-government agency generally are named by the appropriate office. Only if a conflict arises does the Board become involved.

Structures and other manmade features on private property--Examples are shopping malls, resorts, mines, oil rigs, churches, cemeteries, and stations, stops, and sidings of railroads and other public transit facilities. As in the case of post offices, a railroad station name does not automatically apply to the adjacent community, whose name may be the subject of a Board decision. A Board decision also may be called for when several property owners are involved or when a feature is no longer active (for example, an abandoned mine) if the correct name is in doubt.

### Chapter 3

#### DOMESTIC GEOGRAPHIC NAMES POLICIES

The U.S. Board on Geographic Names has formulated policies and procedures that deal with particular naming problems or issues. These policies have been developed over the past 100 years to encourage and permit uniformity and objectivity in the decision-making process and to assist in national standardization. Although most proposed geographic name situations and conditions will be addressed by these policies, there may be certain instances in which other factors must be considered to arrive at a suitable decision.

#### POLICY I: NAMES BEING CONSIDERED BY CONGRESS

Geographic names and their applications specifically established by an act of Congress are official by law and, therefore, take precedence over decisions of the Board. Occasionally, a name or name-change proposal submitted to the Board becomes at the same time a matter of proposed legislation before Congress. To prevent confusion by possible conflicting action by the bodies, the Board adheres to the following policy:

#### Policy

The U.S. Board on Geographic Names will not render a decision on a name or its application if the matter is also being considered by the Congress of the United States. If Congress does not act on the proposed legislation by the end of its second session, the Board will not act on the case for 90 days after the beginning of the next session of Congress. If Congress formally declines to act on proposed naming legislation, the Board will wait 90 days before deciding on the case, unless new legislation is introduced during that period.

Approved by:  
Board on Geographic Names  
March 12, 1981

Approved by:

Secretary of the Interior  
April 20, 1981

## POLICY II: NAME CHANGES

Geographic names, as do other categories of proper names, perform an important reference or label function in language. Each name identifies a particular geographic feature, place, or area. This function requires a high degree of stability in the spoken and written forms of names and their applications. Consequently, changes in existing names should not be made without good reason. The U.S. Board on Geographic Names will consider every proposal involving a name change on an individual basis, and the merits of each case will be carefully evaluated.

### Definition

"Name change" means formally changing the proper name of a place, feature, or area in the United States or its territories and outlying areas now recognized by the U.S. Board on Geographic Names as official for use on Federal maps and in other Federal publications. The Board recognizes three classes of name changes:

- a. Those made to bring Federal official usage into agreement with well-established local usage.
- b. Those made to eliminate particular name problems as in cases involving derogatory names, name duplication, and names originally authorized on the basis of incorrect information.
- c. Those made at the request of persons or organizations, public or private, for commemorative or other reasons important to the proposer.

### Policy

#### sec. 1

General: The U.S. Board on Geographic Names does not encourage changes in official geographic names. It will not initiate changes in domestic geographic names except in rare cases such as those involving certain derogatory names and name duplications. All name change proposals are evaluated in cooperation with State geographic names authorities, Federal, State, and tribal agencies, local governments, other authoritative bodies, and the public.

#### sec. 2

Conforming to Local Usage: It is the policy of the Board to follow present-day local usage whenever possible. However, the Board will consider proposals to change official names that do not agree with well-established local usage or its applications. Considerations other than local usage may be overriding in certain individual cases. Factors such as Board policies, document usage, population density, and State, tribal, and local governmental needs are always considered in Board decisions.



sec. 3

Derogatory Names: The Board has a firm policy prohibiting the inclusion of a word in an official geographic name considered by the Board to be derogatory to any racial, ethnic, gender, or religious group (see Policy V: Derogatory Names).

sec. 4

Duplicate Names: Common names are often applied over and over again in the naming process. Where duplication leads to confusion, the Board encourages requests to change names in order to eliminate duplication (see Policy VII: Name Duplication).

Approved by:  
Board on Geographic Names  
March 12, 1981

Approved by:  
Secretary of the Interior  
April 20, 1981

### POLICY III: COMMEMORATIVE NAMES

Naming is a basic human tendency; just as a name helps to create a distinct identity for an individual, a geographic name helps distinguish one place from another. Naming geographic features after individuals is one way that settlers marked the land; one way they signified that their lives on it and their contributions to it were important. Commemorative naming gave them a sense of ownership, assured the continued remembrance of them and their deeds. Naming a river, a mountain, or a valley helped create the familiar, often reminding them of another place, person, or time.

Over the years the role of the Board has changed and grown. In a Nation where numerous individuals are remembered for their accomplishments, the Board follows established principles, policies, and procedures to decide whose name may be applied to a natural feature for U.S. official maps and publications. In some cases, the Board may be able to suggest alternatives to geographic naming that might better commemorate the individual.

#### Policy

sec. 1

The U.S. Board on Geographic Names will consider proposals for assignment of the names or nicknames of deceased persons to geographic features in the United States and areas under the jurisdiction of the United States. The Board will not consider names that commemorate or may be construed to commemorate living persons. In addition, a person must be deceased at least 5 years before a commemorative proposal will be considered.

sec. 2

The person being honored by the naming should have had either some direct and long-term association with the feature or have made a significant contribution to the area or State in which it is located.

sec. 3

A proposal commemorating an individual with an outstanding national or international reputation will be considered even if the person was not directly associated with the geographic feature.

sec. 4

All commemorative name proposals must meet the same basic criteria required of any other name proposal.

#### Guidelines

A proposal to commemorate an individual should contain evidence of local support for the proposed name and its application. Such evidence may be in the form of letters from local residents and administrative agency personnel and (or) petitions containing original signatures of local citizens.

In States with no official State names authority, approval must be obtained from local governing bodies such as the county commissioners or supervisors or the town selectmen. Past decisions by the Board have found "direct association" or "significant contribution" when the person being commemorated was a(n):

- early or long-time settler - 20 or more years
- developer of the designated feature
- restorer or maintainer of the feature
- donor of the land to State or Federal Government
- person who played a large part in protecting the land for public benefit.

A person's death on or at a feature such as in a mountaineering accident or plane crash, or the mere ownership of land or the feature, does not normally meet the "direct association" criterion.

The Board urges careful review of an individual's association with the intended feature, as well as the proposal's consistency with other Board policies, before submitting the proposal.

Approved by:  
Board on Geographic Names  
April 22, 1986

Approved by:  
Secretary of the Interior  
May 27, 1986

## POLICY IV: WILDERNESS AREAS

In the Wilderness Act of 1964 (Public Law 88-577, 78 Stat. 890) Congress established the National Wilderness Preservation System composed of federally owned areas to be administered:

"...for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness... ."

The act characterizes wilderness "as an area where the Earth and its community of life are untrammelled by man [and] where man himself is a visitor who does not remain."

Though wilderness designations are a modern invention, a fundamental characteristic of elemental wilderness is that features are nameless and the cultural overlay of civilization is absent. No wilderness is today totally free of place names and cultural artifacts, but a goal of Federal wilderness area administration is to minimize the impacts and traces of people. Wilderness areas designated by Congress are managed to preserve their unique natural, scenic, educational, scientific, and primitive values.

### Policy

#### sec. 1

Within wilderness areas, the U.S. Board on Geographic Names will not approve proposed names for unnamed features, names in local use but not published on a base series map, or unpublished administrative names used by administering agencies, unless an overriding need exists, such as for purposes of safety, education, or area administration.

#### sec. 2

Name proposals commemorating persons are discouraged and will not be considered unless the criteria in Section 1 and the Commemorative Names Policy are met (see Policy III).

#### sec. 3

All new name proposals involving wilderness areas must meet the same basic criteria required of any other name proposal. These criteria also apply to names in areas being considered for possible designation by Congress as wilderness areas.

### Guidelines

The administering Federal agency will review new name proposals and advise the U.S. Board on Geographic Names of its findings relative to overriding need. Final approval or disapproval will be made by the Board.

Persons wishing to name an unnamed feature in a wilderness area should coordinate their proposal with the Federal agency responsible for the administration of the area.

Approved by:  
Board on Geographic Names  
April 16, 1985

Approved by:  
Secretary of the Interior  
June 21, 1985

#### POLICY V: DEROGATORY NAMES

The guiding principle of the U.S. Board on Geographic Names for the names of places, features, and areas in the United States and its territories is to adopt for official Federal use the names found in present-day local usage. An exception to this principle occurs when a name is shown to be highly offensive or derogatory to a particular racial or ethnic group, gender, or religious group. In such instances, the Board does not approve use of the names for Federal maps, charts, and other publications.

The Board, however, is conservative in this matter and prefers to interfere as little as possible with the use of names in everyday language because attitudes and perceptions of words considered to be pejorative vary between individuals and can change connotation from one generation to another. Geographic names are part of the historical record of the United States, and that record may be either distorted or disrupted by the elimination of names associated with particular groups of Americans. Such unwarranted action by the Board could, in time, be a disservice to the people the process is meant to protect.

#### Policy

In the case of domestic geographic names, the U.S. Board on Geographic Names will not adopt a name for Federal usage that is determined by the Board to be derogatory to a particular racial or ethnic group, gender, or religious group.

#### Guidelines

Any individual or agency may request the Board to change a currently used name on grounds the name is derogatory or patently offensive.

Requests for name changes should be in the form of an application to the Board including reasons why the present name should not be used. The requester must offer an alternative name as

part of the application following Board guidelines for submittal of name proposals.

Upon receipt of a request to change a derogatory name, the Board will investigate the background for the current name and will solicit from the appropriate State names authority that organization's views on the proposed change, including any alternatives.

In considering a change proposal, the Board will give careful consideration to all relevant factors, including the extent and distribution of usage, historical context, user perceptions and intent, and lexical meanings.

The Board will not adopt a name proposal that includes the word "Jap" or the word "Nigger" whether or not it is in current local usage and regardless of by whom proposed. In the event of a name change, the prior form will appear in the permanent record as a variant.

Approved by:  
Board on Geographic Names  
June 23, 1983

Approved by:  
Secretary of the Interior  
July 28, 1983

#### POLICY VI: USE OF DIACRITICAL MARKS

The U.S. Board on Geographic Names has not customarily recognized accent or other diacritical marks as part of the spelling of geographic names in the United States (see Principle I). Such marks are almost never used in English, but they constitute part of the spelling in many other languages, including Spanish and French from which numerous place names in the United States are derived. Most geographic names adopted from non-English languages have been assimilated into English usage and therefore lack the diacritical marks that were included in the original spelling. In some cases, however, especially in the areas of the United States where Spanish or French are still spoken, there are names for which active local usage may indicate that diacritical marks should be included. Diacriticals may be especially important if their omission would result in a significant change in the meaning of the name in the parent language.

In the past, the Board has sanctioned the use of a name form containing diacritical marks in a few exceptional cases.

#### Policy

The presence of diacritical marks will not necessarily bar approval of a geographic name by the U.S. Board on Geographic Names; each such name will be considered on a case-by-case basis. A spelling that includes diacritical marks will be approved if, in the judgment of the Board, there is substantial evidence of active local use, such as official records, maps, and signs, in the area where the feature is located. Names using special marks not normally found in the English language are considered variant names (see Principle I).

Approved by:  
Board on Geographic Names  
April 22, 1986

Approved by:  
Secretary of the Interior  
May 27, 1986

## POLICY VII: NAME DUPLICATION

The role of geographic names in language is to provide unambiguous labels to identify geographic entities. Duplication of names within an area often causes confusion and misunderstanding.

Name duplication, however, is common within a county, State, or Nation because naming is a natural process. Although name duplication within a county or State is undesirable, well-established geographic names should not be changed unless there is strong public support for the change.

### Definition

Name duplication occurs when two or more places or features of the same kind, relatively close to each other, have the same name in local or published usage. Name duplication does not occur when places or features of different kinds have the same name, such as a stream called Long Creek and a village called Longcreek or Long Creek.

### Policy

#### sec. 1

Names proposed for unnamed geographic features that duplicate another name in the State or nearby in an adjoining State will not normally be approved by the U.S. Board on Geographic Names.

#### sec. 2

The Board encourages efforts by State and local governments and local citizens to change or modify one or more duplicate names wherever ambiguity is likely to occur. Such name changes should be coordinated with the Board.

Approved by:  
Board on Geographic Names  
March 12, 1981

Approved by:  
Secretary of the Interior  
April 20, 1981

## POLICY VIII: USE OF VARIANT NAMES

The U.S. Board on Geographic Names was established to bring uniformity to name usage on Federal maps and in Federal documents. From its inception the Board has identified a single official spelling for each domestic geographic entity. For certain names of rivers and political subdivisions, both a long form and a short form are identified and either may be used (for example, City of Chicago or Chicago).

A variant is any current or historical name or spelling for a geographic entity other than its official name. Known variant names and applications are specified in Board decisions. The Board disapproves the independent use of any variant, but a variant may be given in parentheses following the approved name.

### Policy

#### sec. 1

In adopting a domestic geographic name, the U.S. Board on Geographic Names will identify one name, spelling, and application as official for a geographic entity. For names of political and civil divisions, either a long form or a short form may be used.

#### sec. 2

The Board does not allow the use of parentheses in an official name, but a variant in parentheses may be used after the official name if needed for purposes of clarity or reference. The independent use of any name other than the official name is not approved.

### Guidelines

Use of a variant name in parentheses following an official name on a Federal map or chart or in a report is at the discretion of the author and the issuing agency.

On a map or chart, a name in parentheses may appear either following the official name or below it. It should always be clear which name is the official one. The Board does not object to the listing of such variant names in a tabular or dictionary format in order to convey special information such as pronunciation, name origin, or word meaning. A statement explaining the purpose of the table or dictionary and why the names listed vary from official names should be included.

An example of the use of variant names in this manner developed after a national system of scenic, historic, and recreation trails was authorized by Public Law 90-543 on October 2, 1968 (amended November 10, 1978). These national trails may coincide in part with trails having well-established names that differ from the official names fixed by legislation. When this occurs, and there is a need to retain the older established name for reference or identification, it is

recommended that the older name be shown in parentheses after the official name. Example: "Pacific Crest National Scenic Trail (John Muir Trail)."

Possible reasons for use of variant names include the following:

- a. To show an alternative name in current or recent local use.
- b. To show a former name that has been changed.
- c. To show a foreign name for a feature crossing an international boundary.
- d. To show a local name that applies only to part of a feature.

Approved by:  
Board on Geographic Names  
February 9, 1984

Approved by:  
Secretary of the Interior  
March 23, 1984

## POLICY IX: LONG NAMES

Almost since its inception, the U.S. Board on Geographic Names has expressed a preference against long and clumsily constructed domestic geographic names. Although the Board does not specifically define what constitutes an unacceptably long name, if the length of a name is such that it is difficult or cumbersome to use in written or spoken form, then such a name generally will not be approved by the Board.

This statement deals with three specific categories of long names, as follows:

A. Legislated names for reservoirs, dams, and other features, assigned to commemorate some individual and typically using his or her full name. These are termed "legislated feature names." Examples include Richard B. Russell Dam and Lake (Georgia) and Bob Marshall Wilderness Area (Montana). If such names are assigned by an act of Congress, they are not subject to modification by the Board on Geographic Names.

b. Names adopted to commemorate an individual, using more than the surname so as to make the referent person unmistakable. These names are distinguishable from category "a" because their motive is to avoid ambiguity. They are termed "full commemorative names." Examples include Walter E. Long Lake (Texas), Claude Birdseye Point (Arizona), and George R. Stewart Peak (California).

c. Names of stream forks or branches that might be regarded as incomplete without including the names of their main streams. These are termed "long stream names." Examples include East Fork North Fork North Fork American River and North Fork of Middle Fork American River.



## Policy

### sec. 1

For names of domestic geographic features established by a legislative body other than Congress, the Board on Geographic Names will follow its general policy relative to the use of personal names. Under that policy, the full name of a person as the specific part of a geographic name normally is not approved.

### sec. 2

This policy also applies to proposals to use an individual's full name to emphasize the commemorative intent of the name. Exceptions are occasionally made by the Board when a person's full name, or parts of a full name, are short and euphonious or where the surname used alone would be ambiguous.

### sec. 3

Names of tributaries will be approved by the Board as official names without reference to their parent stream, provided they are unambiguous and meet the Board's other guidelines for approving a name. If a tributary name is deemed to be ambiguous without the name of its parent stream, the Board will consider (1) extending the name of the parent stream to the tributary or (2) requesting an alternative proposal. If neither of these alternatives is possible, the Board will consider including the name of the parent stream in the approved name of the tributary.

## Guidelines

In reviewing legislated geographic feature names, the Board will consider adopting the full legislated name with selective underscoring to specify the surname portion (for example, John H. McClintick Dam).

Proposals for adoption of full commemorative names are considered individually as part of the overall review of the appropriateness of the names. If the full name is approved to avoid ambiguity, selective underscoring will not be adopted to permit use of the surname portion of the name alone.

If a stream name is approved that includes the name of the parent stream, only the full approved name may be used, not a shortened form that omits the parent stream name.

Approved by:  
Board on Geographic Names  
April 22, 1986

Approved by:  
Secretary of the Interior  
May 27, 1986

## POLICY X: NAMES OF NATIVE AMERICAN ORIGIN

Geographic names derived from the languages of Native Americans are an important and integral part of the cultural heritage of the United States. As part of its standard review procedure for proposed names, the Board will consult with federally recognized tribes having an historic or cultural affiliation with the geographic location of the feature. In addition, the Board may consult with such other organized Native American entities as it finds may have an interest in the feature being proposed for naming. The following policy clarifies the Board's position concerning the official use of names derived from Native American languages used in the United States and its territories and outlying areas.

### Policy

#### sec. 1

Official Use of Geographic Names Derived From Native American Languages: The U.S. Board on Geographic Names supports and promotes the official use of geographic names derived from Native American languages. To this end, the expert documentation of these names in current use is encouraged. The final selection, spelling, and application of the names for official use on Federal maps and other publications are based on policies and orthographic guidelines established by the Board.

#### sec. 2

Changing Established Geographic Names Derived From Native American Languages: The U.S. Board on Geographic Names generally will not consider proposals changing the spellings and (or) applications of long-published, well-established geographic names of Native American origin in order to conform to current standards of spelling correctness and (or) name referent accuracy.

#### sec. 3

Changing Established Geographic Names Derived From Non-Native Languages Within Areas of Native American Tribal Jurisdiction.

a. Proposals to change widely known, long-published geographic names derived from non-Native American languages for major (primary) features within, or partly within, areas of Native American tribal jurisdiction rarely will be considered by the U.S. Board on Geographic Names unless such changes have extensive public support and are approved by appropriate State and tribal authorities.

b. Proposals to change published names derived from non-Native American languages in order to conform with local usage for other than major (primary) features within, or partly within, areas of Native American tribal jurisdiction will be considered by the U.S. Board on Geographic Names. Decisions affecting such name changes will be made in cooperation with tribal and State

authorities.

sec. 4

Proposing Geographic Names for Unnamed Features Within Areas of Native American Tribal Jurisdiction. Proposals to name unnamed natural features (that is, features for which there are no published or local names in current use) within, or partly within, areas of Native American tribal jurisdiction must conform to established Board guidelines for such naming and be supported by the tribal government before being considered for approval by the U.S. Board on Geographic Names.

sec. 5

Geographic Names of Native American Language Origin in Local Use Outside Areas of Tribal Jurisdiction. Unpublished geographic names used by Native Americans for places and features outside areas of tribal jurisdiction will be given appropriate consideration with similar unpublished non-Native American names for the same places and features. The U.S. Board on Geographic Names, in each case, will decide on a name for official use according to routine decision criteria.

sec. 6

Proposing Geographic Names Derived From Native American Languages for Unnamed Features Outside Areas of Tribal Jurisdiction. Proposals to apply names derived from Native American languages to unnamed features (that is, without published or local names in current use) outside areas of tribal jurisdiction will be considered for approval by the U.S. Board on Geographic Names. Proposals of this kind:

- a. Must meet the requirements outlined in the Board's guidelines for proposing names for unnamed features.
- b. Should be linguistically appropriate to the area in which each is to be applied (that is, in each case, the language from which the name is derived is, or once was, spoken in the area by a relatively permanent population).
- c. Must conform to the Board's orthographic guidelines for the writing of Native American geographic names.

sec. 7

Generic Terms Recommended for Geographic Names Derived From Native American Languages. The U.S. Board on Geographic Names recommends the use of generic terms with names derived from Native American languages that are easily understood by the general public and are common to the areas in which the names are applied. This policy applies even though the Native American names may already contain generic elements.

Approved by:  
Board on Geographic Names  
April 18, 1996

Approved by:  
Secretary of the Interior  
August 15, 1996

# GEOGRAPHIC NAMES PROCESS

**Update: 2023**

**Ken Gallager**

**Office of Planning and Development**

NH State Names Authority, April 2023



New Hampshire Department of  
BUSINESS AND  
ECONOMIC AFFAIRS

# U.S. Board on Geographic Names

- Within the U.S. Department of the Interior
- Created in 1890
- Establishes and maintains uniform usage of geographic names throughout the US
- Approves names as shown on federal maps; names stored in Geographic Names Information System (GNIS)

# Naming Proposals

- Submitted to BGN
- Can be submitted by anyone
- [Online form](#)
- BGN contacts local authorities for their opinions
- **CORD is the State contact**
- Other authorities: selectboards, city councils, county government, federally recognized tribes
- *All opinions are advisory only*

# Naming proposals: Basic principles

- Should not duplicate or be similar to a nearby name
- Commemorative names may not be for someone still living or recently deceased
- No derogatory names
- Naming proponent should be able to demonstrate local support for new name



# NH naming results

28 proposals from 2007 to August 2022

- 18 approved by BGN, 9 not approved, 1 withdrawn
- 3 cases where BGN decision was the opposite of CORD's recommendation
  - 1 BGN approval (Snow Dragon Mountain)
  - 2 BGN disapprovals (Rowbartwood Pond, Moose Antler Falls)
- 2 cases where State position was legislated (Mount Reagan, Lake Wicwas)

## Two current proposals

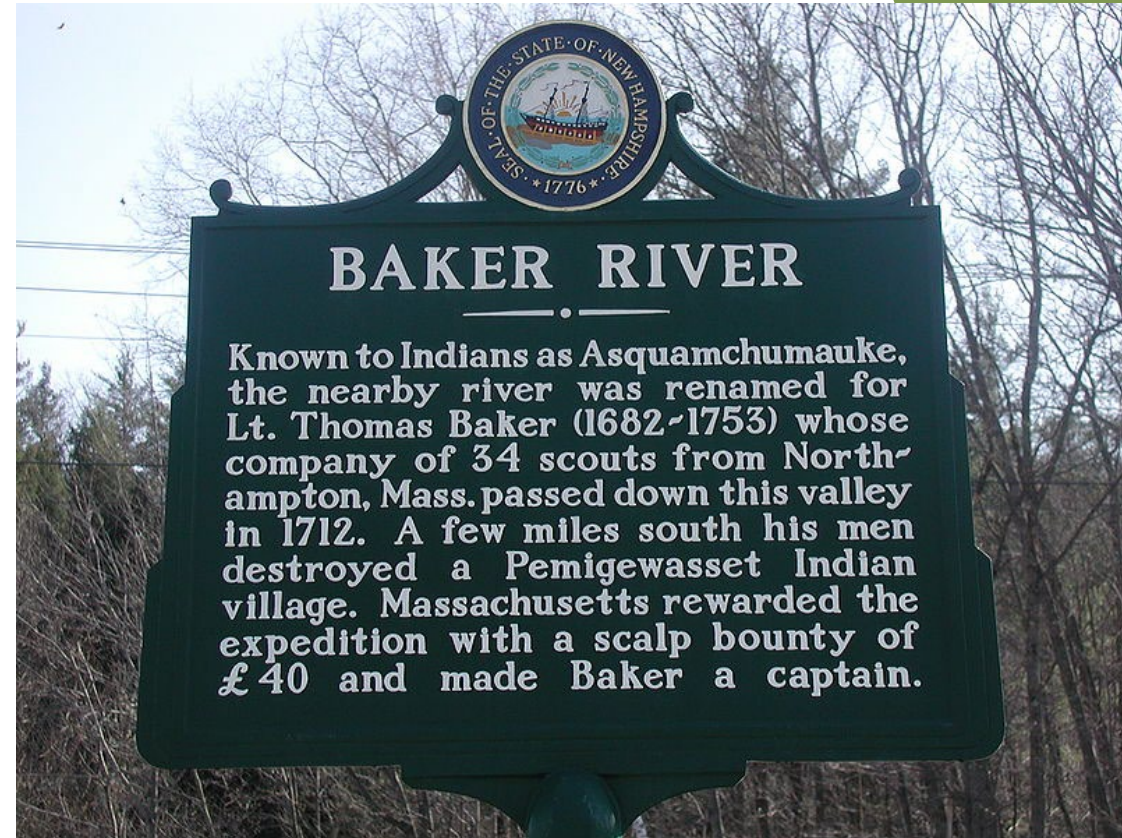
- Agiocochook (Mount Washington)
- Asquamchumauke River (Baker River)
- Both are already alternate names in the federal Geographic Names Information System
- NH Commission on Native American Affairs has voted to write letters of support for both proposals
- Other agencies (USFS, counties, municipalities) will be receiving requests for comment from US BGN this month

# Agiocochook

- Means “Place of the Great Spirit” or “the place of the Concealed One”
- A minor summit on the northeast ridge of the mountain at elevation 5735 ft. was named “Agiocochook Crag” in 2011. CORD supported the name proposal.
- Visit to tourist attractions found two locations (AMC Pinkham Notch and MW Auto Road) where “Agiocochook” is used in interpretive signage.
- Current proposal states, “It is inappropriate to name a geographical feature after a person, especially a white, male member of the ruling class, complicit in slavery and the theft of land from Native Americans.”

# Asquamchumauke

- Means “salmon spawning place”
- Currently named for Lt. Thomas Baker, known for his exploration of the valley and his destruction of a Native village at the river’s junction with the Pemigewasset
- State historic marker which honored Baker was listed as “retired” as of 2022.



Year	NAME	Location	Result	CORD position	Notes
2007	Overlook Island	In Pine River Pond	Approved	Approve	
2007	Snow Dragon Mountain	Meredith	Approved	Disapprove	CORD supported "Lawrence Mtn." instead
2008	Leighton Mountain	Meredith	Approved	Approve	
2010	Mount Abigail Adams	Presidential Range	Approved	Approve	
2011	Agiocochook Crag	Presidential Range	Approved	Approve	
2011	Machia Brook	Pittsburg	Approved	Approve	
2011	Mount Reagan	Presidential Range	Not approved	N/A	NH legislation already supported name change
2012	Carleton Pond	Mont Vernon	Approved	Approve	
2013	Roberts Pond	Gilford	Approved	Approve	
2014	Tuckerman Alpine Meadow Spring	Presidential Range	Not approved	Disapprove	
2014	Washburn Point	Presidential Range	Approved	Approve	
2015	Cochecho River	Strafford Co.	Not approved	Disapprove	
2015	Freese Pond	Pittsfield	Withdrawn	Disapprove	
2015	Rowbartwood Pond	Campton	Not approved	Approve	Town opposition
2015	Spirit Peak	Bartlett	Not approved	Neutral	
2016	Bearon Pond	Warner	Not approved	Disapprove	
2016	Starch Factory Brook	Haverhill	Not approved	Disapprove	
2016	Great Falls	North Walpole	Approved	Approve	
2017	Chapin Hill	Warner	Approved	Approve	
2018	Moose Antler Falls	Franconia	Not approved	Approve	WMNF opposition
2019	Peirce Island	Portsmouth	Approved	Approve	
2019	Lake Wicwas	Meredith	Approved	Concur	NH legislation already supported name change
2020	Pocahontas Cove	Sandwich	Not approved	Disapprove	
2020	Black Fly Brook	Mason	Approved	Approve	Original proposal for "Turtle Brook" also supported
2020	Hodgdon Brook	Portsmouth	Approved	Approve	
2020	Seven places, single proposal	Mason	Approved	Approve	
2021	Tilson Point	Sunapee	Approved	Approve	
2022	Dead Moose Swamp	Mason	Approved	Split	
2023	Agiocochook (for Mount Washington)	replace Mt. Washington			
2023	Asquamchumauke River	replace Baker River			

**From:** [Gallager, Ken](#)  
**To:** [Verdile, Stephanie](#)  
**Subject:** FW: Agiocochook and Asquamchumauke naming proposals  
**Date:** Wednesday, May 3, 2023 11:50:21 AM  
**Attachments:** [image.png](#)  
[image.png](#)

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Hi Stephanie,

Here's the word from Anne Jennison at the Native American Affairs Commission. The letters of support will have to be approved at their next commission meeting, so instead this is simply a written record that they moved at their last meeting to support both name changes.

Ken

**Ken Gallager**  
Principal Planner

Office of Planning and Development  
Department of Business and Economic Affairs  
State of New Hampshire  
P: 603-271-1773



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**From:** NH Commission on Native American Affairs <nhcnativeamericanaffairs@gmail.com>  
**Sent:** Wednesday, May 3, 2023 11:37 AM  
**To:** Gallager, Ken <kenneth.r.gallager@livefree.nh.gov>  
**Cc:** Schweitzer, Kayla <Kayla.M.Schweitzer@dncr.nh.gov>  
**Subject:** Re: Agiocochook and Asquamchumauke naming proposals

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

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Hi Ken-

At the last meeting of the NH Commission on Native American Affairs the decision was made, through a unanimous vote, to support both of the Geographic Name Change proposals (Mount Washington to Agiocochook and the Baker River to Asquamchumauke). However, that included the caveat that I'm supposed to write the letters and bring them to the next Commission meeting for final approval before sending them out.

Unfortunately, our next meeting is not officially scheduled yet due to the challenge entailed in being able to achieve a physical quorum in Concord. In the meantime, though, since Commission's intent to support these changes was voted on in the affirmative and is recorded in our publicly posted minutes, it's my hope that this email will be accepted as a letter of intent in the interim. I can

send you the formal letters once they're approved. Thank you so much for keeping us in the loop!

Warmly,  
Anne

Anne Jennison, Chair. (she/her/hers)  
New Hampshire Commission on Native American Affairs

New Hampshire is located in N'Dakinna (meaning "our homeland"), the traditional homelands of the Pennacook-Abenaki, Wabanaki, and other Indigenous Peoples who have graciously and diligently stewarded these Northeastern lands (aki) and waterways (nebi) for countless generations over more than 12,000 years.

On Tue, May 2, 2023, 8:52 AM Gallagher, Ken <[kenneth.r.gallager@livefree.nh.gov](mailto:kenneth.r.gallager@livefree.nh.gov)> wrote:

Hello!

I wanted to check in regarding the proposals before CORD to rename Mount Washington to Agiocochook and the Baker River to Asquamchumauke. Is there any news that I would be able to report to CORD at their next meeting (Thursday May 11)? If the commission has written the letters of support, if you send them to me before this Thursday (May 4), we can add them to the final set of materials that will be sent out to CORD members.

Thank you, and best wishes,

**Ken Gallagher**  
Principal Planner

Office of Planning and Development  
Department of Business and Economic Affairs  
State of New Hampshire  
P: 603-271-1773

