

New Hampshire Council on Resources and Development

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FINAL Minutes – November 12, 2020

MEMBERS PRESENT (via remote participation)

Jared Chicoine, Chair, Director, NH Office of Strategic Initiatives (with Michael Klass)
Tracy Boisvert, Designee, NH Department of Natural and Cultural Resources (alone)
Tim Drew, Designee, NH Department of Environmental Services (alone)
Shawn Jasper, Commissioner, Department of Agriculture (alone)
John Martin, Designee, NH Department of Health and Human Services (alone)
Stephen McLocklin, Designee, Department of Administrative Services (alone)
Scott Mason, Director, NH Fish and Game Department (alone)

[NOTE: Adam Smith (NH Department of Transportation) was present telephonically at this meeting, but was unable to communicate with the council due to technological issues.]

OTHER PARTICIPANTS

Michael Klass, NH Office of Strategic Initiatives
Steve Walker, NH Office of Strategic Initiatives

I. ROLL CALL AND INTRODUCTIONS

The meeting was opened at 9:32 AM by Chairman Chicoine who began with a right-to-know compliance checklist as this was a virtual meeting. He finished with a roll call for CORD member attendance.

II. MINUTES

A. Approval of September 24, 2020 draft minutes

MOTION: On a motion by Mr. Martin, seconded by Commissioner Jasper, the September 24, 2020 minutes were approved unanimously by the Council (via roll call vote).

III. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

A. Kelsey Notch Trail 3-Year Assessment

Chairman Chicoine reminded members that this is a continuation of a previously discussed item. CORD made findings in 2016 with regard to ATV/UTV use in Nash Stream Forest, including requiring a 3-year assessment of ATV use on the Kelsey Notch Trail, which has now passed. CORD is now tasked with determining whether: additional information is necessary; or if use of ATV/UTV on Kelsey Notch Trail is consistent with RSA 162-C:6; or if use of ATV/UTV on Kelsey Notch Trail is not consistent with RSA 162-C:6 and the trail should cease to be open for AV/UTV use. Chairman Chicoine also noted that CORD met with its attorneys since the last public meeting to address certain legal questions.

Chairman Chicoine referenced the specific language contained in RSA 162-C:6, II and III and said that CORD has received three legal memos to date, including one received the day before (which was a state holiday), disagreeing on what the Kelsey Notch easement allows as pertains to Section II of RSA 162-C:6. Chairman Chicoine suggested members focus discussion on Section III of the statute based on the additional data contained in the three-year assessment.

That said, Chairman Chicoine said that DNCR's annual assessment of the Kelsey Notch Trail was submitted on Tuesday. Mr. Klass also noted that a sizable book with information from a member of the public was also received earlier in the week. In light of the additional information submitted this week, Chairman Chicoine recommended taking the next two months to digest the additional information and deliberate on the issue at the next meeting (tentatively scheduled for January 14, 2021).

Mr. Klass said that he would circulate additional materials received during the past week to members and also post them on the CORD website.

Ms. Boisvert noted that there is an MOU between the DNCR Trails Bureau, DNCR Forest and Lands, and Fish Game, and another MOU between the Trails Bureau and the local ATV club. She noted that the MOUs are three-year agreements and will be expiring at the end of December 2020. She said that these need to be updated going into the new year and recommended that there is an agreement in place going into the new year.

Chairman Chicoine said that seemed like a decision for agencies to make in consultation with their staff and attorneys.

Ms. Boisvert noted that DNCR has committed to updating both agreements.

B. LCIP Annual Report
Steve Walker, Conservation Land Stewardship Program Director

Mr. Steve Walker gave an overview of the LCIP Annual Report. He noted that the report changes little year to year, but that he added context on page 9 with being down a staff person. In general, the program is doing well, but like in past years there are a few properties that required some additional attention.

Mr. Walker summarized the content of the appendices in the annual report. Appendix A includes information on state-held easements. Appendix B includes municipal-held easements and notes how municipalities are doing their monitoring and responding. Mr. Walker noted that the program tries to visit municipal held easements and meet with conservation commission members every 4-6 years. Appendix C & D include LCIP fee-owned properties. Appendix C is prepared by Fish & Game and Appendix D is prepared by DNCR as these state agencies own and manage their own easements. Appendix E discusses the Land Conservation Investment Program Endowment, and Mr. Walker noted that he is still waiting for information that breaks down the LCIP endowment portion from non-LCIP Fish & Game/DNCR portions. Appendix F is a visual on where properties are located and how the Land Conservation Stewardship program is structured.

Mr. Walker noted that after adoption of the report, it will be distributed to various parties including the Governor, Legislature, and State Library.

John Martin asked if additional information in Appendix E is needed to adopt the FY2020 LCIP Annual Report. Mr. Walker said that this additional information was not a requirement of the report. Mr. Chicoine said that he felt that the report could be adopted without this information.

MOTION: Tim Drew moved for CORD to adopt the FY2020 LCIP Annual Report, which was seconded by John Martin. The motion was approved unanimously by the Council (via roll call vote).

IV. OTHER BUSINESS

- A. Next Meeting: Tentatively scheduled for January 14, 2021 at 9:30 AM
- B. Mr. Klass reminded members that he is working on the Smart Growth report and that it would be helpful to have material from all the agencies for the report, which is required under the Council's statute.

MOTION: With business completed, Commissioner Jasper moved to adjourn the meeting, which Director Mason seconded. The motion was approved unanimously by the Council (via roll call vote).

Meeting adjourned at 10:03 A.M.