



New Hampshire Department of  
**BUSINESS AND  
ECONOMIC AFFAIRS**



## **New Hampshire Council on Resources and Development**

### **CORD Meeting**

Date: Thursday, January 20, 2022  
Time: 3:00 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 November 8, 2021 draft minutes
- III. LAND & COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)**
  - A. Request for distribution of Community Conservation Endowment monitoring funds
- IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)**
  - A. Monitoring Update
- V. OTHER BUSINESS**
  - A. Annual Nash Stream Forest Reports



**New Hampshire Council on  
Resources and Development**

**DRAFT MINUTES – November 8, 2021**

**MEMBERS PRESENT**

Taylor Caswell, Chair, Commissioner, NH Department of Business and Economic Affairs  
Shawn Jasper, Commissioner, NH Department of Agriculture, Markets & Foods  
John Martin, Designee, NH Department of Health and Human Services  
Adam Smith, Designee, NH Department of Transportation  
Joseph Bouchard, Designee, NH Department of Administrative Services  
Tracey Boisvert, Designee, NH Department of Natural and Cultural Resources  
Mark Sanborn, Designee, NH Department of Environmental Services

**OTHER PARTICIPANTS**

Michael Klass, NH Department of Business and Economic Affairs Office of Planning and Development  
Noah Hodgetts, NH Department of Business and Economic Affairs Office of Planning and Development  
Steven Walker, NH Conservation Land Stewardship Program (via phone)  
Charlotte Harding, NH Conservation Land Stewardship Program (via phone)  
Betsey McNaughton, NH Fish and Game Department  
Dijit Taylor, NH Land and Community Heritage Investment Program

**I. ROLL CALL AND INTRODUCTIONS**

The meeting was opened at 3:05 P.M. by Chairman Caswell. CORD members and guest then introduced themselves.

**II. MINUTES**

- A. Approval of July 8, 2021 draft minutes

**MOTION:** On a motion by Commissioner Jasper, seconded by Mr. Martin, the July 8, 2021 minutes were approved unanimously by the Council with Ms. Boisvert, Mr. Bouchard, and Mr. Sanborn abstaining.

**III. SURPLUS LAND REVIEW**

- A. 2021 SLR 004 (Campton, Thornton)

Betsey McNaughton, Land Agent with the NH Fish and Game Department stated this Surplus Land Review is more of a rearrangement of easements to access a section of the property that was isolated by the construction of Interstate 93 in 1960. Two easements were created to access the property, one for maintenance vehicle access and mowing, and the other for the public to access the property across a golf course. The public easement was quite long and to south of the property.

Ms. McNaughton noted that there is a right of passage under the highway to access the Wildlife Management Area from the golf course and that the original management access was from Pemi Road off of Notch Way, both private roads. However, the original easement stated it couldn't be modified without approval from Fish and Game and also contained other stipulations about the length of the easement and that it had to be equitable. The original owner of the golf course created the original access for Fish and Game back in 2000, which worked for a time. When the original owners went into bankruptcy, the new owners took over and changed the golf course (without notifying Fish and Game) by

paving over the public access parking area and obliterating Fish and Game's legal access to the Wildlife Management Area via the golf course. This created confusion about where Fish and Game's maintenance crews should access the Wildlife Management Area via the golf course for mowing.

Over the past two years Fish and Game had discussions with the current owner about how to resolve this issue, which has resulted in a better solution. Under this improved solution, the original public access walkway and parking lot is being eliminated. Fish and Game's maintenance access and public access will now be from the same area, with a new parking area created. This will result in a better product since the public won't have to walk as long of a distance to access the public land and the right of way will be widened. The original access was 50 feet wide. When the golf course was created the access was split, which resulted in 25 foot right of ways.

Ms. McNaughton noted that DOT raised the issue of the easement requiring a railroad crossing. The proposed solution eliminates a railroad crossing. Lou Baker from DOT noted that Fish and Game didn't have a cooperative agreement with DOT to cross the railroad crossing even though Owls Nest and the golf course did. She said that since the meeting materials were distributed Lou Barker and her have agreed that Fish and Game will enter into a cooperative agreement with DOT Right of Way separate from Owls Nest for Fish and Game to have permission to cross the railroad.

In response to a question from Chairman Caswell regarding ownership of nearby lots, Ms. McNaughton stated that the golf course owned one parcel, a few parcels were privately owned, and that there was a reserved right for a cart path on another parcel for the public to utilize the golf course as well as for Fish and Game to access the property once or twice a year. Ms. McNaughton noted that Fish and Game only monitors the property every three years. Fish and Game also mows the property with a tractor and brush hog.

Chairman Caswell asked if there are trails in the Wildlife Management Area. Ms. McNaughton noted that there aren't defined trails since Fish and Game's mission is to protect the wildlife habitat of the property. Chairman Caswell then asked who the access was for. Ms. McNaughton stated that the access was for both Fish and Game for monitoring the property and for the public for hunting. She noted that she had spoken to a waterfowl hunter who accesses the property every year who is happy about the shorter access to the Wildlife Management Area.

In response to a question from Commissioner Jasper, Ms. McNaughton stated that all improvements were at the expense of the golf course. She emphasized that this is an improved product from that which was implemented in 2000 and now that there is a document outlining the process, any future land owners would also be responsible for expenses if they seek to make future changes to the easement.

Commissioner Jasper stated that although the golf course owners violated the terms of the original easement, in effect their penalty was giving up some rights and expending money to improve the situation. Ms. McNaughton concurred.

**MOTION:** Commissioner Jasper made a motion seconded by Ms. Boisvert to recommend approval of 2021 SLR 004. The motion was approved unanimously by the Council.

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

##### **A. LCIP Annual Report**

Steven Walker, Conservation Land Stewardship (CLS) Program Director, stated the annual report is very self-explanatory. He summarized the four highlights of the last fiscal year on page one of the report. First, COVID impacted CLS by preventing CLS from having a Stewardship Specialist during FY21 due to the state hiring freeze. Second, during the run up to the anticipated dissolution of the Office of Strategic Initiatives, there was added stress on the program. Third, on July 1, 2021, CLS became its own agency,

administratively attached to DAS. It seems there is a great deal of logic to this new arrangement since CLS never fit into a mold and instead acts as an auditor serving three agencies: Agriculture, Fish and Game, and Forest and Lands at DNCR, as well as 78 municipalities. Having this autonomy will help for productivity and help provide consistency across varied parties and interest. Fourth, CLS hired a Charlotte Harding as Stewardship Specialist, who started on June 18, 2021, and is catching up on various items that got postponed or that didn't get the attention they needed during FY21.

Mr. Walker noted that CLS's prime directive is to protect the State of New Hampshire's interests it is invested in, in perpetuity. The program also tries to identify issues and prevent them from becoming larger problems while assisting landowners with negotiating terms of their conservation easements so they can enjoy their lands. Mr. Walker stated that fostering healthy land ownership is another program goal and the most cost-effective way of operating.

The largest variable is that almost every property transfers ownership over time. On a year-to-year basis CLS usually gets up to five land ownership changes. Property owned by municipalities or Forest Society can also change managers over time. This requires a constant education process to avoid problems.

Mr. Walker stated he believes the resources he is charged with add incalculable benefit to the state. He thanked all the colleagues he works with and assistance from DAS in CLS becoming its own agency. Mr. Walker then invited Council members to reach out to him with any questions and invited Council members to join him on a monitoring visit.

Chairman Caswell thanked Mr. Walker for his hard work and being flexible in becoming his own agency administratively attached to DAS.

Commissioner Jasper put in a plug for Council members taking Mr. Walker up on his offer to accompany him on a monitoring visit.

Ms. Boisvert noted she worked with the CLS program and Mr. Walker for a number of years at CLS and is now working on a new contract for CLS monitoring of DNCR properties. Ms. Boisvert suggested that CORD review its role in LCIP oversight at a future meeting. She explained that this might be helpful for CORD's education given that when things don't go smoothly, CORD has to get involved.

**MOTION:** Mr. Martin made a motion seconded by Mr. Sanborn to adopt the FY2021 LCIP Annual Report. The motion was approved unanimously by the Council.

## **V. LAND & COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)**

- A. Request authorization to pay stewardship staff in part with funds from the Community Conservation Endowment, as approved by LCHIP Board of Directors.

Dijit Taylor, Executive Director of LCHIP, noted that one of CORD's responsibilities is its control over the LCHIP Endowment, including the Community Conservation Endowment (CCE). The money is supposed to be used to ensure that properties who have legal agreements with LCHIP are being managed according to the terms of their agreement. One of the ways that LCHIP ensures landowners are doing what they are supposed to do is having landowners file annual reports. To ensure compliance with the legal agreements LCHIP also employs a staff person in the field to monitor properties. LCHIP is requesting to use \$39,000 of the CCE endowment to pay for this staff person to continue working in the field.

In response to a question from Mr. Martin, Ms. Taylor noted that there is currently \$7 million in the endowment.

**MOTION:** Commissioner Jasper made a motion seconded by Ms. Boisvert to approve a disbursement of \$39,000 from the Community Conservation Endowment to the FY 2022 LCHIP administrative budget to help pay for LCHIP staff monitoring property interests held by LCHIP. The motion was approved unanimously by the Council.

**VI. OTHER BUSINESS**

Mr. Klass noted that he is working with Chairman Caswell on the Smart Growth Report through a new lens in light of the office's move to BEA. Chairman Caswell said that given the anticipated investments coming to the state for broadband and water/sewer in the coming years there is an opportunity to integrate these components into the Smart Growth report and to work with other agencies to implement the Smart Growth strategy.

Mr. Klass and Chairman Caswell agreed to discuss future CORD meeting dates/times.

Meeting adjourned at 3:35 P.M.

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MEMORANDUM

DA: January 12, 2021  
TO: Council on Resources and Development  
FR: Paula Bellemore, Executive Director  
Land and Community Heritage Investment Program  
RE: Request to Expend from Community Conservation Endowment

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LCHIP's enabling legislation, RSA 227-M, created a monitoring endowment (Community Conservation Endowment or "CCE"), similar to the endowment that supports the Conservation Land Stewardship Program. The fund is intended to "support monitoring by state agencies, local municipalities, and qualifying nonprofit corporations of easement interests acquired under this chapter.

Money is deposited into the CCE for each completed LCHIP project, following formulae in the *LCHIP Criteria, Guidelines and Procedures* (the "*Guidelines*"). Between November 2020 and October 2021, LCHIP deposited \$390,000 in the CCE. As of November 30, 2021, the market value of the CCE was \$7,508,308., an increase of \$1,821,746 from November 30, 2020.

RSA 162-C:7 assigns the Council on Resources and Development (CORD) the responsibility to "oversee, direct, and expend funds in the monitoring endowment..." Since 2009, CORD has approved LCHIP making annual payments from the CCE to eligible entities who have satisfactorily monitored and reported on the status of LCHIP-assisted properties. The *Guidelines* establish how the payment amount for each property is calculated. In brief, at the time of project completion a risk assessment is completed for each property. A low-risk, easy to monitor property is eligible for one unit of payment, and a high-risk, difficult to monitor property is eligible for up to four units of payment. Since 2013 the value of each unit of payment has been set at \$200.00.

At its January 24, 2022 meeting, the LCHIP Board will consider a proposal to increase the unit value from \$200 to \$250 for payments distributed in FY 22. If approved by both CORD and the LCHIP Board, the \$250 unit value will result in total possible payments for the 2021 monitoring year of \$120,750, or 2% of the CCE account's November 30, 2021 market value.

**Proposed Action:** CORD approve a unit value increase from \$200 to \$250.00, and expenditure of up to \$120,750 from the LCHIP Community Conservation Endowment for the purpose of supporting acceptable and timely monitoring of LCHIP-assisted resources by state agencies, local municipalities, and qualifying nonprofit corporations in 2021, contingent upon approval by the LCHIP Board of Directors.

## **Kelsey Notch Trail Environmental Compliance Report 2021**

**Date Reviewed:** October 15, 2021

**In attendance:** Jake DeBow (NHFG-Regional Wildlife Biologist), John Magee (NHFG-Fisheries Habitat Biologist), Clint Savage (NH Trails Bureau-Regional Supervisor), and Maggie Machinist (NH Forests and Lands-Regional Forester)

**Overview-** The Department of Natural and Cultural Resources is required to submit an environmental compliance report to CORD annually. This report is a requirement of the conditional approval, dated March 29, 2021, for the Kelsey Notch Trail.

### **Recommendations from the 2020 Report**

- Treat the invasive species (*Phragmites australis*) with herbicide to minimize the spread. Flag those areas so that future road work and trail maintenance does not disturb those areas and spread the *Phragmites australis*.
- Continue to monitor the amount of washing on the edge of the bridge.
- Continue to monitor and clean out the rubber water diversion devices.

### **Worked completed in 2021**

#### **Trail Counters\***

The trail was open from May 28, 2021 to October 11, 2021. There were 3 trail counters deployed from May 27, 2021 to October 15, 2021. Two of the counters had some malfunction during the season. The one on Corridor C (Figure 1) reported only 375 counts and clearly was not operating correctly. This was due to the counter being moved on August 13<sup>th</sup>, after it was realized it had been tipped over and not working, and not reset properly. The other was on Corridor-C South, near the bridge over the East Branch of Simms Stream, but recorded counts (4,845) only from May 27 to September 11, 2021 at which time the battery failed. The counter on Corridor B worked properly the entire time and reported 12,293 counts. It is expected that this counter would have the most trips due to its location because it is where two trails intersect. As a reference, the trail counters were not deployed in 2020, and only one was deployed in 2019 on Corridor C-South (same location as 2021).

Kelsey Notch Trail – Corridor B: 12,293 trail counts  
Date range: 5/28/21 to 10/15/21

Kelsey Notch Trail – Corridor C North: 375 trail counts  
Date range: 5/28/21 to 5/29/21 (unit fell off mount and stop recording)

Kelsey Notch Trail – Corridor C South: 4,845 trail counts  
Date range: 5/28/21 to 9/11/21 (battery died at end date)

\*There was a previous report submitted that had different counter information. It was realized after submission that the reported values were the hours the counters had been functioning for the season, not the accurate trail count data. The amended report has the corrected values.

The trail was graded in July as part of annual maintenance. In the 2020 report, there was a note about sediment washing next to a corner of the bridge, this was repaired in 2021.

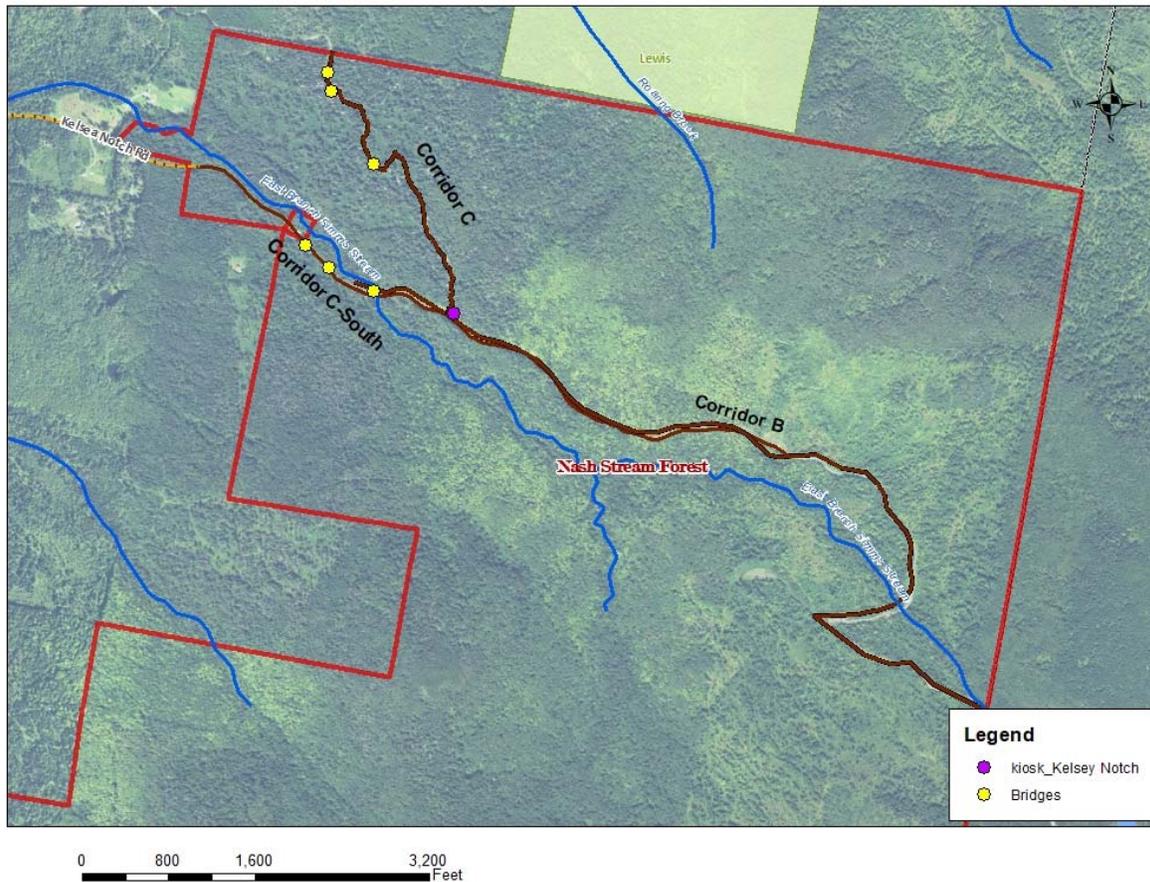


Figure 1- Map of the area showing the location of bridges, kiosk and trails labeled.

## **Findings**

The trail was visited several times throughout the season both by Forests and Lands staff and by Trails Bureau staff. Forestry staff flagged the *Phragmites australis* on June 24, 2021 before the July trail maintenance grading and checked the condition of the trail on several dates during the OHRV season.

On October 15, 2021 the Kelsey Notch trail was reviewed by Jake DeBow (NHFG-Regional Wildlife Biologist), John Magee (NHFG- Fisheries Habitat Biologist), Clint Savage (NH Trails Bureau-Regional Supervisor), and Maggie Machinist (NH Forests and Lands-Regional Forester) as the official monitoring trip.

We started by looking at the bridges coming onto the property, as well as the large bridge over the East Branch of Simms Stream (Corridor C-South). All three appeared to be in good condition, and the first two especially since being replaced last year. There was no apparent sediment getting into the brooks that flowed underneath the bridges.



*Figure 2- Shows the condition of the bridges*

Next, we moved up to the kiosk looking at the hill on the way up. Heading toward Diamond Peaks (Corridor C), we walked out toward the boundary line. This trail was very hard packed. There was minor sedimentation on the trail, meaning there was evidence of sediment that had been washed away from trail but the trail was in good condition. We did not observe evidence of sediment from the trail entering the brooks. All of the bridges had fascia boards added when they were re-decked last year, except one which was noted in the 2020 report. During 2021, the last of the fascia boards were added, and appear to be precluding any sediment from getting into the brooks.



*Figure 3- Shows condition of trail and the newly added fascia boards.*

Within Nash Stream Forest, near the boundary line on the trail heading toward diamond peaks (Corridor C) there was a mud hole on the trail and there was some ATV's driving in the ditch, but there was no mud getting into the stream (Figure 4).



*Figure 4- Mud on trail and ATV tracks in ditch and minor sedimentation on trail from water.*



*Figure 5- Shows condition of trail*

Section 2- Next, we headed up toward Kelsey Notch and the boundary line (Corridor B). This main section had been graded throughout the summer. The trail was in good condition. There

was one location where some sediment was running down the trail and getting into the brook next to the rock/culvert (Figure 6). There was discussion about re-grading the road on that section to grade it away from the stream and culvert.



*Figure 6- Depicting the area where the water is eroding around the culvert.*



*Figure 7 -Shows some off trail riding*

Each year, the sharp corner leading up to Kelsey Notch gets a significant berm. This happens from the dirt and rocks getting kicked out as the OHRVs turn and head up the hill, exacerbated with speed.



*Figure 8- Shows berm on corner of trail*

In 2020, we found a few patches of *Phragmites australis*. These were located and flagged throughout the year to identify their locations and so they could be avoided by the Metallik ATV club performing maintenance.. These areas were treated on September 3, 2021 with glyphosate by Fish and Game staff who are licensed pesticide applicators.



Figure 9- Shows invasive species, phragmites

### **Recommendations-**

- Fix the mud hole near the property line toward Diamond Peaks (Figure 4).
- Place a culvert before the bridge at the end to address the sitting water near the mud hole (Figure 4) .
- Fix culvert header where it is washing, and slope the road away from the outlet of the culvert (Figure 6).
- Continue to monitor and clean out the rubber water diversion devices that are in various locations on the trails.
- Continue to monitor and treat the invasive species. It will take many seasons to eradicate the phragmites australis, and should be treated each year during the growing season.

**Conclusion-** The trail is in good shape though there is some minor erosion and sedimentation. There was some sediment leaving the trail, but most of it was being contained, either naturally in vegetation or in constructed sediment basins, and not entering into the brooks. There were some minor issues that should be addressed in the upcoming year. Fish and Game continues to have concern regarding wildlife impact of ATV noise during high volume trail use days. Three of the four patches of the invasive species were treated in 2021 and all four will be treated in 2022. The trail is currently closed for the season until the spring of 2022, when conditions allow, after May 25.

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Margaret Machinist, Regional Forester

*Clint Savage Jr.*

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Clint Savage, Trails Bureau District Supervisor

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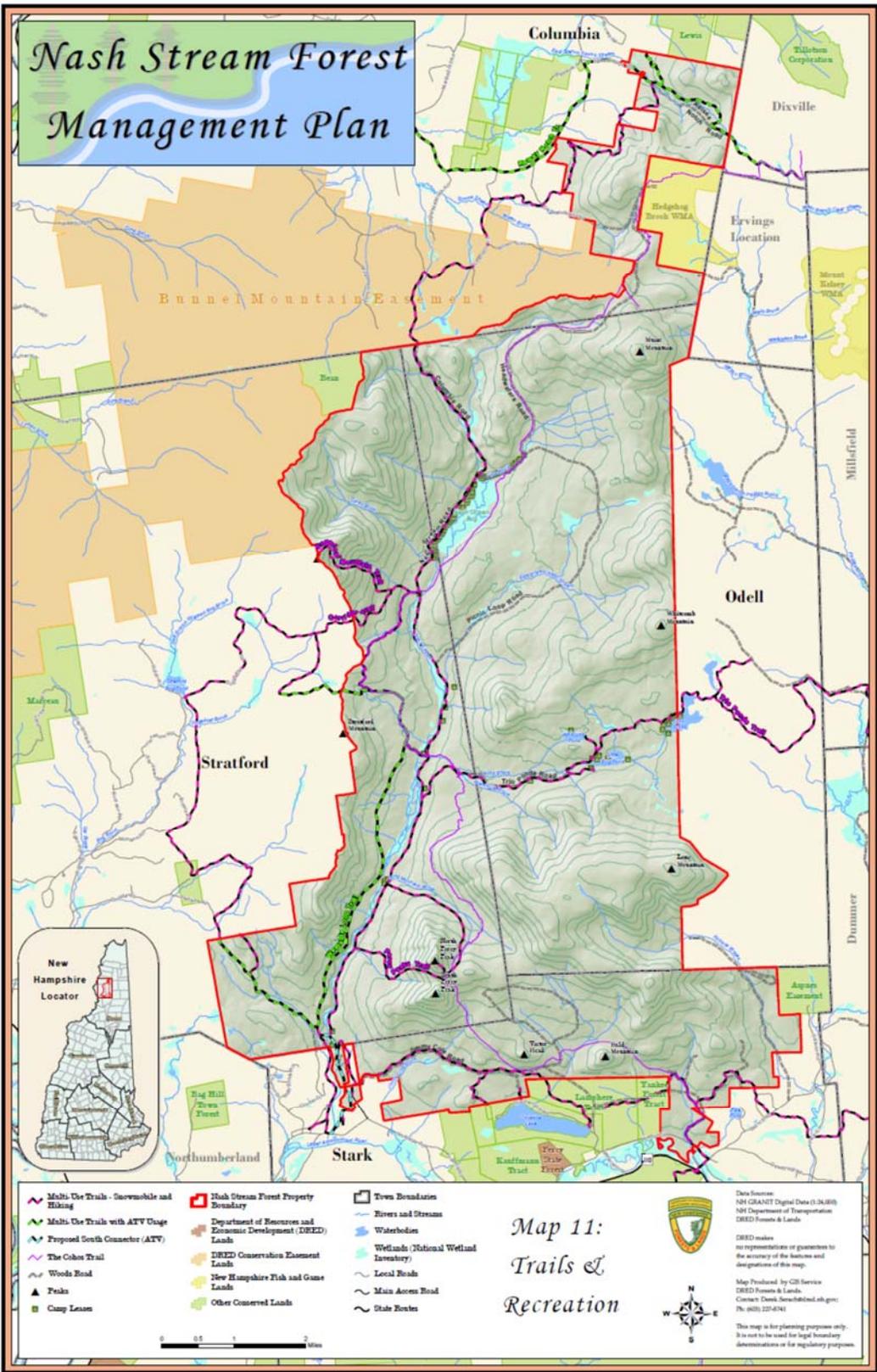
Jake DeBow, Regional Wildlife Biologist

*John A. Magee*

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John Magee, Fisheries Habitat Biologist

# Nash Stream Forest Management Plan



Map 11:  
Trails &  
Recreation



Data Sources:  
NH GRANIT Digital Data (1-24-00)  
NH Department of Transportation  
DRED Forests & Lands

DRED makes  
no representation or guarantee to  
the accuracy of the features and  
designations of this map.

Map Produced by GIS Service  
DRED Forests & Lands  
Contact: Derek.Sorenthal@nh.gov  
Ph: (603) 227-6741

This map is for planning purposes only.  
It is not to be used for legal boundary  
determinations or for regulatory purposes.





STATE OF NEW HAMPSHIRE  
FISH AND GAME DEPARTMENT

Intra-Department Communication

TO: Nash Stream Forest Citizens Committee  
Council on Resources and Development

FROM: Lt. Mark W. Ober, Jr.  
District One Chief

DATE: October 5, 2021

SUBJECT: 2021 NASH STREAM ENFORCEMENT MEMO

OHRV enforcement actions in the Kelsey Notch Pilot Trail and West Side Trails of the Nash Stream Forest during the 2021 OHRV riding season resulted in one summons and one warning being issued for OHRV infractions on the Kelsey Notch Pilot Trail. There was one documented ATV crash on the Kelsey Notch Pilot Trail on June 19, 2021. This crash was attributed to traveling too fast for existing conditions resulting in serious injuries to the operator.

I personally conducted a patrol of the West Side Trail and Kelsey Notch Pilot Trails this summer. The Kelsey Notch Pilot Trail appeared to be in better condition than previous years with obvious signs of improvement to the road bed. There were no evident signs of off trail riding or other illegal activities noted during my patrol.

No other law enforcement activity was relayed to me by the conservation officers whose patrols include the Nash Stream Forest.



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Lt. Mark W. Ober, Jr.  
District One Chief

## **MEMORANDUM OF UNDERSTANDING**

**between  
NH Fish and Game Department  
and  
NH Department of Natural and Cultural Resources, Bureau of Trails  
and  
NH Department of Natural and Cultural Resources, Division of Forests and Lands  
for the purposes of  
Monitoring, Maintaining and Enforcing Public OHRV Use  
on  
“West Side Trail” and “Kelsey Notch Pilot Trail”  
in  
Nash Stream Forest**

Pursuant to RSA 215-A:42, I (b), this interagency agreement (the MOA) is entered into, by and between, the New Hampshire Fish and Game Department, (NHF&G), and the New Hampshire Department of Natural and Cultural Resources (DNCR) through the Bureau of Trails and the Division of Forests and Lands, for the purpose of managing public OHRV trails to be known as “Kelsey Notch Pilot Trail” and “West Side Trail”, as depicted on a map here attached as Exhibit A, upon state-owned land under the management of DNCR, known as Nash Stream Forest.

Whereas, Nash Stream Forest was acquired by the State through the Land Conservation Investment Program and pursuant to RSA 162-C:6, the Council on Resources and Development (CORD) is responsible for management and administration of lands acquired under the LCIP so as to preserve the natural beauty, landscape, rural character, natural resources, and high quality of life in New Hampshire, and

Whereas, Off Highway Recreational Vehicles to include All Terrain Vehicles (ATVs) and Utility Terrain Vehicles (UTVs) are rapidly becoming an outdoor recreational activity popular to the North Country economy of the State of New Hampshire, by adding much needed revenue opportunities to some North Country businesses, and

Whereas, pursuant to RSA 215-A:3, DNCR - Bureau of Trails is responsible for the coordination between DNCR - Division of Forests and Lands, NHF&G, and the Department of Transportation (NHDOT) with respect to matters pertaining to OHRVs and snowmobiles; including ATVs and UTV's, and

Whereas, pursuant to RSA 227-G:3(I)(c), the Director of Forests and Lands is responsible for the execution of all matters pertaining to the use of state reservations, except matters pertaining to the recreational development, administration, and maintenance, which shall be done in cooperation with the director of the DNCR - Division of Parks and Recreation, with the approval of the Governor and Executive Council as required, and

Whereas, pursuant to RSA 215-A:16 and RSA 227-G:7, DNCR Forest Rangers are recognized law enforcement officers with authority to enforce OHRV laws on public lands; and

Whereas, pursuant to RSA 215-A:32, the Executive Director of NHF&G is responsible for the adoption and implementation of rules and administrative procedures for public OHRV riding, necessary for the safety of riders and passengers and the protection of property;

Whereas, pursuant to RSA 215:16, NHF&G is authorized to enforce OHRV laws within the state of NH; and

Whereas, at the conclusion of the three-year Kelsey Notch ATV Trail Pilot, CORD held multiple meetings and received public input regarding the future of the Kelsey Notch ATV Trail;

Whereas, pursuant to their January 14, 2021 meeting, CORD voted to grant the request of DNCR to extend the pilot for two (2) additional years to study OHRV use in the Kelsey Notch Trail, as long as the existing conditions of CORD's 2016 findings continue to be met and with the caveat that CORD would be subsequently discussing additional annual reporting requirements; and

Whereas, at its March 11, 2021 meeting, CORD voted to require additional reporting requirements for the DNCR's annual Kelsey Notch reports, which are incorporated into this updated Memorandum of Understanding.

Therefore, NHF&G and DNCR (together the Parties), agree as follows:

1. NHF&G will enforce state laws, primarily RSA 215-A, and DNCR rules as they pertain to the operation of OHRVs.
2. DNCR – Bureau of Forest Management, in collaboration with NHF&G, will enforce state laws, primarily RSA 215-A, and DNCR rules as they pertain to the condition and maintenance of the trail per the agreement between DNCR and the locally organized OHRV club (RSA 215-A.c), to ensure water quality laws are not violated. Such required multi-year agreements (Club MOAs) for West Side Trail between the DNCR and North Country ATV Club and such required agreement for the Kelsey Notch Pilot Trail between DNCR and Metallak ATV Club, and annual monitoring and maintenance, are to be reviewed annually by DNCR and the clubs. Any extension of the Club MOAs beyond the initial two years is contingent on the outcome of the Council on Resources and Development's decision relative to the status of the Kelsey Notch and West Side Trails.
3. DNCR enforcement staff will enforce state laws, primarily RSA 215-A, and DNCR rules as they pertain to operation of OHRVs, and protection of the property.
4. Once a year, by December 15th, the Parties will provide an enforcement report to the Nash Stream Forest Citizens Committee and to the Council on Resources and Development. The report shall include the number and type of violations and warnings, OHRV accidents, a statement of enforcement related concerns and successes, and any input on ways to promote better safety and education to the riders.
5. DNCR Bureau of Trails, in concert with the local club noted in the MOA for the specific trail, will monitor and maintain the approved trails in a safe and environmentally responsible manner using best management practices as described in "Best Management Practices for Erosion Control during Trail Maintenance and Construction," or any successor publication.

6. Once a year, by December 15th, the following staff representing the Parties will provide an environmental compliance report (the Report) to the Nash Stream Forest Citizens Committee and to the Council on Resources and Development:
  - DNCR Trails Bureau District #1 Supervisor, or designee
  - DNCR Division of Forests and Lands North Region Forester, or designee
  - F&G Region 1 Wildlife Biologist, or designee
  - F&G Fisheries Biologist

The Report shall include the dates of each inspection, photographs (particularly of stream crossings), a narrative of trail conditions as they relate to environmental resources, any water quality violations, and recommendations including a timeline for remediations or repair work necessary to bring the trails into compliance with water quality regulations.

Additionally, for the Kelsey Notch Trail, the Report shall also include identification and discussion of any invasive species and related treatment plans; identification and discussion of any trail erosion issues and all restoration plans; trail count information based on date/time stamp count data; discussion relevant to adequacy of staffing and budget issues; and identification of the opening and closing dates of the trail.

7. The Parties will work with the local recognized clubs to provide safety education to the public, and the Parties will also provide technical guidance to the clubs on proper OHRV trail maintenance.
8. The Parties agree that each will work cooperatively to provide safe and environmentally responsible riding opportunities to these OHRV trails, and recognize that failing to properly maintain these trails to avoid water quality violations and/or damages to aquatic resources and wildlife habitat could lead DNCR and/or NHF&G to suspend the MOA in writing by 30 day notification to the other party until appropriate maintenance has been performed, or suspend indefinitely, depending on the severity of the damage.

Signature Page to Follow

10/27/21  
Date



Sarah L. Stewart  
Commissioner  
Department of Natural and Cultural Resources

10-18-21  
Date



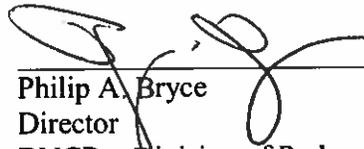
Scott Mason  
Executive Director  
New Hampshire Fish and Game Department

10/21/21  
Date



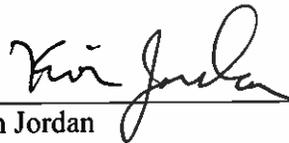
Patrick D. Hackley  
Director  
DNCR – Division of Forests and Lands

10/25/21  
Date



Philip A. Bryce  
Director  
DNCR – Division of Parks and Recreation

10/19/2021  
Date



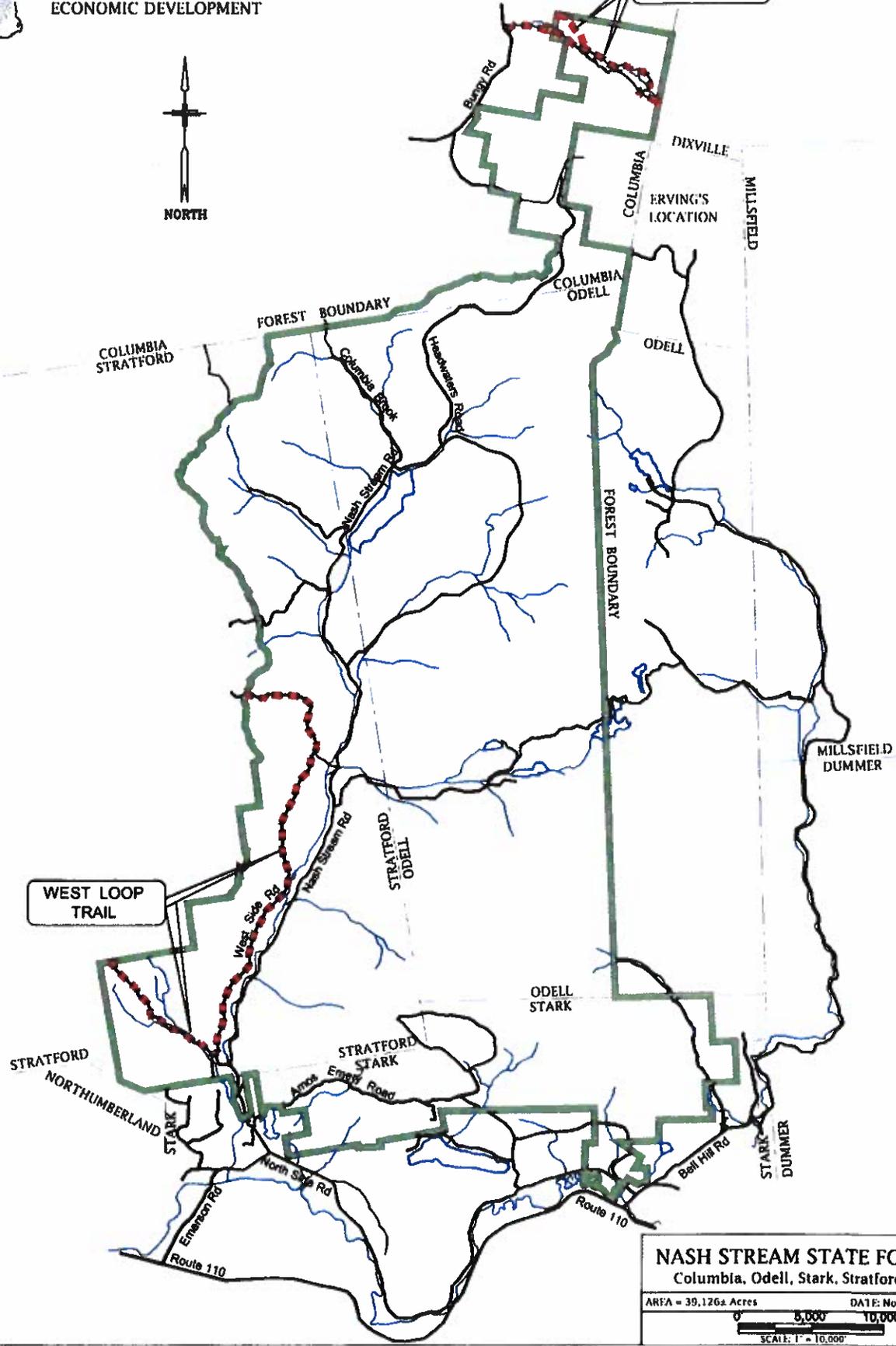
Kevin Jordan  
Colonel  
New Hampshire Fish and Game Department



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF RESOURCES &  
ECONOMIC DEVELOPMENT

# EXHIBIT A

KELSEY NOTCH  
PILOT TRAIL



WEST LOOP  
TRAIL

**NASH STREAM STATE FOREST**  
Columbia, Odell, Stark, Stratford, NH

AREA = 39,126± Acres      DATE: November 2016  
 0      5,000      10,000  
 SCALE: 1" = 10,000'