

CHAPTER 5

POLICY OVERVIEWS

In order for students to get a better understanding of state policy and the issues that go along with it, they were asked to investigate a specific policy, issue, or political figure that could result in the formation of policy. Each student picked a different policy or issue to study and provided a description, evaluation of the stakeholders, critiques, and recommendations.

The topics examined for the policy overviews include budgeting for the Land and Community Heritage Investment Program, the environmental platform of recently elected Governor John Lynch, taxation on lands in current use, a new environmental policy for New Hampshire, and public access to state land. This work allowed students to look into topics that were related to, but not necessarily directly linked to land conservation.

The topics that we covered for this assignment are as follows:

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Overview

The issue of public land and water access is a debate that has been going on for decades. In New Hampshire it is most notably a battle between the state and private landowners. As New Hampshire continues to grow in population so does its tourism. The affects of too much tourism on the environment can destroy it however; if tourism is practiced correctly it can be very beneficial economically for a region. Land owner liability for a public access site is also a concern to the property owner, as now more than ever, the people using their tracts of land are no longer just neighbors, but residents from out of state. This has been an ongoing battle over public access policy in the state of New Hampshire for several decades. As the population grows in New England, more and more people are vacationing in the White Mountains, and Lakes regions of the state. The state would like to control public access, but property owners are protesting in regards to their individual rights and concerns, despite efforts being made to improve current public access conditions and regulations (Beeson).

Stakeholders

One major issue that has been in debate over past decades is the issue of public boat ramp access on Squam Lake in New Hampshire. The majority of the boat ramps on New Hampshire's second largest lake are owned privately. The state sees this as an issue regarding that private property owners are able to close down their boat ramps at any given time if they so choose. The state has been arguing to gain land on the lake to install their own public access ramps with a fee for boat owners wishing to launch on Squam Lake. Property owners around the lake have contested that there are plenty of boat launches on the lake, and that the state need not try and pursue its own public boat ramp. One of the state's reasons for acquiring a public site pertains to time, and the rising costs of waterfront property on the lake could potentially make purchasing land difficult over future years (Beeson). Beeson states that the controversy blew up when the state was trying to purchase a parcel of land and abutters to the parcel raised enough money to buy the property before the state could. The state's main issue on Squam Lake has been its property owners and conservation easements protecting future public access sites from the state government.

The problem with Squam Lake is that its actions make it seem that the landowners around the lake wish to keep the lake private, and block potential public access sites to the lake. Beeson states that, "In the state of New Hampshire, bodies of water over 10 acres are held in public trust, meaning that all citizens are guaranteed access and have equal rights to the use of the water, regardless of who owns the surrounding property." Unfortunately if all of the land around the lake is owned in private, the government can not provide public access, unless it was to take parcels as part of eminent domain. One of the fears that the residents of Squam have about allowing multiple public access sites is the inability of the state to regulate motor boats, water quality, and invasive species in the lake (Beeson). The residents feels as if the state has done an inadequate job of preserving their lake, and they see it as the best interest for the residents of the lake to do what they can to protect it. The state however feels that the residents are trying to block public use of the lake to try and keep the lake for themselves.

Policies & Critiques

In 2005, there have been multiple bills developed in the New Hampshire house addressing the issues of public access in the state, not just on Squam. These bills have been raised to address the booming tourism industry, as well as landowner concerns throughout the state. House Bill 343 is, "An act establishing a commission to study accessibility for New Hampshire citizens to the water bodies in the state." This commission seems to act directly in accordance to the issues described in the Squam Lake situation. Likewise, House Bill 433-FN-A is, "An act relative to planning for public access, recreation, and road management in the Connecticut Lakes headwaters working forest and making an appropriation therefore." The third bill found for 2005 is House Bill 655-FN-A which is, "An act increasing the boat registration fee for public boat access and exotic weed control." As one can see the issue of public access has not died out over the years. It is still very much an issue of concern for the state and its residents, particularly those with waterfront property.

The commission established under HB 343 looks to address the concerns of landowners with waterfront property. This commission is made up of various organizations in the state including members of the house and senate, Department of Fish and Game, the New Hampshire Lakes Association, to members of local conservation commissions. The goal of this bill is to establish public access facilities on the lakes in the state. These are not restricted simply to boating, rather addresses non-motorized public access to lakes as well. The committee wishes to give all residents of the state a possibility to use the state resources for recreational purposes. The bill is necessary in addressing the concerns of citizens who do not own waterfront property but still wish to use the resource. In regards to the Squam Lake situation this would put private owners at a loss, giving the state a win for public access. This bill was sponsored by five representatives including Judith Spang (d) Durham, Chris Christensen (r) Merrimack, Howard Dickson (r) Center Conway, Patricia McMahon (d) Sutton, Harry Merrow (r) Center Ossipee, and one senate committee member, republican Carl Johnson of Meredith. This bill was passed and amended in March of 2005.

House Bill 433-FN-A grants almost two hundred thousand dollars for public access and recreation in the Connecticut Lakes headwaters working forest. The bill has been passed and will be effective as of July 1, 2005. Its goal is to clean up public access sites around the Connecticut Lakes headwaters and provide more public access sites for recreation. Despite how landowners may feel it is obvious that the state and the Department of Fish and Game wishes to allow public access on state water bodies for all to use. This bill is being sponsored by two representatives, Frederick King (r+d) Colebrook, Eric Stohl (r+d) Colebrook, and one senate committee member, republican John Gallus of Berlin.

While the previous bill aims to help maintain public access sites, House Bill 655 increases boat registration fees for public boat access and to raise money for exotic aquatic weed control. Starting in July of 2005 boater registration fees will increase by five dollars. Three dollars of this will go towards the public boat access fund, and two dollars will go towards exotic aquatic weed control. It is estimated that 102,000 boats register annually, and with the registration increase it is estimated to bring a 510,000 dollar increase in revenue. Of that money 204,000 dollars in increased revenue will go towards lake restoration and preservation, along with the prevention of milfoil and other

forms of exotic aquatic weeds. It is predicted that this increase will begin in 2006, and will continue each year after (HB-655). The state has seemed to realize the importance of preventing exotic aquatic species, and by increasing the fee for boater registration, has granted the Department of Environmental Services with more money for lake restoration and preservation. By also having no fiscal impact on state, county, and local expenditures and revenue this bill clearly deals with a growing issue of concern in an efficient way. The bill outlines how it will increase the fees over the year to reach their estimated totals. It seems very logical and well thought out. This bill has not yet been passed and is being supported by house committee member Richard Cooney (r) of Salem, NH.

Recommendations

Debates over public access will continue for years to come. As population increases and property, especially shorefront, becomes rarer and harder to come by concerns about public access will continue. The state appears to be aware of the issue and the reasons why citizens are concerned about public access. Three bills have been past so far in 2005. There is much more of this year to come, and it appears that public access may be on the agenda for a while. The actions taken by the state are appropriate ones to react to the situation at hand. While they are providing more public access sites in some places, they are countering this with ways to gain revenue to help maintain the sites, and preserve the water bodies that these sites access. The problems presented by the residents of Squam Lake are not the only cases. Elsewhere around the state property is becoming more expensive and harder to come by. If all of the land around a water body is privately owned than the owner can essentially set their own rules regarding to the site. It is important for the state to act here to help regulate motor sports on its water bodies to help keep them as clean and healthy as possible. It is a much too large job for every resident with a boat ramp to enforce, and having state regulations provides a better chance of something being done to help keep the lakes beautiful. While a relevant issue of concern, the debate on public access is a continuous battle over the human race and the land it wishes to control. If they can find a middle ground, both would be better off. In regards to the Ausbon Sargent Land Preservation Trust it is obvious that public access is an area that should be taken into consideration, given the amount of water bodies that are located in the region. As the ASLPT region continues to attract more homeowners and tourists it is important that the trust looks at public access sites as crucial priorities for conservation. By conserving these parcels the ASLPT and members of the communities can help assure better lake water quality for the region. Recreation can then be practiced efficiently, taking care of these bodies of water for future users. Restricting public access is no solution to the current problem, rather regulating and taking precautionary measures for exotic aquatic species as well as the care the tourist shows towards the lake can help the homeowner and the tourist find common ground on an issue regarding peoples' rights to public access. Through regulations and precautionary measures the lakes will remain healthy and open for public use for years to come.

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Overview of Topic

What is current use? Current use is defined as the assessed valuation per acre of open space land based upon the income-producing capability of the land in its current use, and not its real estate market value. In current use, farmland is included and farmland is defined as, “any cleared land devoted to or capable of agricultural or horticultural use as determined and classified by criteria developed by the commissioner of agriculture, markets, and food.” Forested land is also a part of current use and forested land is classified as “any land growing trees as determined and classified by criteria developed by the state forester.” Open space land is also a part of farmland, and forestland, or unproductive land.

Policy

Right now there are three bills in the house that have to do with current use and taxation, they are House bill number 44, 180, 710FN. The first bill is House Bill (HB) 180. The bill is sponsored by Donald R. Philbrick, a Military, Electronic Tech Superintendent. The bill talks about the removal of the alternative of an appeal to the superior court in current use tax matters and other land restrictions, requiring such appeals to be to the board of tax and land appeals. So it says if the selectmen or assessors neglect or refuse to abate the land use change tax, any person aggrieved may in writing to the board of tax and land appeals accompanied with a \$65 filing. The appeal to the board of tax and land appeals shall be filed within 8 months of the notice of tax date and not afterwards. If the governing body denies the application to grant a discretionary preservation easement to the municipality, such denial shall be accompanied by a written explanation. The local governing body’s decision may be appealed by using the procedures that are talked about in the bill. The denial should be deemed discretionary and should not be set aside by the board of tax and land appeals except for bad faith, discrimination, or the application of criteria. This bill has passed and been revised as of Wednesday, February 09, 2005 and will become effective as of January 1, 2006.

Policy

The next bill is House Bill 44 and is sponsored by David L. Babson Jr. and he is a farmer. This bill is an act that will allow municipalities to require certain current use landowners to file a bond for the payment of the land use change tax. So this bill allows local assessing officials to require a bond for payment of the land use change tax of certain owners of land who rent or lease their property and who have been in amount overdue on their property taxes. The local assessing officials may require an owner, if the property owner has been in overdue on their property taxes at any time during ownership, to file a security bond when the owner rents or leases the property or an interest there to a third party who proposes to change the use of the land. The local assessing officials should notify the owner in writing of the amount and conditions of any bond or other security that is necessary to secure the payment of the land use change tax, which may become due when there is change in use of the land. The bond amount should not exceed 10 percent of the value of the land as assessed for ad purposes. The owner must provide the bond within 30 days of notice or could be guilty of a misdemeanor. All

land use change tax assessments shall, on the date of the change in use, create a lien or hold upon the lands on account of which they are made and against the owner of record of the said land. Furthermore, such liens (holds) shall continue for a period of 18 months following the date upon which the local assessing officials receive written notice of the change in use from the landowner or his agent, or the date upon which the local assessing officials actually discover that the land use change tax is due and payable. This bill was also approved as of Thursday, March 24, 2005 and will become effective as of the first day of 2006.

Policy Critique

This bill basically will make land owners who have land in current use file for a bond if they have ever been late or not able to pay there taxes on time that way the land is covered by a bond and there will always be funds for the land. I feel that this bill is a good idea and was glad to read that it passed in the house. It's a good idea because now if the owner is unable to pay his or her taxes the land is worth whatever the bond is available for and will help everyone.

Policy

Finally, the last bill is House Bill 710-FN, and was sponsored by Charles F. Weed, a professor. The bill is an act establishing property appraisals for the taxation of property based upon its current use as a residence for people over 65. This bill would allow people over the age of 65 years old to annually have their property appraised according to its current use as a residence for the elderly. So it states that if the owner of any residence who is over 65 years of age may apply on or before April 15 of each year to the selectmen or assessors, on a form prepared by the selectmen or assessors, for a special appraisal of the residence for that year, based upon its value at its current use as a residence for the elderly. After the initial application, reapplication may be made on a form which shall be sent to the applicant by the assessing officials. If any owner shall satisfy the assessing officials that the owner was prevented by accident, mistake or misfortune from filing said application on or before April 15, the officials may receive the application at a later date and classify the residence under this section; but no such application shall be received after the local tax rate has been approved by the commissioner of revenue administration for that year.

The assessing officials shall notify the applicant on a form provided by the commissioner of revenue administration no later than July 1, or within 15 days if the application is filed after July 1, of their decision to classify or refusal to classify the applicant's residence by delivery of such notification to the applicant in person or by mailing such notification to the applicant's last and usual place of residence.

Prior to July 1 each year, the assessing officials shall determine if previously classified residences have been reapplied or have undergone a change in use. A list of all classified residences and their owners in each town or city shall be filed by the respective assessing officials each year. Such list shall be part of the inventory and subject to inspection. This proposal is still under review and will be looked at further and revised.

Policy Critique

At this time the New Hampshire Municipal Association states this bill would add new provisions to the property tax statutes which would require the residence of a qualifying person over the age of 65 to be assessed “based upon its value at its current use as a residence for the elderly.” The Association states it is not clear how that value would differ from market value or how it would be determined. Assuming a reduction in the assessed value of property owned by persons over 65, either in short term or the long term; municipalities may see a shifting of the tax burden among taxpayers from property owners over 65 to those under 65. The new assessment requirement could result in increased administrative costs to a municipality due to such factors as the additional work which may be required by the assessing staff, computer software changes which may be required in order to accommodate this classification of assessment, and the requirement to mail notices such as the reapplication notice. The exact fiscal impact cannot be determined at this time. [HB 710-FN – AS INTRODUCED 2005 SESSION 05-0422 10/04].

The Department of Revenue Administration (DRA) states this bill may increase administrative costs to the Department including form design and distribution, rulemaking, and education materials. This bill may also increase administrative costs to municipalities, including processing costs and mailing notices and re-applications. The Department is unable to determine the exact fiscal impact at this time.

This bill is a good one that is still under review and revisal, I feel that this bill would a good one to pass and given seniors in the state of New Hampshire a break on taxes. Yes it is more work for people but at the same time it would be so helpful for some. So in conclusion current use is a way people can claim there land and it is taxed on what there land is being used for, weather it be open space farming or tree farming. It is a big help for people and a good idea for people to place their land in current use.

Recommendations

As for recommendations for the ASLPT I would have to say that they need to talk with the land owners and explain to them what current use is and what it would mean for them and there property, because current use is a very confusing topic and is hard for people understand what it means for them.

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Overview of Topic

All-Terrain Vehicles (ATV) use in New Hampshire is a popular form of recreation and continues to grow. Increasing ATV use could result in a stronger economy for the state. However, there are many opponents to expanding ATV trails. Currently, the number of non-vehicular recreation participants such as hiking still exceeds the number of ATV users. In addition, there are many possible negative environmental impacts caused by ATVs such as erosion of trails. In July of 2002, a bill was passed to allow the creation of ATV trails in New Hampshire (House Bill 1361-FN). This bill sets a number of guidelines that must be passed in order for an ATV trail to be created. However, there has never been any mention of an Environmental Impact Assessment (EIA) to explore the negative effects of ATV use. Currently, there is bill (House Bill 355) that establishes a committee to create an EIA.

Stakeholders

There are a number of groups that are concerned with the use of ATVs. ATV clubs are very concerned with the creation of trails. These proponents of the expansion of ATV trails offer a number of issues to promote the creation of ATV trails. First, the recreation is growing and new trails are not. This will result in more degraded trails. With more riders on the trails, they will be harder to maintain. In addition, if trails are overcrowded, riders may look elsewhere to ride. This will result in riders looking to private land and result in greater environmental impact than if new trails were created. Finally, proponents suggest that with an overcrowding of trails, there will be an increased number of accidents (Woodlot, 19). Other proponents of expanding the number of trails are local businesses. ATV trails will attract both residents and non-residents of New Hampshire town towns with trails in them.

Although there are many good points for creating new ATV trails, there are many groups still opposed to it. Other outdoor activities may be adversely affected by ATV use. The noise associated with ATVs will turn many hikers away from the trails. Another group afraid of the possible affects of ATVs are residents of the town. While trails may bring outside revenue into the town, there is also an increase in traffic, pollution, and a greater need for public services such as police and medical staff. Even though there is an increase in the towns economy, that money is used to mitigate those problems (Woodlot, 20).

Probably the largest concern with ATV use is the impacts to the environment. First, ATVs cause noise and air pollution. The noise both scares wildlife and is a nuisance to people around ATVs. The affects of air pollution are obvious, being a lowered state of physical health. Another negative property of ATVs are impact to the land and natural resources. New Hampshire has a rich history of using the natural resources such as timber harvesting and agriculture. If a trail is built on a parcel of land, the parcel can no longer be harvested because it is being used for something else. In addition, the state has a duty to preserve and restore native wildlife and protect both wetlands and endangered and threatened species. By creating new ATV trails, native ecology is at risk (Woodlot, 24).

Policy

House Bill 1361-FN was passed in 2002 as a set of guidelines for creating a new ATV trail. This was designed to help protect New Hampshire's natural resources. This bill is sponsored by Robert J. Letourneau of Rockingham county, Robert J. L'Heureux of Hillsborough county, and Carl R. Johnson of Meredith. The Department of Resources and Economic Development (DRED) is responsible for evaluating all proposed ATV trails. DRED must consider a number of criteria before allowing the development of a new trail. First, there must not be any deed restrictions on the land. In addition, 90 percent of the land must not be ecologically suitable for the survival of endangered and threatened animals or forested wetlands. If the proposed trail passes those standards, then the trail can be built with some restrictions. By creating the trail local, state and federal laws cannot be violated. Fragmenting the land must be minimized as much as possible. ATV noise must comply with the maximum decibel limit. The trail may not pass through a wellhead protection area and must be a minimum of 100 feet away from streams. The trail must also avoid being built on certain soils. These are just a handful of regulations that must be followed before an ATV trail is approved. The final step to creating an ATV trail is at least one meeting on the proposed trail is held to inform the public of the decision. The notification must be made in both a state and local newspaper no less than 14 days before the meeting.

Policy Critique

This policy is a very useful and important tool in regulating ATV use. The policy documents many ways to minimize the negative affects to the environment. There are only a few unanswered questions about the policy. There is no mention of funding in the document. The bill does not state who is to pay for the land, development or maintenance of the trail. There is also no mention of who is to enforce the rules or the consequences for breaking the rules. Rules can be enforced by a number of agencies including state police, local police or the ATV club. The consequences for breaking the rules can be anything from losing the right to use the trail to a fine or even an arrest. The policy would be much stronger if it had this information however, it may be discussed in another document.

The greatest strength of this policy is its detail of impact to the environment. It list in great detail areas trails may not be built on and ways to reduce negative affects by promoting building the trail on already developed lands.

Recommendations

ATV use and expansion is a difficult subject to deal with. The government has the responsibility to provide its citizens with adequate recreation resources, protect physical and mental health, promote the sustainable use of natural resources and protect the quality of the environment. Most of the time these "rights" contradict each other and the government is left to deal with the situation. This policy finds that balance between development and preservation and no changes should be made to this document.

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Overview of Topic

As newly elected acting governor of New Hampshire, John Lynch will have large impact on how many issues, but especially environmental issues, will be dealt with. During his term in office Lynch could either turn out to be an advocate and friend to the environment or a strong opponent to conservation and other pro-environmental programs. As this is Lynch's first term as governor there is no voting or implemented policy record to predict how the next two years will play out. However, in his campaign promises he did state that he was in favor of protecting the environment.

John Lynch, who was elected on November 2, 2004, is a member of the Democratic Party. Lynch was born in Waltham, Massachusetts on November 25, 1952. He obtained an undergraduate degree from the University of New Hampshire, an M.B.A from Harvard Business Schools, and a law degree from Georgetown University Law Center. He currently lives in Hopkinton with his wife and three children (Office of the Governor). In his bid for the position of governor he was supported by the Granite State Conservation Voters Alliance, other environmental groups, and Howard Dean, governor of Vermont and Democratic presidential candidate in 2004 (Endorsements, Environmental Group Endorses Lynch, Dean Endorses John Lynch for NH Governor). Although Lynch is not officially supported by the Nature Conservancy (TNC), an environmental conservation group, he hired former trustee chair of TNC Alice Chamberlin as his senior policy advisor. Daryl Burnett, director for TNC for the state of New Hampshire said, "it is a testament to our new governor that he has recognized a great talent, and it is great news for conservation in general" (Granite State Glances). This suggests that TNC, at least high ranking officials within TNC, support John Lynch.

Stakeholders

The environmental policies and decisions that are made by Lynch during his term will have a large impact on a number of different parties. The most obvious of these is the residents of New Hampshire. His efforts (or lack thereof) on land conservation will mean a lot for residents of the towns where the policies are executed. The people who live in New Hampshire could see many of their beloved natural areas preserved for future generations to enjoy. However, they could also see these formerly pristine areas converted to apartment buildings, million dollar homes, or the next link in an ever expanding chain of Dunkin Donuts.

The decisions of John Lynch, while mainly effecting current and future New Hampshire residents, will also affect a lot of people nationally. Assuming that Lynch institutes policies advocating land conservation, leaders of other states could use Lynch's policies as an example for what they would introduce in their own areas. Lynch's plans could also affect the residents of other areas. If large areas appropriate for recreation were conserved in New Hampshire it could cause an influx of tourists to the area. These people may witness the success of Lynch's conservation efforts and petition their own leaders to follow suit.

However, everyone may not be pleased with increased land conservation in New

Hampshire. Developers looking to build on land that would be appropriate for conservation would oppose further efforts. Also, businesses that would benefit from increased population and construction would also oppose such plans. Lynch would have to deal with negative feelings from a certain people if he were to make policies either advocating or opposing land conservation.

Policy

One of the main policy issues facing New Hampshire, but especially the region in which Colby-Sawyer College is located, is the proposal for the expansion of the lease on public lands at Mount Sunapee. The proposal would expand ski trails in the West Bowl area of the mountain, an area that is public land. It will also give rise to growth, subsequent development, or related activities likely to be induced by the proposed action. The expansion will spur an extension of existing facilities, an increase in the number of parking areas, the development of residential lots that is already proposed, and the possibility of other residential development. It is estimated that there will be an increase annually of 6,850 skiers to the mountain.

Governor Lynch has been openly opposed to any expansion of the Mount Sunapee resort; he is in favor of protecting the public lands. One website operated by the Lynch Committee states “He opposes the proposal to lease additional land for the expansion of the Mount Sunapee Ski Area. The existing public-private partnership that began in 1998 at Mount Sunapee is working and should be maintained, but John Lynch does not believe there is a compelling interest for expanding it. [...] John Lynch will work with Sunapee’s leaseholders to improve ski operations within the confines of the current lease. The current master plan calls for more than \$10 million in improvements in the existing lease area” (John Lynch for New Hampshire). However, he has not given a definite answer as of yet to managers Tim and Diane Mueller, who also own and operate Okemo Mountain in Ludlow, VT (Adams).

As of March 16, 2005 Governor Lynch says that although he met with Mount Sunapee resort operators he is still very opposed to the expansion of Mount Sunapee. Commissioner Sean O’Kane, who works for the Department of Resources and Economic Development, will decide whether to recommend to Lynch whether to pass or veto the expansion. However, Lynch will still have the final say in whether the development will go ahead (Lynch remains opposed to Sunapee ski expansion).

This issue of permitting or denying the expansion of Mount Sunapee is a very important one. If it is allowed it could set a precedent for future use of public land by similar businesses. However, if it is opposed it will also set an example for not allowing use of public lands for things such as expansion of ski areas in the future. This is a very important decision for Governor Lynch to make.

Policy Critique

Though there has been no definite answer regarding the expansion of the Mount Sunapee resort Governor Lynch has made it clear that he will not allow the plans to proceed unless there is striking new evidence regarding the impacts of the development. Though this is possible, it is highly unlikely. It is more likely that Lynch will hold true to his promises and veto the development plans so that the expansion cannot proceed.

This will make many of the interested parties very pleased, including myself. This includes residents of Goshen, NH, the town which includes the area under question for expansion. It will also make other people concerned with the mountain, Lake Sunapee, and the surrounding areas happy, including the Friends of Mount Sunapee. The Friends of Mount Sunapee is an organization dedicated to the protection of Mount Sunapee and Lake Sunapee has been outspokenly opposed to the expansion (Oppose Lease Expansion!).

I agree with Lynch that the proposal should not be allowed. However, I believe that he should make his decision sooner, taking slightly less time investigating and meeting with interesting parties before denying the expansion. Although it is important that he does investigate the matter fully and for public relations that he takes the time to explain the reasons for denying the development, it need not take as much time as it has and will take in the future.

Recommendations

I believe that Governor John Lynch will set a good example for everyone on the issues regarding the environment and especially land conservation and public land leasing. He has made many promises regarding such things and hopefully he will be able to fulfill all and more of these pledges. The previous Governor of New Hampshire, Governor Benson (Republican), had a less than stellar record on the environment. It would appear that Lynch has already taken more of a stand on environmental issues during his short time in office.

It seems that Governor Lynch will deny the expansion of Mount Sunapee, in doing so he will make a precedent for dealing with this type of issues in the future. I feel that Governor Lynch will make a positive statement for those who support conservation efforts. I think that the next two years will be very beneficial for the state of the environment in New Hampshire.

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Overview of Topic

The Land and Community Heritage Investment Program (LCHIP) is a government funded program that works to conserve open space, and preserve historically significant structures in New Hampshire. Since its establishment in 2000, LCHIP has conserved over 200,000 acres and revitalized/preserved eighty-three historically important structures. Over the course of the Benson administration, the funding for LCHIP has been cut drastically (The Nature Conservancy).

Those in support of the program claimed that in order for LCHIP to be effective, a budget of 12 million dollars will be needed to cover the cost of two years of operation. The New Hampshire House, however, only allocated 4 million dollars for the program. Those opposed to the program claim that LCHIP is an unnecessary outlet for state money, or that it is just a bad idea on the whole (Darman).

Newly elected governor, John Lynch, has expressed that he would like to revitalize LCHIP. He plans on doing this by increasing its current budget to 10 million dollars for two years of operation (Dickson).

Stakeholders

The stakeholders involved in the LCHIP issue are all of the New Hampshire citizens. Everyone in the state has the ability to be impacted either positively or negatively by the program. The land conserved and buildings preserved can be enjoyed and utilized by all. On the other hand, the type of spending required to support LCHIP requires the public to be taxed more (Society for the Protection of New Hampshire Forests).

Those who support LCHIP feel that it plays a critical role in preserving New Hampshire's rustic character. Bill Hoyt, the executive director of the Citizens for LCHIP lobbying group stated, "LCHIP's mission is now more important than ever...why we need it is the amount of sprawl, the amount of development that's taking place currently in the state, the state of historic buildings that are just crumbling, falling, that are bulldozed to put up a steel box, that doesn't have any character, so I think there's a huge need out there for the program." Hoyt also felt that there was room in the state budget to provide adequate funding for LCHIP.

Those opposed to LCHIP feel quite the contrary. They feel that the money that is currently put towards LCHIP could be used for other, and what they see as more significant purposes including, help for the needy and healthcare for children.

Some opposed to LCHIP oppose conservation, and the use of state money to fund conservation in particular. Senator Robert Boyce, one LCHIP's major opponent states, "the idea that we use you know, public money, to take private property out of the hands of the owners, and foreclose possible future uses of property I disagree with that. I just disagree with the program all over (Darman)."

Policy

Currently, there is no bill in review concerning LCHIP. There is, however, a committee that is currently reviewing the program.

Policy Critique

LCHIP would be a highly effective program if given the support and funding it requires to be run properly. Those who oppose the program need to realize that the land and structures protected do in fact provide a public benefit. Many claim that the money that would be put towards LCHIP should be towards children's healthcare and aid for the needy, but by looking at the state's past records, it is easy to predict that any money not used for LCHIP would also not be used for either of the previously mentioned causes.

At this point in time, LCHIP does not have enough funding or support to be run properly. Until the program receives adequate funding, it will be difficult for supporters to make a convincing case as to why the program should be kept.

Recommendations

In order for LCHIP to gain support, and limit its number of opponents, it might be wise to slowly increase its budget so those against a great deal of state spending will not automatically dislike the program. Gradual changes are usually easier for people to accept than abrupt changes.

It might also be a good idea to run a communications campaign. This would be a good way to educate the public on exactly what LCHIP is and why it is important. It might also be helpful to educate people about land conservation in general. There are very few people who know exactly what is involved in conserving a piece of land, and providing knowledge on the topic might be a good way to sway the opinions of some.

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Overview of Topic

In 2005 New Hampshire took their first step toward implementing an environmental policy to guide the state in its growth and development. The state of New Hampshire realized that with the growing population and expanding economy a policy must be implemented to help save the life-sustaining natural environment in which the people of New Hampshire live today. The state which once took its natural resources for granted has now implemented a bill which views natural resources such as water, air, and land as “finite and precious” (HB632). The time has come for New Hampshire to guide human activity in tranquility with the natural world. The general court therefore has declared an environmental policy which will “conserve, improve, and protect its natural resources and environment, and to control air, land, and water pollution in order to enhance the health, safety, and welfare of the people of the state” (HB632). The state wishes to manage the basic resources (air, land, and water) in cooperation with the stakeholders so that the state can fulfill its responsibility as a trustee of the environment and ensure a healthy environment for present and future generations. The environmental policy implemented for the state of New Hampshire by the general court is young and has not developed into its full potential. The policy will develop into a more complex document with more specifics with due time and criticism.

Act 250 was adopted by Vermont 35 years ago in 1970 and still serves as Vermont’s environmental policy. The state of Vermont’s environmental policy is much more complex than that of New Hampshire. Both state’s plans share the similar goals of “protecting the environment; balancing development with local, regional, and state issues; and to provide a forum for neighbors, municipalities and other interest groups to voice their concerns” (Vermont Act 250). New Hampshire’s plan has been implemented and through use will develop into a more complex document as seen in Vermont. New Hampshire’s current environmental policy will serve and progress to form a solid base for the healthy future development of New Hampshire.

Stakeholders

New Hampshire’s environmental policy will have an effect on everyone living in New Hampshire. The federal government, state and local governments, public and private organizations, and concerned individuals all share different interests as to what the environmental policy entails within the state. Representatives sponsoring the environmental policy bill include: Jim Ryan (d) from Franklin, NH, Frank A. Tupper (d) from Canterbury, NH, Jennifer A. Brown (d) from Dover, NH, and Claudia A. Chase (d) from Franconia, NH. Therefore a broad range of different individuals and organizations will have individual input in the environmental policy for the state. “It shall further be the policy of the state to improve and coordinate the environmental plans, functions, powers, and programs of the state, in cooperation” (HB632) of its stakeholders. It will be impossible to create a policy which will please all stakeholders, and this quote illustrates a way some one may misinterpret New Hampshire’s environmental policy which is pleasing all stakeholders, when it is always going to be impossible to do so.

Policy

Vermont's Act 250 is a much more detailed document which addresses several aspects of environmental policy which have been brought to attention over the last 35 years in Vermont. Every development project needs to have an Act 250 permit in order to carry out development plans. Act 250 contains over 200 pages of information on subjects like; appeals, decisions, permits, enforcements, air and water pollution, waste disposal, headwaters, traffic, soil erosion, wildlife and endangered species, etc... This helps maintain Vermont's natural resources and beauty by selectively developing specific areas by having development follow Act 250 guidelines.

Policy Critique

The young environmental policy of New Hampshire will soon start to develop into a much more detailed bill. Today it is only general guidelines for the state to grow into a healthy future. Many people will support and abide by what the environmental policy bill entails, but people which a bill like this may affect in a negative way will probably not wish to follow the bills laws but will have too. For example a developer of some sort may see a reduction in his earnings due to some guidelines that the bill states or some one wishing to develop may run into several restrictions before being able to build. This is where the criticism will come into play which will form New Hampshire's environmental policy.

Recommendations

New Hampshire has set foot for a healthy future by taking initiative in developing an environmental policy to guide the growth of the state. Time will allow the policy to grow into a very critical piece in the development of New Hampshire. This policy will assist in protecting regional conservation priorities throughout the state. At this time land conservation is not specifically listed in the policy. Conservation is addressed specifically in the form of energy use. ASLPT and other organizations can join together and help form a section on land conservation for New Hampshire's environmental policy. If the guidelines are developed well and followed by all, New Hampshire will continue to be a healthy living environment rich with healthy and abundant natural resources.

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Overview of Topic

Leasing state land can be troublesome because not everyone agrees on what state owned land should be used for. Currently in New Hampshire, the Mt. Sunapee ski area is trying to expand its boundaries further into state owned land. The question this can bring up with the public is how commercial development can be beneficial as a public park, and what are the impacts of this development going to be thirty years down the line. The problem with a project like this is currently there is no predefined process for the state to go through with such a project. For this reason, the state needs to create a special committee, and develop special guidelines that the state feels will be fair and reasonable to determine the outcome of the proposed expansion of the Mount Sunapee resort. Proposed House Bill 419 from the Resources, Recreation and Development committee “prohibits the expansion of the boundary of the area of Mount Sunapee state park leased for the Mount Sunapee ski area operations until the report of the study committee established in the bill is filled or November 1, 2006.” This is currently the only bill in the New Hampshire legislature that addresses leasing state land; interestingly enough the bill also addresses land that falls within the Ausbon Sargent Land Preservation Trust (ASLPT) considering the expansion of the Ski Area falls within the towns of Sunapee and Goshen.

Stakeholders

The issue of leasing the state land that Sunapee wishes to expand on affects a lot more than just the people who ski the mountain, although it is the skiers and riders as well as the people who benefit financially who will enjoy the expansion the most. The expansion will also affect many people living in the expansion area who may be affected by the view of the expansion, as well as after effects such as erosion. Other effects that also need to be taken into consideration include water usage and conservation, wastewater disposal and treatment, solid waste disposal, air quality and travel congestion, forestry management, wetland impacts, wildlife habitat, and scenic and aesthetic qualities. Another stakeholder in this situation is the lake itself. The proposed plan draws water from the lake to be used for snowmaking, which will create the snow in a different watershed than the lake Sunapee watershed. On June 8, 2004 the Mount Sunapee Resort held an Advisory Committee meeting to discuss the possible additions to the mountain resort. The main concern for town member Terry Dancy was the importance for the planning process to include the surrounding towns of Newbury, Goshen, and Sunapee. He also stated in that meeting that it is very important for the public to see that the process is fair and reasonable. Dancy’s main suggestion is that there needs to be more than one public hearing, the more the town feels that it is able to give advice towards this project, the better they are probably going to feel about the final product. Other town members at the meeting expressed similar concern. Nancy Marashio feels that public interest should be on the agenda at multiple hearings through the extent of the expansion project, once again another town member that feels the necessity to keep the local communities heavily involved in this project.

Policy

The proposed Bill 419 mentioned earlier would establish a committee to study Mount Sunapee Ski Area as well as the issues that relate to the lease of the state park land. The committee will be made up of three members of the House of Representatives, appointed by the Speaker of the House, and three members of the Senate appointed by the President of the Senate. This committee will need to study both the terms of the lease that Mount Sunapee has on the land as well as the terms of the Mount Sunapee expansion. Further more the study will examine the effects that the ski area currently has on the surrounding area, as well as the effects that the ski area would have if the proposed expansion was completed. The six members of the committee will need to consult all the neighboring communities as well as interested parties while conducting this research. The six members will also need to elect a chair person from within the group. The first meeting will need to be held within forty-five days of the particular session it was designed in. Once complete the committee will need to report its findings and recommendations for proposed legislation to the speaker of the House of Representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library before November 1, 2006.

Policy Critique

This policy is designed nicely in terms of organization within the committee. Making sure to determine people's positions within the committee early on in the process will ensure smooth transitions through the project. If the committee does a complete job at reviewing both the lease agreements and the proposed expansion of the ski area then there should be no problem determining whether or not the expansion falls within the lease agreement. The bill does not address the need for the committee to work with scientists who specialize in certain areas that would help the investigation such as ecology and water chemistry.

Recommendations

It is important for the committee to take into consideration the people from the surrounding towns, they are the people most dramatically affected by the expansion, so they will be the people who have the most to say. It is also important to consult with scientific specialists because they should give an un-bias report on the scientific aspect to the research. Like the people mentioned earlier in this paper, it is so important to keep all of the surrounding communities involved in the decision making of this project, the more they are involved with the expansion the more they will approve of it. It is as easy as opening up more of the meetings for public session, and asking advice, take the communities suggestions and work with them. It is also important to offer a good explanation of what is going to happen with the expansion and why. A local resident of Goshen may not understand why it is so important for a ski area today to have slope side lodging or any other of the recommended additions to the ski area.

The Society for the Protection of New Hampshire Forests (SPNHF) has strong feelings against the expansion of the Mount Sunapee ski area. The large parcel of land that the mountain falls on was given to the people of New Hampshire early in the 20th century. SPNHF feels that because this expansion is proposed primarily to enhance the

profitability of the ski area for a private owner, and not for public interest, that their should not be a lease agreement.

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