



**APPALACHIAN  
MOUNTAIN CLUB**  
YOUR CONNECTION TO THE OUTDOORS

Email Filing: [MountSunapeeComments@dred.nh.gov](mailto:MountSunapeeComments@dred.nh.gov)

Commissioner Jeffrey J. Rose  
Dept. Resources and Economic Development  
172 Pembroke Rd, PO Box 1856  
Concord, NH 03301

June 4, 2015

**Re: Appalachian Mountain Club's (AMC) Comments on the New Hampshire Department of Resources and Economic Development (DRED) draft decision on the Mount Sunapee Resort MDP/EMP for 2015-2019.**

Dear Commissioner Rose;

The Appalachian Mountain Club submits the following comments on DRED's Draft Decision (Draft) for the Mt. Sunapee Resort MDP/EMP 2015-2019 Expansion Proposal. AMC is the nation's oldest (1876) conservation organization, with more than 100,000 members, supporters, and advocates, including some 12,000 who live in NH. Many of AMC's members who reside outside of NH frequently visit and recreate in New Hampshire. AMC's mission *promotes the protection, enjoyment, and understanding of the mountains, forests, waters and trails of the northeast*. AMC offers hospitality in NH for outdoor enthusiasts in front and back country locations, and has leadership programs in environmental policy, research, trails stewardship, and youth outdoor education. AMC maintains more than 1800 miles of trails in our region from Maine to Washington, DC, including over 300 miles of the Appalachian National Scenic Trail in five states. AMC's early accomplishments include playing a major role in the creation of the eastern US National Forest system and White Mountain National Forest in the early 1900's. More recently, AMC has been involved in land protection efforts across the Northern Forest, including in New Hampshire the Quabbin to Cardigan Partnership, and various projects in the Mahoosuc/Upper Androscoggin region. AMC is committed to promoting the protection and appropriate stewardship of public lands, including Mount Sunapee State Park, which is a significant—and beloved—recreational and ecological asset that lies within the Pillsbury-Sunapee Highlands area and the Sunapee-Ragged-Kearsarge Greenway.

We appreciate that the draft decision attempts to balance the many interests and concerns engaged in this process, and recognize that achieving the correct balance is often elusive. However, based on our expertise and history, AMC recommends, at a minimum, the following changes be included in your final decision, recognizing that our concerns do not encompass the full spectrum of issues that may need to be addressed.



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**A. Land Mitigation:**

- 1) The Draft decision proposes that CNL Properties, Inc. will donate ~400 acres to enlarge Mount Sunapee State Park. It should be required that all these lands be donated and legally under the State of New Hampshire's ownership prior to allowing any construction

to start in the West Bowl. The impacts of such construction will be immediate, and implementation of this mitigation should be immediate as well.

Specifically:

- a) The NH Natural Heritage Bureau analysis of the ecology of the West Bowl delineated ~486 acres as an exemplary Northern Hardwood-Conifer Forest Natural Community, which is part of a larger regional ecological landscape. The proposed West Bowl expansion would encroach upon and further fragment this exemplary ecosystem. NH's Native Plant Protection Act (RSA 217-A:7) obligates the State to protect such exemplary natural communities when development actions are proposed. In this case the State is proposing to permit such degradation of an exemplary community on State-owned lands. The State is morally obligated in this case to act in a manner consistent with its own mandates. Thus, the 52 acres currently owned by Mount Sunapee Resort, which includes approximately 10 acres worthy of inclusion within the exemplary natural community, should be donated and conveyed to the State prior to the initiation of any construction.
- b) Former DRED Commissioner George Bald's February 27, 2002 MDP response to the Mount Sunapee Resort called for the expansion of the Mount Sunapee/Pillsbury Greenway by adding at least 100 acres of land to the Greenway. To fulfill this request, the Resort purchased a 208 acre parcel, which should be donated to the State prior to any construction in the West Bowl to further protect the ridgeline of the Greenway.
- c) West Bowl ski area land - The MDP/EMP submitted by the Mount Sunapee Resort proposes both public and private ownership of the lands in the West Bowl based upon a common model of ski area operations on state and federal lands. The Draft proposes that all the lands directly associated with the recreational facilities constructed in the West Bowl area be transferred to the State, at no cost to the State, and become part of the state park by the end of the first 10-year option within the current Lease (on or before 2028). This would result in approximately 150 acres of ski terrain being added to the Park. We support the Draft's approach, but believe that that these lands should be transferred prior to any construction, not by the end of the first 10-year option.

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### **B. Research Plots**

In an effort to document and monitor the disturbance and impacts from the chairlift corridor, the Draft proposes that Mount Sunapee Resort fund the installation and annual monitoring of permanent research plots within Polygon D. These plots could potentially provide valuable data and research for evaluating best practices in the management of State lands and exemplary natural communities. However, as with many adaptive management/research studies, the Draft fails to

assign at the outset any responsibility for or required follow-up to the research, if it is found that significant impacts are occurring. Not only should the research be required, but action steps flowing from the findings should be required of the Applicant, including deadlines for remedying any impacts if they are found to occur. Without such conditions, this is not an adaptive management plan, but instead just a plan of study for study's sake.

### **C. Exclusive Rights**

The draft decision recognizes that no one - including abutting landowners - should have any exclusive access rights to the State Park. AMC recommends that DRED's final decision should clearly articulate how this policy will be monitored and enforced. In addition, abutting landowners should be clearly prohibited from constructing trails on public lands for their private access the public ski area.

### **D. Setbacks**

The Draft requires that any trails built within the West Bowl should have a setback of at least 20 feet from the state park boundary. This is insufficient and should be extended to at least 50 feet.

### **E. Summit Trail**

There remains confusion about the status and management of the Sunapee-Ragged-Kearsarge Greenway (SRKG) Coalition Trail on Mount Sunapee, in particular the popular 2.4-mile Summit Trail (a sub-section of the 75-mile, 14-section SRK Greenway Trail). Prior to any construction in the West Bowl, a Memorandum of Understanding (MOU) should be established to clarify the role of the Resort and the SRKG Coalition, since the resort leaseholder could change in the future. The MOU should include NH State Parks, Mount Sunapee Resort (MSR), and the all-volunteer SRKGC, and should establish clear lines of responsibility for the Summit Trail. The MOU should be an enforceable and permanent guide for future resort operators and managers and/or leaseholders, and for volunteers, to ensure the interests of NH Parks and trail users are protected. The MOU should assign to Mount Sunapee Resort and any successor leaseholders primary responsibility for maintenance of hiking trails for year-round, four-season hiking within the lease area, since the Resort widely advertises to bring tourists to hike the Park's trails in summer. In addition, the SRKG Coalition believes that its volunteer trail maintenance capability is already at its limits (per personal communications w/ SRKG). The Summit Trail should remain open for winter snowshoe use as four-season, year-round hiking is central to New Hampshire's recreational culture. We also urge consideration of the two alternative routes proposed by the

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SRK Greenway Coalition to minimize snowshoe hiker crossings of ski trails, but believe that the existing, more gradual, trail should continue to be the primary trail for 3-season hiking. We note that the Summit Trail, completed in 1997, was specifically designed for the SRK Greenway and built to specifications from NH State Parks to be outside the lease area and thereby free from interference with ski trails. As the proposed development changes that context, the final decision must include appropriate protections for this important hiking resource.

Thank you for your consideration of our comments.

Sincerely,

*Susan Arnold*

Susan Arnold  
Vice President for Conservation  
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