



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
OFFICE OF THE COMMISSIONER
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June 30, 2020

Peter Disch, General Manager
Mount Sunapee Resort
PO Box 2021
Newbury, NH 03255

RE: Mount Sunapee Resort Annual Operating Plan 2020-2021

Dear Mr. Disch,

The purpose of this letter is to provide you with written request for revisions of the Mount Sunapee Resort (MSR) Annual Operating Plan 2019-2020 (AOP). Please provide me with a revised AOP on or before July 20, 2020, for final approval.

The Lease and Operating Agreement of 1998 (Lease 1998) enables the Operator, d/b/a Mount Sunapee Resort (MSR), “to manage and operate the Leased Premises as a public ski area and summer recreational facility to provide year-round outdoor recreational opportunities for the general public” and “shall entitle the Operator to the right to operate a commercial recreational (*sic*) facility (including all of its support activities) on Mount Sunapee in the Towns of Newbury and Goshen” (Lease 1998, Part 4, Ski Area Operations, p. 4).

The Annual Operating Plan. Pursuant to the Lease 1998, Part 5, Annual Operating Plan, p. 4 “[o]n or before the 15th day of May during each year of this Agreement, the Operator shall submit to the [Department of Natural and Cultural Resources (herein after DNCR)] an annual operating plan, including a schedule of the proposed days and hours of operation for the ski area, and a description of the types of recreational activities available to the public. The proposed schedule of operation shall be reviewed by DNCR and either approved as proposed, or revised for resubmission. DNCR shall notify the Operator in writing of a final schedule of operations no later than June 30th of each year.” The AOP 2020-2021 was delivered to DNCR on May 12, 2020. The DNCR distributed the AOP to the Mount Sunapee Advisory Commission (MSAC) and posted a copy on the MSAC webpage.

The Mount Sunapee Advisory Commission (MSAC). The Lease Amendment approved by the Governor and Executive Council on December 19, 2018, codified the requirement that the Operator meet with the MSAC at the call of the Commissioner. The MSAC operates under the Public Involvement and Oversight Policy for Mt. Sunapee Ski Area (PIOP), dated Aug. 31, 1998, and revised on December 3, 2018.

The MSAC met by teleconference call on June 9, 2020, to enable the MSAC’s review of the AOP. MSR presented the AOP and comments from the MSAC and the public were taken into consideration. MSR is asked to revise the AOP to incorporate and address certain comments received from the MSAC, NH Department of Environmental Services (NHDES), the Natural Heritage Bureau (NHB), and the public.

Requested revisions of the AOP. We have completed our review of Mount Sunapee Resort’s Annual Operating Plan 2020-2021. The activities in the AOP are consistent with the 1998 Lease and Lease

Amendments, and the Revised Master Development Plan and Environmental Management Plan 2016-2020 (MDP) that was approved by DNCR on March 11, 2016. Comments received from the public, the MSAC whose members include the DES and the NHB, and the DNCR staff were considered. I am requesting revision of the AOP 2020-2021, to include the following changes:

- 1) Update the schedule for the Kids Mountain Adventure Camp (AOP, p. 6). I recognize that MSR may not open certain areas and facilities to the general public in accordance with the Governor's Economic Re-opening Task Force guidance in response to the COVID-19 pandemic. However, MSR will provide its anticipated operating schedules and will open such areas and facilities when it can safely do so under the Task Force guidance.
- 2) Include the full text of MSR's "Uphill Travel Policy" and "Sliding Devices" parameters within the AOP document (AOP, p. 10).
- 3) Include MSR's policy on "boundary to boundary" skiing.
- 4) At this time, I will continue to accept MSR's reporting of skier visits separate from the AOP and through DNCR's audit of MSR's annual financial reporting as per the requirements of the Lease.
- 5) Include NHB's finding of the Loesel's wide-lipped orchid (see NHB memo, dated June 9, 2020, attached) and that MSR will continue to work with the NHB on a fall mowing schedule to protect the greater fringed gentian population and the Loesel's wide-lipped orchid (AOP, p. 24).
- 6) The NH DES conducted its review of the AOP and provided its comments to DNCR, dated June 24, 2020 (attached). We ask MSR to consider the DES comments pertaining to winter salt use on roadways and parking lots, and the potential for expanding storm water BMP installations when making facility upgrades and where appropriate.
- 7) DNCR recognizes the collaborative effort between MSR and the Lake Sunapee Protective Association (LSPA) on a DES Watershed Assistance Grant. Add this initiative in Section J of the AOP. In future AOPs, include an update on activities related to the new Lake Sunapee Watershed Management Plan and any grant work.

I look forward to receiving the revised Annual Operating Plan 2020-2021, and will provide my final decision of the revised AOP following my review.

Sincerely,



Sarah L. Stewart
Commissioner

Attachments: NHB Memo, dated June 9, 2020
NH DES Comments – Mt. Sunapee Resort's Annual Operating Plan 2020-2021

cc: Mount Sunapee Advisory Commission