

Mount Washington State Park Leases

DRAFT

3-24-2022

Agreements on the Summit

1. MWObs Lease
 - a. Term: 2009-2014, with 3 additional 5-year terms; Renewed in 2014; Extended in 2019 to 2020; Right to renegotiate paragraphs 2020-2024 in process. Entire agreement expires in 2029.
2. Mt Washington Auto Road Lease
 - a. Term: Expired in June 2018; The parties continue under the Non-Disturbance Agreement while negotiating a new agreement.
3. DES MOA for air quality monitoring. Space in Yankee Building
4. AMC MOA drafted in 2014 for storage in Yankee Building. Not executed.
5. Communication Sites
 - a. Annual revenue prior to market rate increase was approximately \$300,000/year. Annual current projected revenue is approximately \$425,600/year
 - b. We have a total of 17 comm. site leases/agreements at Mt. Washington broken down as follows:
 - i. (7) Non-governmental/commercial tenants
 - ii. (6) Federal Government tenants
 - iii. (4) State Government tenants

227-B:6 Powers and Duties. – The commission shall:

III. Monitor all fees being paid to the state for the use or lease of state-owned facilities on the summit, such fees to be used by the commission in its duties and for its expenses.

VI. Consult and advise with the commissioner of the department of natural and cultural resources:

(c) In the negotiations of leases, agreements and franchise arrangements in the operation of summit facilities; and

Leases and agreements are between the lessee and the State of New Hampshire rather than the “Commission”. The State has not consulted with the Commission regarding leases in recent years. Consultation is awkward because of the specific rights and interests that many of the Commission members have in the Park through agreement and deed. However, with the new focus on master planning and the strengthening of both relationships and the function of the Commission, the Commission should be presented with leases and agreements including term, compensation, rights granted, and rights received. This will allow the Commission members to provide comments and advice relative to achieving the master plan and impact on their own operations, visitor experience and the park as a whole.

Commission members should recuse themselves as appropriate and when agreements are in negotiation, the Commission will need to go into non-public session to discuss (as is the case with the State Park System Advisory Council review of agreements).