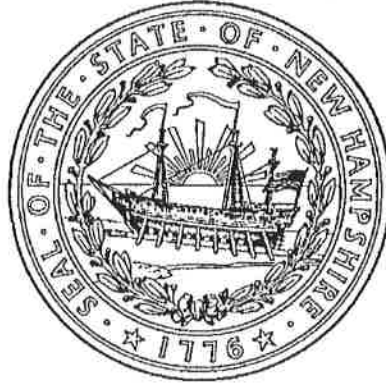


State of New Hampshire
Department of Natural and Cultural Resources



**Public Involvement and Oversight Policy for
Mount Sunapee Ski Area**

A handwritten signature in cursive script that reads "Robb R. Thomson".

Robb R. Thomson, Commissioner
August 31, 1998

A handwritten signature in cursive script that reads "Jeffrey J. Rose".

Jeffrey J. Rose, Commissioner
June 1, 2016

A handwritten signature in cursive script that reads "Sarah L. Stewart".

Sarah L. Stewart, Commissioner
December 3, 2018

172 Pembroke Road
Concord, New Hampshire 03301

STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

Public Involvement and Oversight Policy for Mount Sunapee Ski Area

I. Statement of Purpose. Since 1948 the State of New Hampshire has operated a ski area at Mount Sunapee State Park to provide outdoor recreational opportunities for the citizens of New Hampshire and surrounding states and provinces. The State has developed the Mount Sunapee Ski Area with state funding and federal funding from the Land and Water Conservation Fund program administered by the National Park Service. The State has a continuing obligation under state and federal law to make the ski area at Mount Sunapee available to the public for outdoor recreational use.

In Chapter 119, Laws 1997, the General Court of New Hampshire authorized the Commissioner of the Department of Resources and Economic Development (DRED) to develop and issue a request for proposals (RFP) for a lease, concession agreement or management contract for the operation of the Mount Sunapee Ski Area. Chapter 134, Laws 1998 (HB 1291), requires that the Department of Natural and Cultural Resources (DNCR), as successor to DRED provide for public notification, review and comment prior to approving any master development plan or environmental management plan submitted pursuant to a lease approved pursuant to Chapter 119, Laws 1997.

The Lease and Operating Agreement (Lease) between the State and the Operator requires the Operator to submit an Annual Operating Plan (AOP), a Master Development Plan (MDP) and an Environmental Management Plan (EMP) to DNCR for review and approval. Members of the public who use the facility and local public officials can provide valuable information and comment about how the Ski Area should be developed and how its natural resources should be protected. The purpose of this Policy is to establish procedures for involving members of the public and state and local public officials in DNCR's review of the AOP, the MDP and the EMP by providing for public notice and comment and for the establishment of a Mount Sunapee Ski Area Advisory Commission, as successor to the Mount Sunapee Ski Area Advisory Committee.

II. Procedures for Public Notice and Comment. The State of New Hampshire, acting through officials and employees of DNCR, shall follow the procedures outlined to ensure that members of the public and state and local public officials are made aware of, and have the opportunity to comment upon, significant issues and decisions arising out of DNCR's review of the MDP and the EMP:

A. DNCR shall require the EMP to be submitted in conjunction with the MDP.

- B. Within 30 days of receipt of the MDP and EMP, DNCR shall publish a notice in a paper of general circulation and in a paper of local circulation in the Sunapee region, that the MDP and EMP are available for public review and comment.
- C. Within this 30-day period, DNCR shall require the MDP and EMP to be submitted to either the Town of Newbury or the Town of Goshen as may be appropriate for site plan review, to the Regional Planning Commission, to the Department of Environmental Services and to the Mount Sunapee Ski Area Advisory Commission.
- D. Local public hearings on the MDP and EMP shall be in accordance with the local site plan review process.
- E. In addition to any public hearing(s) under the local site plan review process, DNCR shall hold a hearing in conjunction with the Regional Planning Commission.
- F. Opportunity for public review and comment to DNCR shall continue throughout the local site plan review process. In no event will this public review and comment period be less than 60 days from the date of submission to the local body responsible for site plan review nor will the period for local site plan review be longer than that provided for under statute.
- G. The Commissioner may approve or request revisions for resubmittal after receiving and reviewing written public comment as provided for above. The Commissioner shall issue her/his approval in writing.
- H. Any amendment to the Lease which would expand the leasehold area shall be publicly noticed and submitted for public review and comment in accordance with the procedure outlined above for the MDP and EMP prior to submission to Governor and Council for approval.

III. Lease Oversight Policy

- A. The Commissioner shall establish a Mount Sunapee Ski Area Advisory Commission pursuant to RSA 12-A:29-a (formerly established under RSA 21-G:11), to advise the Commissioner regarding oversight and administration of the Lease and meet with the Operator at the call of the Commissioner. The Operator shall meet with the Commission upon request of the Commissioner and shall cooperate with the Commission through the DNCR Commissioner. A representative of the Attorney General shall be invited to attend meetings of the Advisory Commission.

B. The Mount Sunapee Ski Area Advisory Commission will be comprised of the following members:

- One representative of the Town of Newbury, appointed by the Selectboard
- One representative of the Town of Goshen, appointed by the Board of Selectmen
- Executive Director of the Regional Planning Commission
- Executive Director of the Lake Sunapee Protective Association
- Executive Director of the Society for the Protection of New Hampshire Forests or designee
- Executive Director of the Lake Sunapee Region Chamber of Commerce or designee
- One member of the public, appointed at the discretion of the DNCR Commissioner
- Commissioner of the Department of Environmental Services or designee
- Commissioner of the Department of Transportation or designee
- Director of Division of Parks and Recreation
- Director of Division of Forest and Lands or designee

Appointments shall be coterminous with their terms of office, unless replaced by the appointing authority. The member of the public, appointed at the discretion of the DNCR Commissioner, shall serve a three year term. In the case of a vacancy other than by expiration of term, the vacancy shall be filled for the unexpired term in the same manner and by the same body as the original appointment was made.

C. Oversight will be supervised by the Commissioner and may be delegated to a Lease Administrator (LA), a DNCR employee who will have responsibility for oversight of the provisions of the Lease, the execution of this Policy and general coordination between the Operator, DNCR and the Advisory Commission. The LA will be knowledgeable of ski area operations, safety codes, natural resource protection and stewardship.

IV. Plan Approval Guidelines

A. The Annual Operating Plan (AOP) will be subject to the following standards:

- The AOP shall allow public access to the leased premises for recreational and park activities.
- The AOP shall be submitted on or before May 15 of each year.

- DNCR shall require the AOP to be submitted to the Mount Sunapee Ski Area Advisory Commission, the Town of Newbury and the Town of Goshen for review.
- The AOP shall describe in detail the following:
 - a. Types of recreational activities available to the public
 - b. Ski lift operations
 - c. Snowmaking and grooming operations
 - d. Ski support services
 - e. Maintenance procedures
 - f. Security procedures
 - g. Emergency operating plan
 - h. Status of special use permits and leases
 - i. Marketing and advertising
 - j. Environmental management program
 - k. Signage
 - l. Utilities and roads
 - m. Implementation of MDP site improvements (after approval)
- DNCR shall notify the Operator in writing of a final schedule of operation no later June 30th of each year.

B. The Master Development Plan (MDP) shall be subject to the following requirements:

- The MDP shall be submitted to DNCR on or before June 1, 2000. Thereafter the MDP shall be revised and submitted every five (5) years.
- The MDP shall cover operation, facilities, site improvements and strategic plans for Mount Sunapee Ski Area.
- The MDP shall include but not be limited to:
 - a. Plans for expanding the ski trail network
 - b. Construction of new lifts
 - c. Construction or renovation of lodges or other facilities
 - d. Additional water withdrawals from Lake Sunapee to expand snow making capacity
 - e. Upgrading or modifying infrastructure, including power, water and sewage disposal systems

- f. Other improvements or alterations that are appropriate for the recreational use of the leased premises
 - The MDP shall be submitted for public notice and comment pursuant to section II of this Policy and as required by Chapter 134, Laws 1998 (HB 1291).
- C. The Environmental Management Plan (EMP) shall be subject to the following requirements:
 - The EMP shall be developed and submitted for approval to DNCR in conjunction with the MDP.
 - The EMP shall adopt recognized Best Management Practices to preserve and protect the leased premises and shall explain how proposed site improvements may impact the resources listed below, which shall include but not be limited to:
 - a. Water usage and conservation
 - b. Septage disposal/treatment
 - c. Drainage, erosion and water quality issues
 - d. Solid waste disposal
 - e. Air quality and traffic congestion mitigation
 - f. Forestry management
 - g. Wetlands impacts
 - h. Wildlife habitat preservation
 - i. Scenic and aesthetic qualities
 - The EMP shall be submitted for public notice and comment pursuant to section II of this Policy and as required by Chapter 134, Laws 1998 (HB 1291).
- D. Site development in accordance to the AOP, MDP or EMP will be guided by the following:
 - All applicable federal, state and local permits shall be obtained by the Operator and its contractors and subcontractors, prior to the start of construction activity.
 - Construction plans will be submitted to DNCR and the Town of Newbury and/or the Town of Goshen as may be appropriate, 60 days prior to construction.
 - DNCR will review and approve plans in consultation with DES and other

appropriate agencies.

- Monitoring for compliance will be performed by DNCR and may include inter-department or other cooperative arrangements.

8/31/98
Rev. 4/29/16
Rev. 12/03/18