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N.H. Rivers Management and Protection Program

N.H. Rivers Management Advisory Committee

April 5, 2016

Charles R. Schmidt, PE
Administrator
Bureau of Right-of-Way
NH Department of Transportation

RE: Sale of State-owned Land in Warner

FOR DISCUSSION PURPOSES ONLY

Dear Administrator Schmidt:

The Rivers Management Advisory Committee (RMAC) is writing in response to the NH Department of Transportation (DOT) proposal to sell approximately six acres of state-owned land between NH Route 103 and the Warner River in Warner, New Hampshire, Tax Map 16, Parcel 24.

The RMAC first reviewed this proposed surplus land disposal at its meetings on December 5, 2013 and March 19, 2014. Because the Committee was unable to determine the ownership of abutting parcels, particularly old Route 103, its right-of-way, and the riparian lands abutting the Warner River and the old Route 103, in order to determine whether the sale of this property would negatively impact public access to the Warner River, the RMAC did not recommend disposal. This segment of the Warner River is a valuable public resource, popular with paddlers and fisherman, and the property proposed for sale is located at a site frequently used for accessing the river.

Despite the continued lack of clarity regarding ownership of these abutting parcels, the RMAC feels that sale of the property to the Town of Warner for recreational purposes could be an acceptable solution to DOT's desire to dispose of the property under the following conditions:

1. The Town of Warner purchases the property.
2. A deed restriction or other type of easement is placed on the property ensuring that the property remains as open space and that reasonable public access for both town residents and non-residents to the property is retained in perpetuity.

Furthermore, the RMAC encourages the town to accommodate any sensitive species, such as the wood turtle, which may be present.

The RMAC is a legislatively created body charged to work with the NH Department of Environmental Services (DES) on the administration and implementation of RSA 483, the Rivers Management and Protection Program (RMPP). The Governor and Council appointed Committee is comprised of representatives from business, agriculture, hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests. Among its other responsibilities, the RMAC is charged with reviewing and making recommendations on the proposed disposal of state-owned properties adjacent to or providing access to a river.

Should you have any questions, please feel free to contact me at (603) 466-8149 or kkimball@outdoors.org.

Sincerely,

Kenneth D. Kimball, Ph.D., Chair

cc: RMAC Members
Thomas Burack, Commissioner, NHDES