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Community Land Conservation in the Coastal Watershed

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Community Land Conservation in the Coastal Watershed

A Final Report to
The New Hampshire Estuaries Project

Submitted by

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July 25, 2008

This project was funded in part by a grant from the New Hampshire Estuaries Project as authorized by the U.S. Environmental Protection Agency's National Estuary Program.



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Executive Summary

The New Hampshire Estuaries Project (NHEP) provided a \$10,000 grant to the Southeast Land Trust of New Hampshire (SELTNH) to support the hiring of a Community Land Protection Specialist to expand the region's capacity to implement and complete conservation efforts within the coastal watershed, and specifically within the Lamprey River and Exeter River corridors. Over a period of eighteen months (January 2007 through June 30, 2008), the Community Land Protection Specialist (Specialist) worked with the Town of Brentwood, the Lamprey River Advisory Committee, and other community partners to conserve critical lands along the Exeter River, Lamprey River, and other areas of the coastal watershed.

The Community Land Protection Specialist

- ❖ Managed all aspects of nine land conservation transactions completed during the grant period. Six projects (236 acres) are within the coastal watershed and include 1,200 feet of frontage on the Lamprey River and more than 800 feet of frontage on the Exeter River. Three other projects (189 acres) were outside of the coastal watershed.
- ❖ Assisted with the completion of six other land conservation transactions completed during the grant period, totaling 213 acres in the coastal watershed and 17 acres outside of the coastal watershed. The projects in the coastal watershed included 8,000 feet of frontage on the Lamprey River, 300 feet on the Taylor River, and a significant salt marsh in Rye.
- ❖ Conducted direct outreach (including personal letters and phone calls) in collaboration with the Lamprey River Advisory Committee to more than 45 landowners along the Lamprey River, resulting in follow-up interest among at least six landowners with ongoing conservation discussions including some appraisals and pending offers. Also hosted a land protection workshop attended by twenty-three interested landowners
- ❖ In collaboration with the Town of Brentwood assisted four landowners interested in conserving their land by helping them with their applications to the USDA Wetlands Reserve Program

In addition, the Specialist coordinated outreach activities for targeted landowners. One estate planning and conservation options workshop was hosted in June 2007 in Epping, drawing 20 landowners. An introductory mailing and follow up calls were made to priority landowners within the Lamprey River watershed, yielding several land conservation projects that are in current discussions.

Introduction

The Southeast Land Trust of New Hampshire (SELTNH) is a non-profit conservation organization whose mission is to conserve the significant land and natural resources of southeastern New Hampshire, including water, working farms and forests, wildlife habitat and natural areas, and community landscapes.

With the support of the NHEP, SELTNH hired Ellen Snyder as the Community Land Protection Specialist on March 5, 2007. Ms. Snyder resigned one year later, and worked for the remaining four months of the grant period as a consultant on a project-by-project basis. Due to this staff change and the delayed rehiring of the position, SELTNH's executive director undertook two land conservation projects within the coastal watershed that may have otherwise been the responsibility of the Specialist (Awcomin-Massacre Marsh in Rye and Pawtuckaway River Corridor in Raymond and Epping).

This final report describes accomplishments achieved with the assistance of the NHEP grant. These accomplishments helped implement Action Plans LND-15, LND-26, and LND-36 from the NHEP Management Plan.

Project Goals and Objectives

The goal of this grant was to increase the amount of land protected within the coastal watershed by strengthening local and regional conservation efforts through the hiring of an additional professional land conservation specialist. Specific objectives and activities to achieve this goal included:

1. Conduct outreach programs for targeted landowners
 - a. Two estate planning and land conservation workshops
 - b. One introductory mailing within the Lamprey River watershed and a SELTNH priority area in coastal watershed
 - c. One field trip for targeted landowners
2. One on one contact with 15 landowners
3. Acquisition funding management
 - a. Support implementation of grants received by Brentwood
 - b. Apply for new grants for funding
4. Conservation acquisition project management
 - a. Conduct site walks on six properties
 - b. Conduct negotiations and project management for six properties
 - c. Complete baseline reports for each property

Activities

1. Conducted Outreach for Targeted Landowners

- Organized and facilitated a Land Protection and Estate Planning Workshop for landowners in Epping on June 5, 2007. All current use landowners in Epping and the surrounding towns of Nottingham, Lee, Newmarket, Newfields, Brentwood, and Fremont were invited. Speakers included land conservation specialist Phil Auger, estate planning

attorney Charlie Tucker, and several landowners with personal experience conveying a conservation easement (Bill and Gail Nostrom, Jerry Langdon). Twenty-three people, in addition to the speakers, attended the workshop that also videotaped and broadcast on local cable access television. Several landowners that attended this workshop expressed interest in land conservation and initiated steps to that end. A second estate planning workshop was not hosted as similar workshops were being coordinated by other organizations in the same region, making it unnecessary (for example, Bear Paw Regional Greenways hosted a workshop in 2008 in Nottingham).

- Prepared landowner information packets to be sent to interested landowners and 10 packets provided to the SELTNH attorney for distribution to other estate planning attorneys (as a result of above workshop)
- Conducted site visits with seven targeted landowners with interest in pursuing land conservation

2. Personal Communication with Landowners

- Sent personal letters, made phone calls, and/or sent emails directly to targeted landowners along the Lamprey River in consultation with the Lamprey River Advisory Committee. Met with or talked by phone with the ten landowners about possible conservation options for their property: Pike (Durham), Thompson (Durham), Misty Meadows (Lee), Kelsey (Lee), Atherton (Lee), Limperis (Epping), Candace Thayer (Epping), Mathes (Epping), Jenkins (Epping) and Friel (Epping), in collaboration with other LRAC staff/partners.
- In January 2008, sent letters, Lamprey River Advisory Committee brochure, and SELTNH newsletter to 45 additional landowners along the Lamprey River. Followed up with phone calls to these landowners to ask about their potential interest in land conservation. Some of these resulted in positive responses that are now being followed up with further and several have led to landowner site visits.
- Helped facilitate a meeting with a conservation buyer and the realtor for the “Green Pastures” property in Epping, which resulted in the acquisition of the 80+ acre property on the Lamprey River for Farmsteads of New England that provides residential services for people with autism or developmental disabilities. SELTNH will work with this new owner to combine conservation of important resources along the Lamprey River with the needs of this community facility.
- Initiated and coordinated land conservation discussions with the following landowners (appraisals have been completed and these contacts are still underway):
 - Jenkins (Epping) -- 25 acres along the Lamprey River
 - Brown (Epping) -- 11 acres along the Lamprey River
 - Trustees of Gilman Park (Exeter) – 12 acres (frontage on Exeter and Little Rivers): expected to close in 2008

- Facilitated meetings and site visits with landowners in Brentwood (Vahey, Swazey, Head) and in Epping (McPhee) and staff with the USDA Wetlands Reserve Program and assisted with the grant applications

3. Acquisition Funding Management

Wrote or contributed to grant applications for the following projects and grant sources

- Wrote and submitted grant to the NH DES Water Supply Land Grant Program in collaboration with the Great Bay Resource Protection Partnership and the Town of Newmarket for 90+ acre Smith property in Follet's Brook. Received \$128,750 grant and Smith family signed P&S with GBRPP in June. Also requested and received funding from Town of Newmarket, Town of Durham, and Lamprey River Advisory Committee.
- Assisted the Town of Brentwood in fulfilling requirements to receive a \$348,000 grant from the NH Department of Environmental Services Water Supply Land Grant Program for two conservation easement projects on the Exeter River (Bertram/Poesse and Powers/Bruno).
- Prepared an application for the SELTNH submitted to the USFWS - North American Wetlands Conservation Act (NAWCA) for assistance with acquisition of a 200-acre property in northwest Kingston (in collaboration with the Town of Kingston). Grant application was successful. This project is projected to close in 2009.
- On behalf of the Town of Brentwood submitted a pre-application to the Land and Community Heritage Investment Program (LCHIP) for the Vahey property. This grant was not selected for funding.
- On behalf of the Town of Brentwood submitted grants to the NH DES Water Supply Land Grant Program for two projects (Vahey and Swasey). This grant was not selected for funding.
- Submitted a proposal to the NH Fish and Game Department Fisheries Division for habitat protection funding for the fee simple and easement acquisition of a 70-acre parcel (Dow) on the Lamprey River in Epping. This project was not selected for funding but was protected through other funding sources.
- Prepared an application to the Coastal and Estuarine Land Conservation Program (CELCP) to acquire and permanently conserve 379 acres of land within the Pawtuckaway River Core Focus Area, representing nearly all of the undeveloped land within this area. This project will be competing nationally for CELCP funding in FY2009.

4. Conservation Acquisition Project Management

This involved part or all aspects of project management including landowner negotiations, meetings with the Town of Brentwood, Lamprey River Advisory Committee and SELTNH

Lands Committee and Board of Directors, writing grants, coordinating site visits, appraisals, boundary surveys, title reviews, and hazardous waste surveys, drafting conservation easement deeds, coordinating closing, and preparing baseline documentation and press releases, and completing file storage.

Managed all aspects of the following conservation easement acquisition projects that resulted in closing within the grant period:

Within the coastal watershed (236 acres)

- Springer (Sandown/Danville) – 14 acres
- Burrows (Durham) – 28 acres (1,200 feet of frontage on the Lamprey River)
- Powers (Brentwood) -- 40 acres (500+ frontage on Exeter River)
- Poesse-Bertram (Brentwood) -- 51 acres (300+ frontage on Exeter River)
- Awcomin and Massacre Marsh (Rye) – 12 acres in Massacre Marsh, transferred to Town of Rye subject to an easement and 60 acres in Awcomin Marsh (owned by SELTNH)
- North Kingston Town Forest (Kingston) – 31 acres

Outside of coastal watershed (189 acres)

- Town of Kingston-- three different Kingston Town Forests totaling 189 acres

Assisted other SELTNH staff with completing aspects of the following acquisitions, including baseline documentation reports, which closed within the grant period:

Within the coastal watershed (213 acres)

- Bates (Kensington) – 39 acres
- Dow (Epping) – 70 acres (3,000 feet of frontage on the Lamprey River)
- Broderick (Stratham) – 28 acres
- Clark II (Epping) – 62 acres (5,000 feet along Lamprey River)
- Town of Hampton Falls (Marsh Lane) – 14 acres (300 feet along Taylor River)

Outside of coastal watershed (17 acres)

- Ferdinando (Derry) – 17 acres

Reviewed and prepared for significant land conservation effort within Pawtuckaway River Core Focus Area of the *Land Conservation Plan for New Hampshire's Coastal Watershed*

- Completed site walks and natural resource inventories of four properties totaling 319 acres within Pawtuckaway River Core Focus Area of the *Land Conservation Plan for New Hampshire's Coastal Watershed*
- Negotiated option agreement to acquire one parcel (154 acres) in Epping and Raymond within the Pawtuckaway River Core Focus Area.

Outcomes

Overall, the NHEP grant to support the hiring of a new Community Land Protection Specialist was very successful. Through the work of the Specialist, the SELTNH and its community partners (the Town of Brentwood and LRAC) conserved a total of 655 acres, with 449 acres within the coastal watershed.

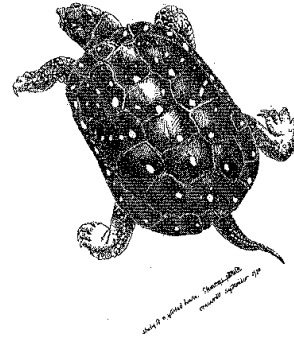
The measures for the grant's success were all met or exceeded. The Specialist made contact with more than 25 landowners within the coastal watershed, and within priority areas of the LRAC, Town of Brentwood, and SELTNH. Eleven projects were completed, with an additional five assisted through the work of the Specialist. Further, the properties conserved included priority waterfront lands along the Exeter River, Lamprey River, and other tributaries or wetland areas important for water quality with the coastal watershed.

Future support from NHEP for professional land conservation assistance, whether through transaction grants or direct grants such as this one, should continue. From SELTNH's experience, there are two obstacles to land conservation in southeastern New Hampshire. The first is insufficient staff time to complete projects and pursue opportunities. The second is funding for the acquisition of priority lands. NHEP's limited funds can be best spent in supporting the expansion of staff capacity by those organizations working directly on the ground in local land conservation efforts.

Appendix A

A Free Workshop

Estate Planning and Land Conservation for Landowners



**Tuesday, June 5, 2007
6:30 pm – 9:00 pm
Epping Town Hall**

This workshop is a great opportunity to get expert advice and answer your questions about:

- ◆ Options for permanent land conservation
- ◆ How to start the process
- ◆ What are the costs
- ◆ What funds are available
- ◆ What are the tax advantages

UNH Cooperative Extension land conservation expert Phil Auger will discuss land conservation options available for landowners, including the use of conservation easements. Estate planning attorney Charlie Tucker will provide information about estate tax issues and potential income tax benefits. Several landowners will share their positive experiences with conserving their land.

The workshop is free and open to all area landowners, with a focus on Epping and surrounding towns. Please call Deb Stevens at 603-679-5616 or email at deb.stevens@unh.edu to pre-register so we can provide adequate materials and refreshments.

Refreshments will be Provided

The Epping Town Hall is at 157 Main Street in Epping, New Hampshire

Workshop Co-Sponsors

Epping Conservation Commission
Lamprey River Advisory Committee
Lamprey River Watershed Association
NH Estuaries Project
Southeast Land Trust of New Hampshire
UNH Cooperative Extension



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COOPERATIVE EXTENSION

This project was funded by a grant from the New Hampshire Estuaries Project, as authorized by the U.S. Environmental Protection Agency's National Estuary Program



Appendix B



For Immediate Release: May 21, 2007

Contact: Ellen Snyder, Southeast Land Trust of New Hampshire, (603) 778-6088

Estate Planning and Land Conservation for Landowners *A Free Workshop*

(Exeter, New Hampshire) – The Southeast Land Trust of New Hampshire is partnering with the Epping Conservation Commission, UNH Cooperative Extension, Lamprey River Advisory Committee and Watershed Association, and the NH Estuaries Project to host an informative workshop on estate planning and land conservation for landowners. The workshop is Tuesday, June 5, 2007 from 6:30 pm to 9:00 pm at the Epping Town Hall.

This workshop is a great opportunity to get expert advice and answer questions about options for permanent land conservation, how to start the process, what are the costs, what funds are available, and what are the tax advantages.

UNH Cooperative Extension land conservation expert Phil Auger will discuss land conservation options available for landowners, including the use of conservation easements. Estate planning attorney Charlie Tucker will provide information about estate tax issues and potential income tax benefits. Several landowners will share their positive experiences with conserving their land.

The workshop is free and open to all area landowners, with a focus on Epping and surrounding towns. Please call Deb Stevens at 603-679-5616 to pre-register so we can provide adequate materials and refreshments.

Funding for the workshop is provided by UNH Cooperative Extension, Lamprey River Advisory Committee, and a grant from the NH Estuaries Project, as authorized by the U.S. Environmental Protection Agency's National Estuary Program.

Appendix C



For Immediate Release: July 24, 2008

Contact: Brian Hart, Executive Director, Southeast Land Trust of NH (603) 778-6088

New Hampshire Estuaries Project Grant Supports Land Conservation in Coastal Watershed

Helps conserve more than 400 acres in coastal watershed

(Exeter, New Hampshire) - Today the Southeast Land Trust of New Hampshire announced the completion of a grant from the New Hampshire Estuaries Project that helped the land trust and its partners conserve more than 400 acres in Brentwood, Epping, Durham, Kensington and other communities. The goal of the grant was to increase the amount of land conserved within the coastal watershed through outreach to landowners and partnerships with communities.

“This grant from the New Hampshire Estuaries Project was critical to increasing our capacity to help landowners and towns protect their farms, forests, and waterways,” explained Brian Hart, Executive Director of the Southeast Land Trust of New Hampshire. “The coastal watershed of New Hampshire is at tremendous risk from overdevelopment, and land conservation is one tool to conserve the region’s most valuable special places and to protect the long-term water quality of the region’s rivers and Great Bay.”

With this grant funding, the Southeast Land Trust hired a Community Land Protection Specialist. The Specialist worked closely with community partners like the Town of Brentwood and Lamprey River Advisory Committee (LRAC) on landowner outreach and conservation easement negotiations. Brentwood and LRAC provided matching funds to the NHEP grant, and in turn received professional land protection advice and counsel.

“Our experience working with the Land Trust in this partnership was outstanding,” commented Jonathan Ellis, chairman of the Brentwood Conservation Commission and Open Space Commission. “Through the staff’s very dedicated efforts we were able to receive a large NHDES grant which enabled us to consummate two rather challenging conservation easements, protecting over ninety acres along the Exeter River in Brentwood.”

“The land specialist position is very important to the Lamprey River Advisory Committee,” explains Kevin Martin, chair of the Lamprey River Advisory Committee. “Land protection is time consuming and the help we get from the Southeast Land Trust allows our mostly volunteer members to work on other river related projects. We fully expect to conserve more land along the Lamprey in the near future and look forward to continued partnerships with the land trust.”

The Specialist's work focused on educating landowners about conservation options, including conservation easements. A conservation easement is a permanent legal agreement that limits the development of a property in order to protect its most valuable natural resources. Under its terms, a landowner may conduct forestry and agriculture on the property, and enjoy non-commercial outdoor recreation. However, other commercial and industrial uses, as well as the construction of residences, are prohibited.

Once a landowner made the decision to donate or sell a conservation easement, the Specialist coordinated the project work with the community partner. This work varied for each project, and includes organizing site visits, appraisals, boundary surveys, title reviews, and hazardous waste surveys, drafting conservation easement deeds, and preparing baseline documentation of each property's natural resources. In total, the NHEP grant helped complete 11 land protection projects totaling 449 acres within the coastal watershed. In addition, four projects totaling 206 acres were conserved outside of the coastal watershed and within southeastern New Hampshire. The lands conserved within the coastal watershed include:

- 91 acres and nearly 1,000 feet of river frontage on the Exeter River in Brentwood, in partnership with the Town of Brentwood;
- 70 acres and over 3,000 feet of shoreline on the Lamprey River in Epping, completed in partnership with the LRAC, Town of Epping, and Society for the Protection of New Hampshire Forests;
- 14 acres and 300 feet of shoreline on the Taylor River in Hampton Falls, completed in partnership with the Town of Hampton Falls; and
- 39 acres of fields and forestland in the Cove wetland complex in Kensington.

In addition to these specific land conservation projects, the Southeast Land Trust:

- hosted a public presentation about estate planning and land conservation. Twenty landowners attended this June 2007 forum and learned more about their options.
- mailed an informational brochure to landowners along the Lamprey River, introducing them to conservation options and the importance of conserving their river frontage.

This project was funded in part by a grant from the New Hampshire Estuaries Project, as authorized by the U.S. Environmental Protection Agency's National Estuary Program. The Southeast Land Trust matched each dollar of NHEP funding with two dollars of municipal and private funds.

The Southeast Land Trust of New Hampshire's mission is to conserve the significant land and natural resources of southeastern New Hampshire, including water, working farms and forests, wildlife habitat and natural areas, and community landscapes. As a regional land trust, the organization serves 39 communities of greater Rockingham County. The Southeast Land Trust has helped landowners and communities conserve more than 5,700 acres of land through conservation easements and full-fee ownerships. For more information, contact us at 603/778-6088 or visit www.seltnh.org.

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