

**Hollis Conservation Commission (HCC) ACEP-ALE Subcommittee Meeting
Public Minutes of January 11, 2024 Meeting
Approved February 15, 2024**

Members present: Mark Post, Peter Band, Cheryl Quaine

Member absent: Bernadette McQuilkin

P. Band called the meeting to order at 6:35 p.m. He outlined the agenda as follows: 1) Recap of latest discussion with USDA Rep, 2) Status of Entity Application & Pre-Application, 3) Next Steps/Discussion

RECAP OF LATEST DISCUSSION WITH USDA REP

P. Band would like Bernadette to send minutes from last meeting and this meeting to Connie, so there is a digital record, and then email them to everyone.

M. Post indicated that he and B. McQuilkin met virtually today at 1:00 p.m. with Tracey Boisvert, USDA, and two newly hired staff today. It was an excellent call with a focus on moving forward with the entity application. Tracey walked through the application to help our committee fill it out correctly. The form was last updated in 2020, and some questions are no longer pertinent.

STATUS OF ENTITY APPLICATION AND PRE-APPLICATION

M. Post relayed the from the meeting he and B. McQuilkin had with Tracey Boisvert. First, certain things Lori Radke, or her delegate, will have to complete from a process point of view. For example, if we were a nonprofit, we would have a DUNS number, but we may have a SAM number. If we do not have a SAM, this can be generated at SAM.gov.

Since we have not been a USDA entity and have not received funding for last five years, we will have to go through the entire process again. The benefit will be that, once we have an entity application, we can apply for numerous parcels over the next five years.

The entity form requires us to answer the question as to whether or not we have the authority and capability to acquire, manage, and enforce agricultural properties. The answer is "yes", which can be supported by showing we have previously been the stewards of numerous agricultural properties. Sometimes, we have partnered with Nichols-Smith Conservation Land Trust, and they take care of management. In another cases, such as the Rock Property, the Town purchased the easement, and HCC contracted out to manage it, e.g., via Hillsborough County Conservation District. However, all of this needs to be documented.

The USDA wants proof that the Town has conserved and managed land before, and we can list the 60 properties or so that we steward. Furthermore, Tracey Boisvert suggested that we list the number of people volunteer on our conservation commission to show that we have a team in place for management. Everything else is boilerplate.

The committee needs to answer the question, "Do we want to partner with a land trust or not? In the case of partnering, the co-owner's name would appear on the deed. M. Post is in favor purchasing this conservation agreement in house, since HCC has the funds, and contracting it out for management. C. Quaine stated that conserving land with a partner seems to be is a layer of complexity that we do not need. P. Band said he agrees, but we should check with Lori Radke and Joe Connelly. P. Band also indicated that we should bring up this question at next week's HCC meeting.

NEXT STEPS/DISCUSSION

M. Post continued to relay information from the meeting with Tracey Boisvert. The person who signs the grant application must have the authority to speak on behalf of the Town. HCC may need a Select Board vote to approve entering into all the agreements necessary. The Select Board should additionally decide if Lori Radke will represent the Town. P. Band stated that Lori Radke indicated that she would not need to represent Town for the entity application, but she would potentially for the parcel application.

The NRCS needs to know that that the Town has the authority to enter into a conservation easement agreement with the owner. Authority can be demonstrated by State RSA 36-A, combined with a Town vote, to form HCC in 1964. Our committee will need a copy of that RSA. We will also include other documentation showing that conservation is part of HCC's and the Town's goals. For example, we have a Master Plan in which the Town emphasizes preservation of rural character, to include agricultural land. To reinforce this, we can demonstrate our

investment in conserving land with a list of around 60 properties. M. Post will meet with Lori Radke to walk through the application.

The parcel application is much more involved and will require much more work.

Most of funds for 2024 have been allocated. NSDA allocating 2025 funds until October 1, beginning of fiscal year. Applications are rolling so, even If we get our application in by April, there may not be action on grant funding until October.

P. Band asked, if we have enough information on the parcel application to get started on the parcel application. C. Quaine, stated she went through this, and we could start dividing up information we already have and that which we need.

M. Post stated that we need an appraisal, which may be time consuming, since it could have complex requirements for what is to be included. P. Band said that appraisals usually need to go out to bid. C. Quaine indicated we may have trouble finding people who are available. M. Post suggested we should start getting in touch with people we know who appraise for government contracts. There is deed language regarding the easement that USDA needs to see. Therefore, the committee may wish to have the Town attorney look at deed language, to flag any potential problems ahead of USDA possibly finding something.

M. Post indicated that there will be a Phase I Site Environmental Assessment (Phase I ESA). C. Quaine will get jump start on an environmental assessment of the property by conducting a desktop assessment, e.g. search state, federal, and local data abases to see if any potential hazards show up. P. Band asked who bears the cost of Phase I ESA? M. Post indicated that If we do not have one already completed, USDA will do it.

M. Post stated that we want pinpoint something obvious so we can fix before USDA does their environmental assessment. For example, if there was an orchard on this site, arsenic may be present. However, based on the ownership, there should not be a problem. C. Quaine believes USDA has a way of working with language, since they deal with agricultural land easements all the time.

P. Band stated that when we purchased Woodmont, NHDES did a risk assessment, and the amount of arsenic was not significant. The Town was successful in obtaining NRCS funds for Woodmont.

M. Post relayed more information that all the costs for a preliminary environmental study, legal costs for the deed, closing costs, etc. must be paid by Town and cannot be paid for by the landowner. This means HCC will have to fund these expenditures, but right now, we are just working on the entity application. Other costs, such as the Phase I ESA, are paid for by USDA. C. Quaine indicated that the federal government covers the costs of environmental studies to protect themselves. P. Band indicated, as a related digression, that behind the Silver Lake parking lot are big, metal, half rotted barrels on State property.

C. Quaine mentioned that a question on the application is whether or not historical or archeological buildings are part of parcel. M. Post and P. Band stated that the land we will be conserving is off to the side of the buildings, and the owners will be keeping these structures.

M. Post indicated that, in view of all of these questions as to what will be included in the parcel, we need to start a conversation with the owners. C. Quaine indicated that we do not want to compile maps that we later have to change. M. Post stated that there is sensitive information that the owner has to provide, such as income via tax statement, since to qualify, he/she cannot be in the category of "very wealthy".

P. Band will speak with Lori Radke about composing and sending out an RFP for bids to do an appraisal. M. Post will ask T. Dufresne for his recommendations for appraisers.

M. Post appreciates C. Quaine going through parcel application, since she is a member of Ag Com and has access to agricultural maps, etc. She also and has familiarity with grants.

M. Post will send packet to Lori Radke to help us with verbiage. Some answers are just "yes" or "no". For verification in some cases, we may just need contract with Hillsborough Conservation District to show that we manage lands. Tracey will let us know if we are weak in an area, and we can revisit it

P. Band will get RFP going; therefore, we will be well ahead. In our favor, as C. Quaine and M. Post pointed out, HCC does not have to pass a warrant article at Town Meeting because HCC has funds available.

122 At the next HCC meeting, our committee will discuss scheduling a meeting with the owners. All parties must agree
123 on the amount of land and the price. Also, the committee needs to go over the list of requirements that the owners
124 have to disclose.

125 M. Post indicated to C. Quaine that if anything comes up that cannot be found, call him and he will help as a
126 member of Ag Com.

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128 C. Quaine asked who has been talking with the owners. P. Band stated he believes it has been Joe Connelly and
129 Tom Dufresne, and possibly Paul Edmunds, but we can check at our next HCC meeting. M. Post will not be part
130 of the conversation, since he knows the family and does not want an appearance of a conflict of interest.

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132 Next meeting second Thursday, Feb. 8 at 6:30.

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134 **ADJOURNMENT**

135 *M. Post made a motion to adjourn, seconded by seconded by C. Quaine. All in favor; none opposed or abstained;*
136 *the motion carried by a vote of 4-0-0, and the meeting was adjourned at 7:19 p.m.*

137
138 Respectfully submitted,
139 Bernadette McQuilkin
140 Member