



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
OFFICE OF THE COMMISSIONER
172 Pembroke Road Concord, New Hampshire 03301

603-271-2411
FAX: 603-271-2629

June 28, 2018

Tim Mueller, President
Mount Sunapee Resort
PO Box 2021
Newbury, NH 03255

RE: Mount Sunapee Resort Annual Operating Plan 2018-2019, as revised on June 21, 2018

Dear Mr. Mueller,

The purpose of this letter is to provide you with written approval of the Mount Sunapee Resort Annual Operating Plan 2018-2019, revised on June 21, 2018 (AOP), subject to the conditions herein.

The Lease and Operating Agreement of 1998 (Lease 1998) enables the Operator, d/b/a Mount Sunapee Resort (MSR), “to manage and operate the Leased Premises as a public ski area and summer recreational facility to provide year-round outdoor recreational opportunities for the general public” and “shall entitle the Operator to the right to operate a commercial recreational recreational (*sic*) facility (including all of its support activities) on Mount Sunapee in the Towns of Newbury and Goshen” (Lease 1998, Part 4, Ski Area Operations, p. 4).

The Annual Operating Plan. Pursuant to the Lease 1998, Part 5, Annual Operating Plan, p. 4 “[o]n or before the 15th day of May during each year of this Agreement, the Operator shall submit to [the Department of Natural and Cultural Resources (DNCR)] an annual operating plan, including a schedule of the proposed days and hours of operation for the ski area, and a description of the types of recreational activities available to the public. The proposed schedule of operation shall be reviewed by [DNCR] and either approved as proposed, or revised for resubmission. [DNCR] shall notify the Operator in writing of a final schedule of operations no later than June 30th of each year.” The AOP 2018-2019 was delivered to DNCR on May 19, 2018, and was distributed to the Mount Sunapee Advisory Committee (MSAC) and posted on the MSAC webpage.

The Mount Sunapee Advisory Committee. The MSAC was established as part of the Public Involvement and Oversight Policy for Mt. Sunapee Ski Area (PIOP) “pursuant to RSA 21-G:11 to advise the Commissioner and meet with the lessee at the call of the Commissioner” (POIP, Aug. 31, 1998, rev. 6/1/16). I convened a meeting of the MSAC on June 19, 2018, to enable their review of the AOP. Mr. Jay Gamble, MSR Vice President and General Manager, presented the AOP and comments from the MSAC and the public were taken into consideration. Mr. Gamble informed us of additional updates to Section J, Environmental Management Program,

and said he would provide a revised AOP. MSR delivered the revised AOP to DNCR on June 21, 2018, and all AOP page references herein are from the revised AOP.

Approval of the AOP, subject to conditions herein. I have completed my review of Mount Sunapee Resort's revised Annual Operating Plan 2018-2019 (AOP) and compared it against the Lease 1998 and the Master Development Plan and Environmental Management Plan 2016-2020 (MDP). I have taken into consideration the comments I had received from the public, the MSAC including the Department of Environmental Services (DES) and the Natural Heritage Bureau (NHB), and the DNCR staff. I am providing you with my written approval of the AOP, on the following basis and subject to the conditions herein:

- 1) The proposed schedule of operations for the ski area and description of the types of recreational activities available to the public are approved as proposed, including two newly added summer and fall activities: yoga classes at the summit and Fall Foliage Festival and Pig Roast BBQ (AOP, p. 5). The additional recreational activities proposed comply with MSR's MDP "to continue its summer Adventure Park improvements as an integral part of its annual operations" (MDP, p. 56).
- 2) Under Leases, Contracts and Agreements, Item 4, Resort Real Estate Sales, p. 22 of the AOP, MSR "may enter into an annual contract and lease agreement with an outside company to provide real estate marketing, sales, rentals or reservation services at Mount Sunapee Resort." As it has become standard practice by this office since 2008, Item 4 is approved as proposed during this annual schedule of operation.
- 3) Section J, Environmental Management Program of the AOP is organized in accordance with the Lease 1998, under Part 15, Environmental Protection, p. 8. The revised AOP reflects the following updated information:
 - a) Part B, Septage Disposal / Treatment to specify that on June 13, 2018, DES approved MSR's groundwater discharge permit for a 5-year renewal until June 2023 (AOP, pp. 24-25),
 - b) Part H, Wildlife Habitat Preservation to reference NH Fish and Game Department's 2015 wildlife habitat mapping (AOP, pp. 27-28), and
 - c) Part J, Rare Plant Resources to add reference to the greater fringed-gentian and its protection by mowing the specific areas where the plant population exists in late October to allow time for flowering and for seed dispersal (AOP, p. 28).
- 4) "In 2018, Mount Sunapee added fifteen (15) HKD Phazer ground guns for use on ski trails that are not candidates for tower mounted snow guns" (AOP, p. 30). The addition of snowmaking is consistent with the Master Development Plan (MDP) Section III.E.2., Proposed Upgrading Plan, Maintenance Facilities, Utilities, and Snowmaking Coverage (MDP, p. 49).

June 28, 2018

Tim Mueller, Mount Sunapee Resort

Page 3 of 6

- 5) Planned maintenance and improvement projects (AOP, p. 37) meet the Lease 1998 requirements that the “Operator shall maintain the Leased Premises in first class condition... shall undertake all maintenance of the facilities, lifts, trails, slopes, ponds, water courses, buildings, structures, roadways and other appurtenances, and housekeeping in all areas of the Leased Premises” (Lease 1998, Part 16 Maintenance, p. 8). Planned maintenance is as follows:
 - a) Ski trails, chairlifts, and infrastructure maintenance projects,
 - b) Building maintenance projects, including phase two of the roof shingles replacement on the Sunapee Lodge, and
 - c) Snowmaking system maintenance projects, including replacing some of the original 1982 snowmaking pipe on the South Peak ski trails.
- 6) Completion of a Mountain Bike trail, a spur trail off the fifth mountain biking trail, in the South Peak Adventure Park (AOP, p. 6 & 37) complies with MSR’s MDP for the “continued development of Mountain Biking trails” (MDP, p. 57). MSR shall obtain any necessary review and permitting, including but not limited to:
 - a) Consulting with the Natural Heritage Bureau (NHB) relative to potential impacts to protected species and exemplary natural community pursuant to RSA 217-A:7, Cooperation With Other State Agencies,
 - b) Consulting with the Division of Historic Resources (DHR) relative to potential impacts to historical and cultural resources pursuant to RSA 227-C:9, I., Directive for Cooperation in the Protection of Historic Resources, and
 - c) Review by DES should jurisdictional wetlands be impacted or streams crossed pursuant to RSA 482-A, Fill and Dredge in Wetlands.
- 7) The NHDES conducted its annual review of the AOP and provided their comments to me, dated June 22, 2018, and attached herein for your reference: “NHDES supports the 2018-2019 AOP and its implementation over the coming year, since virtually all of the work proposed will be restricted normal maintenance activities at the resort, including those projects already reviewed by NHDES for the current Five-Year Master Development Plan (2016-2020).”

NHDES adds as a follow-up “[i]ncluded in our comments for the Mt. Sunapee Resort’s 2018-2019 Annual Operating Plan were comments included in Section G related to the required update of the Resort’s Spill Prevention, Control and Countermeasures Plan. A statement with reference to Section G (page 4 of 7 of our comments) was also contained in Section J under “Fuel Storage” (Page 6 of 7 of our comments). Mike Juranty in the NHDES Oil Compliance Section contacted Mr. Alan Ritchie, Mountain Manager, on June 25 to discuss this issue. In response, Mr. Ritchie forwarded to NHDES an updated SPCC Plan,

dated August 9, 2017. That submittal satisfies the program requirement and our comment” (email from Timothy W. Drew, MSAC member as NHDES designee, dated June 26, 2018).

- 8) The NHB provided its comments at the MSAC meeting of June 19, 2018, and its memo is attached herein for your reference. The NHB recommends “delayed mowing in three small locations of the ski slope occupied by the [greater fringed-]gentian. NHB requests mowing or weed-whacking in late October to ensure that most of the plants have had a chance to fully mature and seeds have been released. Most of the slope is dry and not particularly suitable for the gentian and could be mowed on a normal schedule. Based on the 2017 surveys, three areas are being proposed for a delayed mowing regime to manage for the gentian... NHB staff would work with ski area management personnel to mark off the areas to be set aside for delayed mowing/weed whacking” (NHB Memo, p. 2)
- 9) The capital improvement projects planned for the AOP 2019-2020 (AOP, p. 39) are in accordance with MSR’s MDP as follows:
 - a) The proposed new ski trail from the summit of North Peak to the base of the Sunbowl area is identified in the MDP as ski trail #66 K Lift/Solitude Trail (MDP, p. 40 & 43).
 - b) The installation of the Sunbowl Quad on the North Peak Triple lift line is identified in the MDP as Lift D North Peak Triple to Quad (MDP, Item #1, p. 38).
 - c) Removal and installation of the North Peak Triple from the base of the Sunbowl to the summit of North Peak is identified in the MDP as Lift K, Solitude Triple (MDP, Item #3, p. 38).
 - d) Adding snowmaking on the new ski trail #66 K Lift/Solitude Trail from the summit of North Peak to the base of the Sunbowl area is consistent with the MDP, Section III.E.2., Proposed Upgrading Plan, Maintenance Facilities, Utilities, and Snowmaking Coverage (MDP, p. 49).
- 10) Approval of the capital improvement projects planned for the AOP 2019-2020 with a potential start of construction in early 2019 (AOP, p. 39) is granted with the below conditions:
 - a) In accordance with the Lease 1998, in which the “Operator shall complete site improvements in accordance with the MDP. All plans and specifications for site improvements and structures shall be submitted to [DNCR] for approval at least sixty (60) days before the proposed construction date. All development and improvement projects shall be accomplished without interrupting skiing activities or other public outdoor recreational activities at the ski area. The Operator shall bear the cost of all renovations and improvements and shall ensure that they are done in a good and workmanlike manner and in compliance with all applicable laws” (Lease 1998, Part 7, Site Improvements, p. 6), and in accordance with the PIOP, Part D, p. 6, “[s]ite development in accordance to the AOP, MDP or EMP will be guided by the following:

June 28, 2018

Tim Mueller, Mount Sunapee Resort

Page 5 of 6

- 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 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.”

b) In accordance with the Statement by former Commissioner George M. Bald related to Lift K, Solitude Triple and the #66 K Lift/Solitude Trail (formerly, the Cataract chairlift and Cataract Run trail), “Mount Sunapee Resort will not seek to expand into the East Bowl for the duration of its Lease. Mt. Sunapee Resort agrees to leave the remainder of polygon 23 and all of polygon 20 in their current state, with no new trails and no new lifts for the duration of the lease Agreement” (Statement by George M. Bald, September 19, 2000, p. 2).

c) In accordance with applicable federal and state laws.

10) Projects previously approved by DNCR in previous AOP’s and listed on page 38 will not be undertaken at this time.

11) The approval of this AOP does not supersede any conditions of the Lease 1998, the lease amendment (approved by Governor and Executive Council on April 6, 2016, Item #40), and/or the MDP, all of which shall prevail.

I wish to recognize that Mount Sunapee Resort continues to consult with the NHB on the timing of its mowing operations at the Duckling (Jet Stream) ski slope to protect threatened plant species located in that area; and collaborates with DNCR and the Sunapee-Ragged-Kearsarge Greenway Coalition on the maintenance of the Summit Hiking Trail in accordance with the Cooperative Maintenance Agreement.

As required under the Lease 1998, DNCR will conduct its annual inspection of the leased premises (Lease 1998, Part 16, Maintenance, p. 8). This inspection has occurred in the fall of each year.

Mount Sunapee Resort has invested over \$22 million in capital improvements to Mount Sunapee State Park Ski Area since the 1998 lease. To date, the State has received \$3,603,315 in cumulative base fee payments and \$5,658,217 in cumulative commission payments in accordance with the Lease 1998, Part 3, Rent, p. 3. As provided in the Lease 1998, Part 19, Inspection of Operator’s Records, p. 9, the State requested and audited the accounting records of

June 28, 2018
Tim Mueller, Mount Sunapee Resort
Page 6 of 6

Mount Sunapee Resort in 2012, 2014 and 2017, and determined that MSR is in compliance with the terms and conditions of the Lease agreement.

I anticipate that Mount Sunapee Resort, located in New Hampshire's Mount Sunapee State Park, will continue its commitment to providing a premier year-round recreational experience to the citizens and visitors of New Hampshire.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Stewart". The signature is written in black ink and is positioned below the word "Sincerely,".

Sarah L. Stewart
Commissioner

Attachments: NHDES Comments – Mt. Sunapee Resort's Annual Operating Plan (2018-2019)
NHB Memo, dated June 18, 2018
Statement by George M. Bald, September 19, 2000

SLS/ttl-062818

cc: Jay Gamble, Vice President, Mount Sunapee Resort
Mount Sunapee Advisory Committee



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Robert R. Scott, Commissioner

June 22, 2018

Sarah L. Stewart
Commissioner
NH Department of Natural & Cultural Resources
172 Pembroke Road
Concord, NH 03301

RE: NHDES COMMENTS – MT. SUNAPEE RESORT'S ANNUAL OPERATING PLAN (2018-2019)

Dear Commissioner Stewart:

The New Hampshire Department of Environmental Services (NHDES) is pleased to provide its comments relative to Mt. Sunapee Resort's Annual Operating Plan (AOP) for 2018-2019. Comments offered by NHDES through this letter are submitted in accordance with its role as a member of the Mt. Sunapee Ski Area Advisory Committee, established pursuant to RSA 21-G:11, and in compliance with the *Public Involvement and Oversight Policy for Mt. Sunapee Ski Area*.

This letter includes the findings provided by NHDES program staff in response to the annual review of the Mt. Sunapee AOP. Topics covered included climate change, air quality, wetlands, erosion control, storm water management, drinking water services, surface water and groundwater protection, water use reporting, wastewater collection, treatment and disposal, residuals (*i.e.*, septage and sludge) management, dam safety, petroleum fuel storage, recycling/resource recovery, and solid and hazardous waste management. Program staff reported that the above programs and permits are currently in compliance as conditions exist to the date of this review.

NHDES supports the 2018-2019 AOP and its implementation over the coming year, since virtually all of the work proposed will be restricted normal maintenance activities at the resort, including those projects already reviewed by NHDES for the current Five-Year Master Development Plan (2016-2020). If there are questions regarding the attached review, please feel free to contact me by telephone at (603) 271-3306 or by email at Timothy.Drew@des.nh.gov.

Sincerely

Timothy W. Drew
Administrator
Office of the Commissioner

Cc: Robert R. Scott, Commissioner, NHDES
Clark B. Freise, Assistant Commissioner, NHDES



Mount Sunapee Resort's Annual Operating Plan (2018-2019)

NHDES COMMENTS

June 22, 2018

INTRODUCTION

No comments.

SECTION A: RECREATIONAL ACTIVITIES AVAILABLE TO THE PUBLIC

Non-Skiing Activities

Dog Policy at Mt. Sunapee: This link is being provided as a guidance document in support of the Mt. Sunapee pet waste management policy:

https://www.des.nh.gov/organization/divisions/water/wmb/coastal/scoop_the_poop.htm

Winter Activities

No comments.

SECTION B: SKI LIFT OPERATIONS

No comments.

SECTION C: SNOWMAKING AND GROOMING OPERATIONS

No comments.

SECTION D: SKI SUPPORT SERVICES

No comments.

SECTION E: MAINTENANCE PROCEDURES

Groundwater Discharge Permit (GWP-198704058-N-004):

- The Mt. Sunapee Resort has a Groundwater Discharge Permit (GWP-198704058-N-005) for the unlined lagoons disposal of the treated wastewater on site via spray irrigation.
- The most recent permit was issued June 13, 2013 and is valid until June 12, 2018. The Permit Renewal was issued by NHDES on June 11, 2018 and will be in effect until June 12, 2023.
- The facility operators are keeping up with monthly operating reports and groundwater sampling as required by the permit. There are no known compliance issues.
- Regarding the settled solids in the wastewater lagoons, as long as Mt. Sunapee maintains its Groundwater Discharge Permit, there is nothing in the NHDES Sludge Management rules (Env-Wq 800, <http://des.nh.gov/organization/commissioner/legal/rulemaking/documents/env-wq800-adptpstd.pdf>) that requires Mt. Sunapee to remove sludge from its lagoons. However, if this residual material is to be removed in the future, then that process will be subject to the Sludge Management rules.

Wastewater Lagoon/Sprayfield System Status:

The system is currently being operated in compliance with NHDES wastewater treatment and disposal requirements and standards.

Dam Safety:

On Page 18, under “Buildings and Grounds”

Please add: “The maintenance of these dams is the responsibility of the Building and Grounds Supervisor.”

The Operation, Maintenance and Response Plan submitted to the Dam Bureau states that inspections occur on a daily basis during the summer months, and, at a minimum, weekly the rest of the year. NHDES would like this to be included in the bullet on Page 32. In addition to what Mt. Sunapee Resort has already stated in the bullet, it should add the following text to the AOP:

“The two dams on site are inspected on a daily basis during the summer months, and, at a minimum, weekly the rest of the year. The dams are inspected for deficiencies that would need to be corrected immediately including sloughing of the slope, alignment of the embankment, settlement of the crest, sinkholes, animal burrows, seepage, tree and brush growth, and inadequate vegetative cover.”

- Mt. Sunapee Sewage Lagoon Dam, Newbury NH
 - NH Dam Inventory#: D168017
 - Latitude: 43.3361, Longitude: -72.0769, located adjacent to Mt Sunapee access road.

- Annual Dam Registration fee: \$750, due by January 1 of each year, bill sent by October 31 each year.
 - Significant Hazard, inspected every four years
 - Last inspected 9/18/2017; next scheduled inspection in 2021
 - Inspection of 2017 showed the dam to be well maintained and in good condition with the exception of some minor brush on the slopes that needed to be removed.
- Mt. Sunapee Parking Lot Detention Pond Dam, Newbury NH
 - NH Dam Inventory#: D168020
 - Latitude: 43.3367, Longitude: -72.0730, located adjacent to Mt. Sunapee ski area parking lot.
 - Annual Dam Registration fee: None for this dam.
 - Non-menace Hazard, inspected as necessary
 - Last inspected 11/6/2015

Typical dam safety maintenance items to check for that may require repair with these types of dams are:

- Sloughing of the slope
- Alignment of the embankment
- Settlement of the crest
- Sinkholes
- Animal burrows
- Seepage
- Tree and brush growth
- Vegetative cover

Drinking Water and Groundwater:

The NHDES Drinking Water and Groundwater Bureau reviewed its database for the public water systems that service Mount Sunapee Ski Resort (PWS 2277030 and PWS 2237040) in response to the review of this 2018-2019 Annual Operating Plan. Currently, both systems appear to be in compliance with current monitoring and operational requirements. In reviewing section entitled "Improvements Planned in the 2018-2019 Annual Operating Plan," any improvement geared toward increasing the capacity of the mountain could have an impact on the source capacity of both water systems. The installation of new ski trails, chair lifts, and parking spaces are all improvements that can incrementally increase the daily capacity and utilization by the resort.

According to the NHDES database, the principal water system (PWS 2277030); the one that serves the main lodge, is served by a single well that has a yield of 70 gallons per minute, and a

pressurized storage tank having a capacity of 1,500 gallons. This yield can support between 3,500 and 4,000 persons-per-day using the “NHDES book value” water consumption rules (Env-Wq 1008.03). The resort already directs the water system operator to obtain and record regular water meter readings to gauge actual water consumption from both systems through the Water Use and Registration and Reporting Program. This will determine whether or when the Resort’s incremental expansions will eventually require an additional source. For transient, non-community water systems, there is no predetermined interval for which pump testing of the well is required.

SECTION F: SECURITY PROCEDURES

No comments.

SECTION G: EMERGENCY OPERATING PLAN

On page 20, last bullet, it is stated that “DES has copies of the [Emergency Operating] Plan.” It is not clear if this plan refers to an emergency response plan that is separate and distinct from the Spill Prevention, Control and Countermeasures (SPCC) Plan on file at NHDES, or is a separate plan for a non-petroleum fuel related incident. NHDES has a 2009 SPCC Plan on file for Mt. Sunapee Resort which should have been updated in 2014. The next update for this plan would span from 2014 through 2019; its five-year update cycle. The current Spill Prevention, Control and Countermeasures (SPCC) Plan on file at NHDES is dated 2009, certified by Mt. Sunapee’s engineer on November 17, 2009.

SECTION H: STATUS OF SPECIAL USE PERMITS AND LEASES

No comments.

SECTION I: MARKETING AND ADVERTISING

No comments.

SECTION J: ENVIRONMENTAL MANAGEMENT PROGRAM

Climate Change/Energy Efficiency:

Mt. Sunapee has implemented many changes at the facility over the years that reduce the emissions from support engines, replacement of obsolete heating systems with new, more energy-efficient models, installing more energy-efficient snow guns, and the use of biodiesel fuels in its maintenance equipment, among other measures. NHDES supports Mt. Sunapee’s efforts to reduce energy use and mitigate its “carbon footprint” throughout its operations <http://des.nh.gov/organization/commissioner/pip/factsheets/ard/documents/ard-24.pdf>.
Air Permitting: Mt. Sunapee holds air permit #GSP-EG-0427. On page 26 of the AOP, it should be noted that Mt. Sunapee requested a renewal of its *General State Permit for Source Category:*

Internal Combustion Engines – Emergency Generators or Fire Pump Engines, which was renewed and reissued on June 25, 2015. The permit is due to expire on April 30, 2020. With the recent sale of Mt. Sunapee Resort to Vail Resorts, there will be a need to transfer ownership of this permit (and several other permits from NHDES) to the new owner. The NHDES Public Information and Permitting Unit can assist in coordinating the process (<https://www.des.nh.gov/organization/commissioner/pip/index.htm>) for all permit transfers.

Wetland Impacts:

Since few ground altering projects are forecast between 2018 and 2019, no jurisdictional wetland impacts are expected.

Drainage, Erosion and Water Quality Issues:

- Even though Mt. Sunapee is not required by the USEPA to prepare and implement a Multi-sector General Permit for storm water management for an industrial activity, as defined by the Code of Federal Regulations (40 CFR 122.26(b) xiv), the operators have nevertheless developed and are implementing a storm water pollution prevention plan for the facility (See page 29 of the AOP).
- Further, staff from the NHDES Watershed Assistance Section has been in contact with the Mt. Sunapee Resort team concerning the development of a sub-watershed management plan for Beck Brook in the Lake Sunapee watershed. Due to lack of funding and other factors, that planning process is on an ongoing status as of June 2018.
- Mt. Sunapee officials have also adopted numerous Best Management Practices (*e.g.*, annual sand/salt mixture cleanup, paints stored under cover, *etc.*) at the maintenance area to prevent inadvertent spillage of liquids and other contaminants from being released to Beck Brook and the surrounding environment (See the Environmental Management Plan Section, pp. 30-32 of the AOP). NHDES fully supports these efforts to protect against contamination of surface water bodies in the vicinity of resort operations.
- Reference to the Federal Storm Water Permits Fact Sheet: <http://des.nh.gov/organization/commissioner/pip/factsheets/wwt/documents/web-8.pdf>.
- Reference to the NHDES' Storm Water Manual is noted in the AOP and represents the most recent editions of these guidance documents (<http://des.nh.gov/organization/divisions/water/stormwater/manual.htm>).

Water Usage and Conservation:

- Water conservation measures undertaken by Mt. Sunapee over the years are reducing the overall use of water at the facility, as demonstrated by stable wastewater generation volume despite increasing numbers of skier visits.

- Mt. Sunapee Resort is required to report water use data to the NHDES Water Use Registration and Reporting Program (WURR). Currently Mt. Sunapee Resort reports water use data for snowmaking to WURR. NHDES has added a second registration for Mt. Sunapee Resort for reporting water use data related to public water systems PWSIDs: 2277030 & 2277040 and spray irrigation. Please contact Stacey Herbold at (603) 271-6685 or at stacey.herbold@des.nh.gov for further details related to the new registration and to confirm the data provider for the new registration.

Septage/Sludge Management:

Sludge management comments are outlined in Section E (above). No comments for septage management, since it is being regularly removed by a NHDES-licensed septage hauler for proper disposal (pp. 24-25, of the AOP).

Fuel Storage:

Underground Petroleum Storage Tanks (UST)/Aboveground Petroleum Storage Tanks (AST):

The aboveground and underground storage tanks are registered and are believed to be in substantial compliance with the AST and UST rules. There is an SPCC plan on file at NHDES.

- Mt. Sunapee Resort, Newbury - NHDES Site #198704058, Facility ID #0111060. (Please note the reference to Section G for the 2009 SPCC Plan update).
- All underground petroleum storage tanks are believed to be compliant with NHDES laws, rules and standards, including the December 22, 2015 deadline for secondary containment and leak monitoring of tank systems.
- Class A & B operators have been certified and listed formally with NHDES. It is believed that the operators have implemented all UST Operator Training requirements at the facility (*i.e.* Monthly Visual Inspection, and posting the Spill Response Guidelines, as well as the List of Trained Class C operators).

Aboveground Petroleum Storage Tanks (AST):

- Mt. Sunapee Resort, Newbury - NHDES Site #198704058, Facility ID # 0000801. (Please note the reference to Section G for the 2009 SPCC Plan).
- Though a regulated AST site, all tanks are below 660 gallons volume lessens the requirements for those tanks.
- All ASTs are believed to be compliant with NHDES laws, rules and standards.

Solid Waste Management:

Extensive recycling efforts at the facility, as described in the AOP, are noteworthy, and include waste oil, Styrofoam cups, and fluorescent lights, among several other components of the solid

waste stream at the facility. NHDES supports and encourages the continued implementation of recycling/resource recovery efforts at the Mt. Sunapee Resort.

Hazardous Waste Management:

- Hazardous Waste Generator Status: A check of the Mt. Sunapee records on file with NHDES revealed that all signed copies of manifests have been submitted and all fees have been paid for Mt. Sunapee's Quarterly Reports. Mt. Sunapee is currently listed as an "inactive generator" and made this change to a non-hazardous parts washer on February 16, 2012. No additional manifests have been received by NHDES since June 1, 2010.
- In October 2016, a temporary (30-day) active hazardous waste generator approval was issued to Mt. Sunapee Resort for the purpose of removing tank bottom sludge as a hazardous waste and completed arrangements for its removal to proper disposal. The Resort reinstated its inactive status in January 2017.
- All other hazardous waste activities at Mt. Sunapee are compliant with NHDES laws, rules and standards.

SECTION K: SIGNAGE

No comments.

SECTION L: UTILITIES AND ROADS

As noted on Page 34, Mt. Sunapee submitted its application for a five-year renewal of Groundwater Discharge Permit GWP-198704058-N-005 on May 11, 2018, which was reissued on June 11, 2018 for the period of June 12, 2018 to June 12, 2023.

SECTION M: IMPLEMENTATION OF THE MASTER DEVELOPMENT PLAN (MDP)

The following guide is provided to support the proper removal and management of roof shingles forecast for the Sunapee Lodge, as stated on Page 36 of the 2018-2019 AOP:

<https://www.des.nh.gov/organization/divisions/air/cb/ceps/ams/documents/asbestos-management.pdf>

(Additional comments have been previously provided in conjunction with the approval process for the current 2016-2020 Master Development Plan, dated December 1, 2015.)



New Hampshire Natural Heritage Bureau

Division of Forests & Lands - DNCR
172 Pembroke Road, Concord, NH 03301
(603) 271-2214

To: Jay Gamble, Vice-President and General Manager, Mount Sunapee Resort
Via: Commissioner Sarah L. Stewart
Via: Brad Simpkins, Director Forests & Lands
From: Sabrina Stanwood, Administrator
Date: June 18, 2018
Subject: Greater fringed gentian recommendations at Mount Sunapee Resort

This report summarizes surveys conducted in 2017 to document the population of greater fringed-gentian (*Gentianopsis crinita*) at the Mt. Sunapee State Park. This state-threatened plant was first documented by a visitor at Mt. Sunapee in 2015, at the base of the slope served by the Spruce Triple Chair lift. The observer recorded over 100 plants in an area approximately 0.4 acres in size.

In order to improve the information on the size and distribution of the population of this plant, visits by New Hampshire Natural Heritage Bureau (NHB) staff were conducted on the following dates: September 8, 22, and 28, 2017. The first survey (9/8) located a single individual plant, not yet in flower and it was determined that it was too early to be able to locate most of the plants.

The second (9/22) and third (9/28) visits were more successful and resulted in a total of 21 plants observed in flower or bud. These plants were found primarily on the lowermost portion of the ski slope, although a few scattered individuals were located higher up on the mountain (see attached map).

Natural History

Greater fringed-gentian is generally found in wet portions of open habitats such as meadows and along wetland edges. It flowers later than most species, typically after mid-September. It is a biennial species, meaning that after flowering and releasing seed, mature plants die. The population is only maintained through reseeding. If plants are mowed prior to being allowed to mature to fruit (create viable seed), the population will diminish and eventually disappear.

Management Recommendations

As noted above, in order for the population of greater fringed-gentian at Mt. Sunapee to persist, it is necessary for plants to be able to mature and release seed, which typically does not occur until mid-October or later. There is a conflict of the timing of the annual mowing schedule to

maintain the ski slopes. In 2015 and 2017, mowing occurred after the plants had flowered, but before most of them had set seed.

NHB recommends delayed mowing in three small locations of the ski slope occupied by the gentian. NHB requests mowing or weed-whacking in late October to ensure that most of the plants have had a chance to fully mature and seeds have been released. Most of the slope is dry and not particularly suitable for the gentian and could be mowed on a normal schedule. Based on the 2017 surveys, three areas are being proposed for a delayed mowing regime to manage for the gentian.

Area 1: Located at the base of the slope north of the chair lift. This area is occupied by a wet ditch, with plants in or immediately adjacent to the ditch and is less than 0.05 acres in size.

Area 2: The largest of the proposed gentian management areas at 0.15 acres. It occupies a moist area on a fairly gentle slope to the south of the chair lift and was the area with the greatest number of individual plants observed. This area also includes the location of an old record for Loesel's wide-lipped orchid (*Liparis loeselii*), a state-threatened orchid last observed at this site in 1998. This orchid was searched for earlier in the season in 2017, but there were no occurrences. Additional searches for this plant will take place in 2018 and 2019.

Area 3: Occurs higher on the mountain, about 800 linear feet from the base of the slope at an elevation of approximately 1,490 feet. Three flowering plants were observed here, growing in a damp swale that supported many of the same associated plant species found with the gentians on the lower slope. Area 3 appears to have suitable habitat for a significantly larger number of plants, and occupies less than 0.1 acres.

All of these areas were tentatively delineated using high-resolution aerial photos and GPS data. Because the locations of individual plants change from year to year due to the gentian's life history, delineating the boundaries of the areas in the field based on a given year's growth would probably be more effective. **NHB staff would work with ski area management personnel to mark off the areas to be set aside for delayed mowing/weed whacking.**

We look forward to working together to develop protocols that both benefit the rare plants and allow for the effective and efficient management of the ski area.

Thank you,
Sabrina

- Statement by George M. Bald, Commissioner of the Department of Resources and Economic Development – September 19, 2000

Since the initiation of the Mount Sunapee Ski Area lease on July 1, 1998 several events have successfully taken place to ensure the continued oversight of the recreational opportunities at the Mount Sunapee Resort within Mount Sunapee State Park.

- The *Public Involvement and Oversight Policy for Mount Sunapee Ski Area* drafted August 31, 1998 set guidelines for the administration of the Mount Sunapee Ski Area lease.
- The Mount Sunapee Advisory Committee was convened January 19, 1999 to advise the Commissioner of the Department of Resources and Economic Development.
- The Department of Resources and Economic Development and the Mount Sunapee Advisory Committee accepted the Annual Operating Plan for 1999.
- The first lease payment and percentage of gross was paid to the State of New Hampshire.
- A public hearing was held on March 2, 2000 at the Mount Sunapee Resort to present the *Five-Year Master Development and Environmental Management Plan 2000-2004* to the public.
- The Department of Resources and Economic Development and the Mount Sunapee Advisory Committee accepted the Annual Operating Plan for 2000.

The *Public Involvement and Oversight Policy for Mount Sunapee Ski Area* provides local residents and conservation groups a process to comment on the MDP/EMP. The Public Hearing on March 2, 2000 and the public comment period that followed provided public input to the five-year plan proposed at the Mount Sunapee Resort. The Department of Resources and Economic Development received 33 written comments from residents, state regulatory agencies and conservation groups.

Historic recreational use of the park has been defined by funding availability. Aging ski lifts and lodge buildings were not in keeping with market trends, and to compete in the market, investment was needed. Summer recreational experiences were not fully capitalized and if funding had been available the Division of Parks and Recreation may have proposed the same or similar summer recreation opportunities as proposed in the *Mount Sunapee Resort Five-Year Master Development and Environmental Management Plan*.

I have decided to accept the Mount Sunapee Resort master plan with the exception of the following components: the drive-in theatre, the water slide and alpine slide. These proposed activities require large tracts of real estate that will impact the physical image of the resort. Determination of these impacts as acceptable or unacceptable can not be made at this time.

Acceptance of the Master Plan will permit the Mount Sunapee Resort to move forward to accomplish their goals proposed in the MDP. It is important to remember that each item of the MDP will require additional information, as well as State and local approvals. The

Annual Operating Plan submitted to the department will provide detailed information on projects to be accomplished in that operating year.

There has been a great deal of discussion concerning the use of "old growth land". Polygon 23 is a mixture of Old Growth Forest, Young Forest and Mature Forest. The MDP submitted by Okemo will not result in activities in the land designated "Old Growth". They are proposing a ski lift and glades in the area defined as Mature Forest. It is important to remember that the terms Old Growth and Mature Forest are our definitions. There is not an official definition. Although the lift will not be in the Old Growth Forest, I recognize that cutting trees in an area adjacent to the Old Growth Forest could have an effect on the natural processes.

Because of possible impacts, I am requiring Mount Sunapee Resort to accept the following:

Mt. Sunapee Resort will not seek to expand into the East Bowl for the duration of its Lease.

Mt. Sunapee Resort agrees to leave the remainder of polygon 23 and all of polygon 20 in their current state, with no new trails and no new lifts for the duration of the lease Agreement.

Mt. Sunapee Resort agrees to fund a detailed natural heritage inventory of the East Bowl. (Estimate, not to exceed \$30,000) .This study will allow the department to truly understand the ecological significance of these areas. As a result of the inventory, the Division of Forests & Lands, working with Parks and other State agencies, will create a formal designation of "natural areas". This will allow for more permanent protection of areas of ecological significance. We expect that if supported, the designation would be attached to Polygon 20, the remainder of Polygon 23 and the area so-called the east bowls.

There are numerous abutting properties that may have old growth or mature forest segments. The Department of Resources and Economic Development will seek to expand the boundaries of Mount Sunapee State Park by purchasing adjacent properties, to preserve undeveloped lands for the citizens and visitors of New Hampshire to enjoy.

I would like to take this time to thank the members of the Mount Sunapee Advisory Committee, Tim Mueller and the staff at the Mount Sunapee Resort, the members of the public that attended the public meeting and provided comments on the MDP. The advice and information provided by these people has been invaluable to the decision making process.