

Town of Atkinson Conservation Commission

Monitoring and Stewardship Policy for Fee-Owned Town Conservation Land

Adopted July 27, 2022

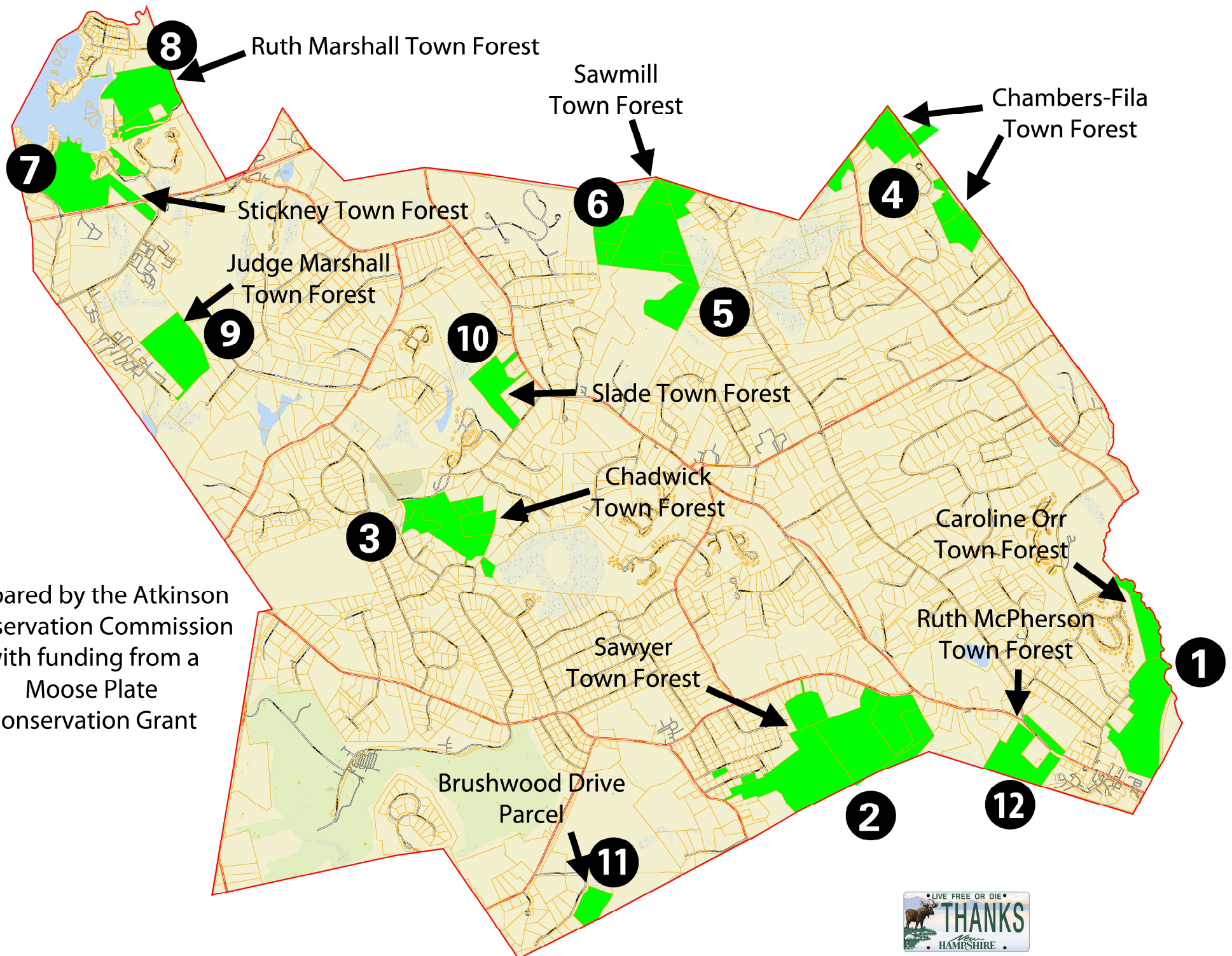
1. The purpose of this Policy is to ensure that the natural resources of the Town's conservation lands are maintained through regular inspections, and that issues affecting the Town's conservation lands are documented and appropriately addressed.
2. The primary goal of stewardship of the Town's conservation lands shall be the protection of environmentally valuable Town-owned open spaces, in order to conserve our natural resources such as drinking water quality, wildlife habitat preservation, watershed protection, and wetland quality.
3. Passive recreation shall be secondary to these goals, and shall be managed in such a way as to minimize the impact of human presence on the above primary goals.
4. On lands for which selective timber harvesting is done, the primary goal of harvesting shall be to improve the health and diversity of the forest and the wildlife it supports.
5. Public access to conservation land shall be in accord with the *Policies and Guidelines for the Use of Conservation Land*, which was adopted by the Commission on July 22, 2020, and which may be amended from time to time.
6. The properties to be monitored are indicated on the attached map entitled *Conservation Lands in the Town of Atkinson*, which may be amended as additional land is acquired for conservation. Currently (2022), there are 12 separate parcels or groups of parcels to be monitored.
7. Commission members, along with other volunteers, should conduct an on-the-ground site visit to each of the 12 properties on an annual basis, and should complete the attached *Volunteer Monitoring Report*, or other suitable form of documentation.
8. When volunteers are conducting a monitoring site visit, they must exhibit due diligence to not trespass on abutting properties, and must always treat abutting property owners, as well as others, with respect. Additional guidelines concerning relations with abutting property owners can be found in the Commission's By-laws, Article IX, which is attached to this Policy for easy reference.
9. During a monitoring site visit, the following is a sample list of things that the volunteers should look for:

- a. The condition of trails and kiosks, if any
 - b. The general condition of the forest, such as re-growth (sapling) health, or evidence of disease
 - c. Any evidence of wildlife activity (both animals and teenagers)
 - d. The extent and variety of invasive plants
 - e. Missing boundary markers – replenish as necessary
 - f. Apparent encroachments vandalism, or other mis-use of the land (see the attached protocol for addressing these)
 - g. Was there any dumping of yard debris or other materials?
 - h. A short narrative of the general condition of the property may be added to the report.
 - i. The report should also include any recommended actions that the Monitoring Team feels should be taken.
 - j. Photographs may also be attached to the report, and these should be accompanied by a Photo Key that shows the location where the photo was taken, the date and time, the subject matter, and why it is significant.
 - k. Other topics may be added to this list, as needed.
10. Monitoring reports should be signed by the Monitoring Team Leader with other attendees noted, and should be maintained by the Town of Atkinson as permanent records.
11. This Monitoring and Stewardship Policy may be amended by a two-thirds majority vote of the Atkinson Conservation Commission.

Attachments:

- A. Map: *Conservation Lands in the Town of Atkinson*, showing the properties on which annual monitoring should be performed.
- B. *Policies and Guidelines for the Use of Conservation Land*
- C. Article IX from the Commission's By-laws that discusses the management of conservation land
- D. *Volunteer Monitoring Report Form*
- E. Response Protocol for Observed Potential Violations

Conservation Lands in the Town of Atkinson



Prepared by the Atkinson
Conservation Commission
with funding from a
Moose Plate
Conservation Grant



Policies and Guidelines for the Use of Conservation Land

Atkinson Conservation Commission

Adopted July 22, 2020

INTRODUCTION

Pursuant to NH RSA 36-A:4, the Atkinson Conservation Commission is empowered to manage and control the town's conservation lands. In that capacity, these policies and guidelines are set forth to preserve the town's open spaces and natural resources, while at the same time making them accessible and enjoyable to the public. Any exceptions to these Policies and Guidelines must be explicitly approved ahead of time by the Atkinson Conservation Commission.

- 1. Public Use:** As is the custom with conservation areas in other municipalities, all of Atkinson's conservation lands shall be open and available equally to all, free of charge, without limitation to where people live or any other distinguishing characteristic such as race, gender, or ethnicity.
- 2. Respect the Neighbors:** Many of our conservation areas are surrounded by residential properties, and some areas have very narrow roads leading to them. Please be respectful of the neighbors. For example, don't turn around in their driveways or back onto their lawns or gardens. These things are obvious, but unfortunately they need to be said from time to time. Visiting our conservation lands is a privilege, not a right.
- 3. Parking:** The Commission has made an effort to provide some parking for the publicly-accessible conservation lands in town. However, parking is on a first-come, first-served basis, and we cannot guarantee parking will be available during periods of high demand. Users of our conservation lands are required to follow posted signs and park only where indicated. If parking is not available, we ask visitors to return at another time. Parking on conservation land is only for the use and enjoyment of that land, and overnight parking is prohibited.
- 4. Carry-in, Carry-out:** All of the town's conservation lands are "carry-in, carry-out" locations. No trash cans are provided, and all trash must be taken with you when you leave.
- 5. Dogs:** Dogs are welcomed on the town's conservation lands and do not need to be leashed as long as they are well-behaved and under voice control of the owner. We do not enforce the town's "clean-up" regulations, just don't let your dog poop on the trail. Signs are provided at dog eye level reminding them of this. If you do clean up after your dog, you must take "it" with you (see #4 above).
- 6. Motorized Vehicles:** Motorized vehicles of any sort are strictly prohibited on the town's conservation lands. These include but are not limited to All-Terrain Vehicles, Dirt Bikes, and Snow Mobiles. Exceptions to this policy include law enforcement and other first responders, electric motorized devices for disabled

people such as wheelchairs, and Commission-approved trail maintenance activities. Horseback riding is permitted.

7. **Trails:** The conservation trails are maintained by town volunteers, and visitors are invited to assist by clearing branches or picking up trash. Maps are available on the town's web site and (while supplies lasts) in mailboxes at trail entrances. Interactive trail maps are available for your smartphone via a QR code posted at each entrance. If you choose to use a paper map, you are invited to return it to the mailbox upon completion of your walk. You are permitted to walk off-trail in the woods, but please do so "gently" so as not to harm native plants. Some of our trails are on easements across other people's land, and these are marked with red signs "Respect land owner, stay on the trail." In those cases, do what the sign says.
8. **Don't Take or Harm Anything:** Except for berry picking, mushroom gathering, and invasive plants (see the next item), visitors are asked to "do no harm" and "take no souvenirs." This includes but is not limited to picking flowers, harvesting plants, disturbing stone walls, cutting trees, making new trails, paintball, and so forth. The harming or removal of official signs or trail blazes is strictly prohibited.
9. **Invasive Plants:** The exception to the "do no harm" rule is cutting or uprooting invasive plants. If you are familiar with the state's list of invasive plants and can identify them in the field, you are more than welcome to uproot or cut them. Just don't take them with you since it's illegal to transport invasive plant materials. The most common invasive plant in our forests is Oriental Bittersweet, which is pretty easy to spot.
10. **Camping and Fires:** Overnight camping or fires of any sort are not allowed on the town's conservation lands unless a camping permit is first obtained from the Conservation Commission, and/or a fire permit is obtained from the Fire Chief. Such permits are made available on an extremely limited basis, and are given only to non-profit community organizations such as the Boy or Girl Scouts. Fireworks are prohibited on all town conservation land.
11. **Construction:** Building anything on conservation land is prohibited unless prior consent is obtained from the Commission. Consent will only be given for permanent improvements for the public good, such as a bridge across a stream. Prohibited activities include but are not limited to shelters, dams, platforms, and signs.
12. **Commercial Activities:** No commercial activities are allowed on conservation land. Examples include professional dog walking and professional photo shoots.
13. **Hunting:** Limited in-season hunting is allowed on the town's conservation lands, and specific Commission-approved regulations for hunting are available from the Selectmen's office.
14. **Dumping:** The dumping of brush or leaves (or anything else for that matter) on conservation land is prohibited.
15. **Drones:** The use of drones on conservation land is permitted as long as all applicable state and federal laws are followed, and as long as such use is for personal enjoyment and not for commercial purposes.

Article IX: Management of Conservation Lands

- 1) All of Atkinson's Conservation Lands have been designated to be "under the supervision and control of the Atkinson Conservation Commission." This designation can be found either in the deed to each parcel, and/or in votes at Town Meeting approving the acquisition of the land or designation of the land as part of the Town Forest (see NH RSA 31:110 thru 114). Therefore, the Commission is responsible for establishing land use regulations for the Town's conservation lands, and may from time to time adopt and publicize a **Land Use Policy**.
- 2) ***Perambulation** - As part of the Commission's responsibility to administer the Town's conservation lands, Commission Members shall periodically walk the land's boundaries, identify and mark monuments placed by surveyors, and place identifying signage at the boundaries of the Town's lands. Because conservation land is open to the public, prior notice to abutters need not be given. Commission Members will exercise due diligence to not trespass on abutting property.*
- 3) For Town Forest lands, the Commission is responsible for hiring a licensed Consulting Forester to prepare Forest Management Plans for the major parcels, and to authorize the execution of forest management plans and procedures to maintain the health of the forest.
- 4) Each time a parcel has been added to the Town Forest at Town Meeting, the Town has voted to place any revenue from periodic selective cuts in a Forest Maintenance Fund pursuant to NH RSA 31:113. The Commission is responsible for developing plans for maintaining the health of the Town Forest, and for recommending expenditures for that purpose from the Forest Maintenance Fund, for approval at Town Meeting.
- 5) The Commission is responsible for monitoring lands for which the Town or a conservation organization (such as the Forest Society) owns a conservation easement, and for alerting the easement holder if possible violations of the terms of the easement are found.



Town of Atkinson Conservation Commission

Volunteer Monitoring Report - Fee-owned properties

Property name and number

Date

Monitoring Team Leader:

Signature:

Others in attendance:

PREPARATION

Yes No

Do you have a copy of
the survey/plan for the property?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

Have you reviewed prior
monitoring reports?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

Have you reviewed the Commission's
Monitoring and Stewardship Policy?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

Have you reviewed the Policies
and Guidelines for the use of
Conservation Land?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

What was the extent of this monitoring site walk?

Eg, walked the trails, walked the boundaries, inspected road frontages, etc.

What was the duration of the site visit(s)?
(total hours spent)

Continued on next page

Stewardship Monitoring Site Visit Report - page 2.

Property name and number: _____

Date: _____

a. Describe the condition of trails, maps, and kiosk (if any)

b. Describe the general condition of the forest

c. Describe evidence of wildlife activity

d. Was there evidence of invasive plants? Please describe

e. What was the condition of boundary markers?

f. Were any apparent encroachments or other violations observed?
(Describe briefly and follow the protocol for violations)

g. Any other remarks or observations?

h. Do you have any recommendations for actions to be taken?

i. Were any photographs taken? Attach, with descriptive text

Adapted from UNH Stewardship Training Guide

Response Protocol for Observed Potential Violations

If you observe a condition or activity that may constitute a potential encroachment or other violation (referred to as an “activity” in this subsection), DO NOT attempt to confront the issue, but instead immediately follow the steps below. If circumstances do not allow you to photograph and document the activity, make mental notes and write up the details as soon as possible.

1. **Make your safety a top priority.** Assess the situation for potential risks of harm. Avoid or carefully retreat from potentially hazardous situations. If and only if your safety is secure, you may proceed to the next step.
2. **Photograph the activity** (if possible) and, if your camera has a time and date stamp feature, confirm that it is accurately set and reflected on the photographs (most phones record this automatically when taking a photo). Avoid photographing people as the main subject of a photograph.
3. **Capture the following information on your monitoring form** (or other suitable medium if form is unavailable), to the extent possible:
 - Write the time and date of your observation.
 - Write the names of all witnesses present at the time of your observation.
 - Identify and mark the location of the activity on your site map. If you do not have a site map, sketch a site map that indicates your best estimate as to the location of the activity on the property, and be sure to sketch any key landscape features that may be useful for identification.
 - Write a clear, detailed and objective description of your observations. Avoid making conclusions or describing the activity as a “violation.” **Your description should include the following** (as applicable):
 - a. description of the person(s) observed conducting the activity;
 - b. types and models of equipment being used to conduct the activity;
 - c. description of any changes in the land or alterations of manmade features;
 - d. documented or recorded statements made by the person(s) observed conducting the activity, whether addressed to you or to someone else;
 - e. documented or recorded statements made by you to the person(s) observed conducting the activity (if possible)— but DO NOT initiate communication with any person(s) either observed conducting the activity or suspected to be responsible for the activity;

- f. written or recorded description of any feelings that you experienced where you felt you were in danger or your safety was at risk; and describe the conditions responsible for that experience (note: this information may serve as legal evidence in the event of litigation (e.g., for an assault) so honesty and the timeliness of your written description is imperative);
- g. list of questions and/or follow-up items that you may have; and
- h. description of any other factors that you deem relevant, including suggestions or general comments.

4. **Communicate the activity** to the Town Administrator for follow-up action.

5. **Make sure your observations are documented.** If circumstances prevented you from sketching and/or writing a clear and detailed description of your observations at the time they occurred, do it as soon as possible after the fact.