

# **TOWN OF CAMPTON**

## **Conservation Fund**

### **Adopted 2006**

#### **General Description of the fund:**

The town collects a Land Use Change Tax (LUCT) when property is taken out of Current Use. 50% of this tax is placed in a non-lapsing Conservation Fund (first established in 2001). The monies are held in the New Hampshire Public Deposit Investment Pool. The Conservation Commission manages the fund on behalf of the town and can make expenditures *to* further the general purpose of the fund as below, and as allowed in statute RSA 36-A:5(Appendix) Below are the principles that guide the commission in use of the fund's resources.

#### **General Purpose of the Fund:**

The general purpose of the fund is to devote town monies generated by the LUCT and other sources which help preserve the rural character of the town and enhance its natural resources. The intent is to allow the fund to build so when significant conservation opportunities arise, the community will be able to respond. Significant opportunities would be conservation projects which meet several of the criteria below.

Meeting the Society for the Protection of NH Forest's goal for 25% protection in each town, as given in their document titled "New Hampshire Everlasting", is the larger goal.

Such efforts may include purchase of land or conservation easements; assistance with costs associated with donation of land or conservation easements; natural resource studies; inventories and mapping; public outreach and education; and other methods to protect natural resource values.

#### **Criteria for Consideration of Land Conservation Projects**

Land projects must meet one or more of the following criteria:

1. High natural resource value based on Natural Resource Inventory (NRI)
2. *Public* accessibility to community for community use and/or high visibility by the community.
3. Adjacent to, or buffers, other property with conservation easement or of high natural resource value
4. Working, or potentially working, Tree Farm
5. Working, or potentially working, productive farm land
6. Critical wildlife habitat
7. Unique or irreplaceable natural resource value such as rare and endangered plant species, wildlife habitat, water resources, etc.
8. Land qualifying under one of the above criteria and under threat of development activity that would compromise important resource values.

#### **Expenditure Guidelines:**

- ~ majority of the conservation commission in favor.
- ~ communication with town Selectmen in writing at least 10 days prior to voting on expenditures under these provisions.
- ~ making expenditures on land conservation projects on a prioritized basis in accordance with Campton's Conservation Plan.

~ working with property owners to help pay a portion of conservation easement costs when the town will be the primary or secondary holder of the easement. Survey and legal costs might be shared while other costs such as transfer or stewardship fees could be covered upon request and review.

~ encouragement of private contributions and seeking of matching grants in concert with any large fund expenditures.

~ securing Board of Selectmen approval for such acquisitions or gifts to the town, as outlined in RSA-A:4. (Appendix)

~ holding a public hearing with notice as described in RSA 36-A:5 (Appendix) before expending conservation funds for purchase of property.

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## APPENDIX

### **RSA 36-A:4 Powers.-**

Said commission may receive gifts of money and property, both real and personal., in the name of the city or town, subject to the approval of the local governing body, such gifts to be managed and controlled by the commission for the purposes of this section. Said commission may acquire in the name of the town or city, subject to the approval of the local governing body, by gift, purchase, grant, bequest, devise, lease, or otherwise, the fee in such land or water rights, or any lesser interest, development right, easement, covenant, or other contractual rights including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same, but the city or town or commission shall not have the right to condemn property for these purposes.

**Source.** 1963, 168:1. 1973, 550:3. 1995, 138:2, eff. July 23, 1995.

### **RSA 36-A:5 Appropriations Authorized.-**

I. A town or city, having established a conservation commission as authorized by RSA 36-A:2, may appropriate money as deemed necessary for the purpose of this chapter. The whole or any part of money so appropriated in any year and any gifts or money received pursuant to RSA 36-A:4 may be placed in a conservation fund and allowed to accumulate from year to year. Money may be expended from said fund by the conservation commission for the purposes of this chapter without further approval of the town meeting.

II. The town treasurer, pursuant to RSA 41:29, shall have custody of all moneys in the conservation fund and shall pay out the same only upon order of the conservation commission. The disbursement of conservation funds shall be authorized by a majority of the conservation commission. Prior to the use of such funds for the purchase of any interest in real property, the conservation commission shall hold a public hearing with notice in accordance with RSA 675:7.

III. In the municipality that has adopted the provisions of RSA 79-A:25, II, the specified percentage of the revenues received pursuant to RSA 79-A shall be placed in the conservation fund.

**Source.** 1963, 168:1. 1973, 550:4. 1987, 318:2. 1988, 120:1, eff. June 18, 1988.