



April 12, 2016

The Honorable Chris Christensen, Chairman
Committee on Resources, Recreation and Development
Legislative Office Building, Room 305
Concord, NH 03301

Dear Chairman Christensen:

Thank you for this opportunity to register our strong opposition to SB 324, which would require approval from the governor and executive council for federal land acquisitions from willing sellers. While that approval process may appear to be a benign step, the bill's language undermines the private property rights of individual New Hampshire citizens by restricting their ability to sell property and property interests to a willing buyer, if that buyer happens to be the federal government. We urge you to vote this bill Inexpedient to Legislate.

But first we want to thank you and the members of this committee for rejecting HB 1291, a bill very similar in intent to SB 324. Unfortunately, SB 324 is just as troubling as HB 1291 was. As we pointed out during consideration of HB 1291, the decision to sell property or property interests is one of the most personnel and financially significant decisions a private landowner will make. Most land trusts who work with these families can attest to the years of careful planning that occur after the initial conversation with a landowner before a conservation easement or fee title sale is finally executed. SB 324 does not offer support to landowners who are considering such a major decision. Instead, it creates barriers to the exercise of private property rights by landowners who have made the decision that conserving their land is in the long-term best interests of not only the property but of their family and community.

The arguments of those who support SB 324 appear to be responding to concerns about federal landownership in both the Silvio O. Conte and Umbagog National Wildlife Refuges. Specifically, SB 324 supporters assert that the federal government is acquiring properties in both refuges through forced takings. This is untrue. As stated on the agency's website¹, the U.S. Fish and Wildlife Service only acquires interest in land from willing sellers. So, if the agency is not forcibly taking properties, why is the legislation needed? Why should the state of New Hampshire intervene in a transaction between a willing seller and a willing buyer, regardless of who the potential buyer is?

Thank you again for this opportunity to present our concerns about this bill, and again we urge you to vote SB 324 Inexpedient to Legislate. We would be happy to answer any questions you may have.

Sincerely,

Susan Arnold
Appalachian Mountain Club

Matt Leahy
Society for the Protection of NH Forests

Jim O'Brien
The Nature Conservancy

¹ <http://www.fws.gov/refuges/realty/faq.html>