



New Hampshire Surplus Land Review Process

Before a state agency may dispose of state-owned real estate, the proposal must undergo a review process beginning with the Council on Resources and Development (CORD). [RSA 4:40](#) requires CORD to advise the Long Range Capital Planning and Utilization Committee on any state agency request to dispose of a state owned property interest (with the exception of real estate purchased with state or federal highway funds or turnpike funds as outlined in [RSA 4:39-c](#) and [RSA 228:31-b](#)). Such property interests range from complete ownership (a so called “fee simple” interest) to leases of space in a state-owned office building.

CORD is composed of the heads of twelve agency members, as identified in [RSA 162-C:1](#) (and listed below). CORD is chaired by the Commissioner of the Department of Business and Economic Affairs. The Office of Planning and Development (OPD) staff provides CORD’s administrative support. CORD is required to meet at least quarterly.

An agency request to dispose of state-owned property, known as a Surplus Land Review (SLR) application, is submitted to OPD. OPD Staff processes and distributes SLR applications to other state agencies, county and municipal government, and members of CORD. They are provided with at least thirty (30) days to review applications prior to the CORD meeting.

[RSA 4:40.I](#) requires an option for acquisition for “right of first refusal” of the surplus property to be offered to the municipality or county in which the property is located. Along with the municipality, the county, other state agencies, and CORD, the Regional Planning Commission (RPC), in which the property is located, is notified and is also provided (30) days to review the SLR application and provide comment. This is not a statutory requirement but is done to afford the RPC the opportunity to comment and be aware of the status of the property.

Four additional bodies are provided 30 days to comment on the land disposal process. Before state land may be recommended for disposal by CORD, the Rivers Management Advisory Committee (RMAC), pursuant to [RSA 483:8, VI](#) and [RSA 483:14](#) and the Lakes Management Advisory Committee (LMAC) pursuant to [RSA 483-A:5, II](#) both must review and make a recommendation on the proposal. The Public Water Access Advisory Board (PWAB) is also asked to review and comment upon proposals to dispose of state property, as it serves as an advisory committee to CORD per [RSA 233-A:2, II\(c\)](#). The New Hampshire Division of Historical Resources(NHDHR) pursuant to [RSA 227-C:9](#) also has 30 days review and provide comment on the effect of the proposed land disposal on historic resources.

After CORD makes a recommendation on the SLR application, the proposal is submitted to the Legislative Long Range Capital Planning and Utilization Committee for its review and ultimate recommendation. Assuming that body’s review and approval, the proposal is then submitted to the Governor and Executive Council.

In all instances, the New Hampshire Housing Finance Authority arguably has preemptive authority under [RSA 204-D:2](#) to acquire state property, irrespective of [RSA 4:40](#) and the CORD review process.

Regardless of the statutory route through which the state ultimately surpluses property, in all circumstances the decision to initiate the process lies with the agency controlling that property. If you have any questions about CORD’s role in the surplus land process, feel free to contact Stephanie Verdile, Principal Planner with the NH Office of Planning and Development at brendan.m.mcdowell@livefree.nh.gov.

CORD MEMBERS:

- Administrative Services • Agriculture, Markets, and Food • Business and Economic Affairs
- Education • Environmental Services • Fish and Game • Health and Human Services • Natural and Cultural Resources
- New Hampshire Housing Finance Authority • Safety • Transportation

CORD STAFFING:

Business and Economic Affairs - Office of Planning and Development

Surplus Land Request Application Process

Once OPD receives an SLR Application, CORD Staff circulate the Application to CORD and applicable State and local agencies for review and comment.

