

**From:** [Earl Duval](#)  
**To:** [Mason, Scott](#); [Hackley, Patrick](#); [Stewart, Sarah](#)  
**Cc:** [Stanwood, Sabrina](#); [Marchand, Michael](#); [Winters, Melissa](#); [Earl Duval](#)  
**Subject:** RE: Mount Washington Railway Company (Cog Railway) - Lizzie"s Station  
**Date:** Tuesday, April 19, 2022 5:10:24 PM  
**Attachments:** [image001.png](#)

---

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

---

Hello to all...!!!

I hope this email finds everyone doing well...

Thank you Sarah for the introduction(s) and many thanks to all for responding so quickly. I very much look forward to meeting and working with you all.

My goal is to submit a Datacheck for the project area including all anticipated staging areas **early next week.**

I think it would be very beneficial for us to meet in person to review the proposed project in detail. How about sometime during the week of May 16<sup>th</sup> at the DNCR? Let me give this scheduling process a try...how about Thursday, May 19<sup>th</sup> at 10:30 AM? Please know I am happy to meet individually or in smaller groups or whatever works best for scheduling.

If there is anything in addition to the Datacheck that might be helpful for your review in advance of a meeting please let me know and I will do my best to obtain.

Many thanks!

Earl

---

**Earl W. Duval, Esq.**

Duval & Associates, LLC

92 Bumfagon Road

Loudon, NH 03307

[eduval@dkt-legal.com](mailto:eduval@dkt-legal.com)

Mobile: (617) 676-7792

 Please consider the environment before printing this e-mail.

This transmittal may be a confidential attorney-client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, any review, dissemination, distribution, or copying of this transmittal is strictly prohibited. If you suspect you have received this communication in error, please notify us immediately and immediately delete this message and all attachments.

IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this document is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter that contained herein.

**Our Expertise. Your Future. Succeeding Together.®**

---

**From:** Mason, Scott <Scott.R.Mason@wildlife.nh.gov>  
**Sent:** Monday, April 18, 2022 4:58 PM  
**To:** Hackley, Patrick <Patrick.D.Hackley@dncr.nh.gov>; Stewart, Sarah <Sarah.L.Stewart@dncr.nh.gov>; Earl Duval <eduval@dkt-legal.com>  
**Cc:** Stanwood, Sabrina <Sabrina.m.stanwood@dncr.nh.gov>; Marchand, Michael <Michael.N.Marchand@wildlife.nh.gov>; Winters, Melissa <Melissa.J.Winters@wildlife.nh.gov>  
**Subject:** RE: Mount Washington Railway Company (Cog Railway) - Lizzie's Station

Dear Mr. Duval,

I have included Mike and Melissa. They run our AOT. I am very willing to be part of the discussions with our staff.

Scott Mason  
Executive Director  
NHF&G

---

**From:** Hackley, Patrick <[Patrick.D.Hackley@dncr.nh.gov](mailto:Patrick.D.Hackley@dncr.nh.gov)>  
**Sent:** Friday, April 15, 2022 1:52 PM  
**To:** Stewart, Sarah <[Sarah.L.Stewart@dncr.nh.gov](mailto:Sarah.L.Stewart@dncr.nh.gov)>; [eduval@dkt-legal.com](mailto:eduval@dkt-legal.com); Mason, Scott <[Scott.R.Mason@wildlife.nh.gov](mailto:Scott.R.Mason@wildlife.nh.gov)>  
**Cc:** Stanwood, Sabrina <[Sabrina.m.stanwood@dncr.nh.gov](mailto:Sabrina.m.stanwood@dncr.nh.gov)>  
**Subject:** FW: Mount Washington Railway Company (Cog Railway) - Lizzie's Station

Thank you for the e-introduction Sarah and hello, Mr. Duval. I have copied Sabrina Stanwood, Administrator for the Natural Heritage Bureau, whose staff know the Mt. Washington summit very well. She will serve as your key contact and will bring in her staff experts for additional input as more details become known. I will stay connected and happy to be part of these discussions with NHB staff.

Please offer a timeline when you wish to meet either directly or collectively with NHFG Director Mason's staff as well.

Best regards,

Patrick

Patrick D. Hackley, Director  
Department of Natural & Cultural Resources  
Division of Forests & Lands  
172 Pembroke Road  
Concord, NH 03301  
(603) 271-2214  
[www.nh.gov/nhdf/](http://www.nh.gov/nhdf/)



*protecting, promoting and managing New Hampshire's natural resources since 1909*

---

**From:** Stewart, Sarah <[Sarah.L.Stewart@dncr.nh.gov](mailto:Sarah.L.Stewart@dncr.nh.gov)>  
**Sent:** Thursday, April 14, 2022 10:59 AM  
**To:** Hackley, Patrick <[Patrick.D.Hackley@dncr.nh.gov](mailto:Patrick.D.Hackley@dncr.nh.gov)>; Mason, Scott <[Scott.R.Mason@wildlife.nh.gov](mailto:Scott.R.Mason@wildlife.nh.gov)>  
**Cc:** Earl Duval <[eduval@dkt-legal.com](mailto:eduval@dkt-legal.com)>  
**Subject:** FW: Mount Washington Railway Company (Cog Railway) - Lizzie's Station

Dear Patrick and Director Mason- I am using this email as a way to introduce you to Earl Duval who serves as legal counsel to the Cog Railway.

You probably know by now that the Cog is presenting plans for development on their property just below the State Park at the summit of Mount Washington.

Please know that I have been in the loop on this project for some time as I have wanted to ensure this is a project we (the State) can support. Of course this project has to go through many approvals and that is where your staff comes into play.

Per Earl's email below, he is hoping to connect with the folks at NHB and F&G to bring them to the site and request their assessment and/or whatever is necessary to ensure proper development practices and stewardship of land and nature.

Could you please help Earl connect to the experts on your staff to arrange for this process to begin?

With appreciation,  
Sarah

---

**From:** Earl Duval <[eduval@dkt-legal.com](mailto:eduval@dkt-legal.com)>  
**Sent:** Tuesday, April 12, 2022 3:24 PM  
**To:** Stewart, Sarah <[Sarah.L.Stewart@dncr.nh.gov](mailto:Sarah.L.Stewart@dncr.nh.gov)>  
**Cc:** Earl Duval <[eduval@dkt-legal.com](mailto:eduval@dkt-legal.com)>

**Subject:** Mount Washington Railway Company (Cog Railway) - Lizzie's Station

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Hi Sarah,

I hope this email finds you doing well.

It would be very helpful if you could please make an introduction to the appropriate personnel at both the NH Heritage Bureau and NH Fish and Game so that we can commence initial discussions and schedule the necessary field work for Lizzie's Station.

For your convenience, I attached a copy of the PowerPoint presentation introducing Lizzie's Station that we shared with several interested parties including The Society for the Protection of NH Forests, AMC, TNC, Appalachian Trail Conservancy, NH Audubon, White Mountain National Forest, The Waterman Fund, Mount Washington Commission, David Govatski and others.

We have a "conceptual" meeting scheduled with the Coos County Planning Board on Wednesday, April 20<sup>th</sup>. The purpose of this meeting is to introduce the project and to discuss permitting requirements. Our hope is to have a completed application filed by mid-September 2022.

We recognize that Summer schedules fill up quickly so I thought it would be helpful to get the process started now.

Thank you very much for your assistance.

Earl

---

**Earl W. Duval, Esq.**

Duval & Associates, LLC

92 Bumfagon Road

Loudon, NH 03307

[eduval@dkl-legal.com](mailto:eduval@dkl-legal.com)

Mobile: (617) 676-7792

 Please consider the environment before printing this e-mail.

This transmittal may be a confidential attorney-client communication or may otherwise be privileged or confidential. If it is not clear that you are the intended recipient, any review, dissemination, distribution, or copying of this transmittal is strictly prohibited. If you suspect you have received this communication in error, please notify us immediately and immediately delete this message and all attachments.

IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the IRS,

we inform you that any U.S. tax advice contained in this document is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter that contained herein.

**Our Expertise. Your Future. Succeeding Together.®**