



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Sorsha Anderson, Senior Staff Associate
Date: March 14, 2024
Subject: Grant Request – JFO #3193

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the Administration.

JFO #3193: Land donation of 18.6 acres of undevelopable wetlands in Newport City, VT from Linda Chamberlin Mosher to the Agency of Natural Resources, Department of Fish and Wildlife. The land abuts the existing South Bay Wildlife Management Area and will expand wildlife and fish habitats and improve public access. The donation value is \$51,500.00. Estimated closing costs of \$10,000.00 and ongoing maintenance costs are covered by already budgeted federal funds. No state funds will be used for the acquisition. *[Received March 12, 2024]*

Please review the enclosed materials and notify the Joint Fiscal Office (Sorsha Anderson: sanderson@leg.state.vt.us) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by **April 2, 2024**, we will assume that you agree to consider as final the Governor's acceptance of this request.



Department of Fish and Wildlife
Agency of Natural Resources
1 National Life Dr., Dewey Building
Montpelier, VT 05620-3708
www.vtfishandwildlife.com

[phone] 802-505-0561
[fax] 802-828-1250

Mosher

M E M O R A N D U M

To: Jaye Pershing Johnson, Governor's Legal Counsel
From: Will Duane, Land Acquisition Coordinator
Date: January 23, 2024
RE: Governor's Approval Needed for an 18-acre donation of land in Newport City

Enclosed is a land acquisition memo for Governor Scott's review, to approve the Department of Fish and Wildlife's (VDFW) acquisition of 18.6 acres in Newport City. This small parcel consists entirely of undevelopable wetlands on the edge of South Bay in Lake Memphremagog. Total costs for this acquisition project, including survey and title insurance, are approximately \$8,000.

This parcel is being donated to the Department of Fish and Wildlife and is a companion piece to the 'Spates' parcel donation which was approved by Governor Scott in June, 2023. The survey for this Mosher parcel is now complete and VDFW is working toward closing. Funding for the closing costs associated with this donation will come from funds received via the Great Lakes Fisheries Coalition. No state funds will be used for this acquisition.

Newport City is supportive of this acquisition and the city Tax Abatement Board will abate the overdue taxes on the property upon transfer of the property to VDFW. These 18.6 acres will be added to the existing South Bay Wildlife Management Area and as such they will be managed using federal funds from the US Fish and Wildlife Service via the VDFW's Habitat Grant. As with previous ANR land transactions involving a bargain sale or donation, the AA-1 Grants Acceptance form follows the memo to Governor Scott and will serve as the signature page for the required administrative approvals.





State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

[phone] 802-828-2376
 [fax] 802-828-2428

Agency of Administration

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary: To allow DFW to accept a donation of land valued at \$51,500 in Newport City, VT. The parcel is undevelopable and abuts the existing South Bay Wildlife Management Area. Acceptance of this donation will expand wildlife and fish habitats and improve public access.

Date: 2/12/2024

Department: Fish & Wildlife

Legal Title of Grant: N/A

Federal Catalog #: N/A

Grant/Donor Name and Address: Linda Chamberlin Mosher
 4 Green Mountain Drive
 St. Albans, VT 05478

Grant Period: **From:** 1/23/2023 **To:** 12/31/2099

Grant/Donation	\$1,370,529				
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$51,500	\$	\$	\$51,500	Land donation value

Position Information:	# Positions	Explanation/Comments

Additional Comments: \$10k closing costs funded by budgeted federal funds. Ongoing management costs to be federally funded. Estimated PILOT payment is \$685.16 annually.

Department of Finance & Management	Adam Greshin <small>Digitally signed by Adam Greshin Date: 2024.02.22 10:51:08 DocuSign Envelope ID: 04AB832CD55C438...</small>	(Initial)
Secretary of Administration	Sarah Clark <small>04AB832CD55C438...</small>	(Initial)
Sent To Joint Fiscal Office		Date



Department of Fish and Wildlife
Commissioner's Office
1 National Life Drive, Dewey Building
Montpelier VT 05620-3208
802-828-1454

TO: Philip B. Scott, Governor

THROUGH: Julie Moore, Secretary, Agency of Natural Resources

FROM: Christopher Herrick, Commissioner, Department of Fish and Wildlife

SUBJECT: Acquisition of 18.6 acres in Newport City to add to South Bay Wildlife Management Area.

Recommendation: Approve the acquisition of 18.6 acres along the shore of Lake Memphremagog in Newport City to add to South Bay Wildlife Management Area.

Description

The Department of Fish and Wildlife (DFW) has an opportunity to expand its holdings at South Bay Wildlife Management Area (WMA) in Newport City by accepting donation, in fee, of a wetland parcel that will increase public access and provide permanent conservation along the Lake Memphremagog shoreline.

Private landowners in Newport are seeking to donate this undevelopable parcel to DFW. The parcel is difficult to access by the owners and it borders the existing WMA. The property is well-suited for ownership by DFW for several reasons: Vermont Conservation Design identifies the parcel as a highest priority surface water and riparian area, a highest priority wetland, the property features an occurrence of a highest priority natural community, and the proximity to Glen Rd represents a highest priority riparian wildlife road crossing. This property is part of the larger South Bay wetland complex along Lake Memphremagog, and it supports a wide range of fish and wildlife functions and values including important nesting habitat for waterfowl and wading birds (e.g. wood ducks and American Bitterns), habitat for otter, mink, and muskrat, as well as spawning habitat for northern pike and other warm water fish.

This addition to South Bay WMA will enhance public access to the Lake Memphremagog shoreline. The property is marshy wetlands with no current residential, commercial, or development activity that would interfere with fish and wildlife-based activities. Due in part to its small size, but also because of its wetland quality, there are no current VAST or mountain biking trails.

Closing costs for this acquisition will be paid with funding from the Great Lakes Fisheries Commission; no state funding will be used for this acquisition. Long term management of the parcel will be paid with US Fish and Wildlife service federal funds. Closing costs including survey



The following documents and information have been included in this package for Governor's approval:

- Property description
- Maps of the property and surrounding area
- Legal authority for the transactions
- Nature of the legal property interest to be acquired
- Clear statement of purpose of the acquisition
- Description of current uses, anticipated uses and limits on use
- Description of existing motorized and/or mechanized uses, including VAST trails on the property and surrounding areas
- Source of funds for the acquisition
- Long term plan for funding management expenses
- Evidence of local approval
- Anticipated PILOT Expenses
- Other relevant information

Please review and respond within two weeks from receiving the documents if possible. If you have any questions regarding this project, please contact me directly at Will.Duane@Vermont.gov. Thank you.

cc: Chris Herrick, Commissioner
John Austin, Director of Wildlife



and deed work total approximately \$8,000. PILOT payments for this parcel are estimated to be \$685.16 annually. The Newport City Tax Abatement Board, the private landowners, and VDFW have arranged that in exchange for the donation to DFW and a nominal fee, the back taxes on the parcel will be abated and the property may be transferred.

Your approval of this acquisition is required by 10 V.S.A. §4144, which states in part "The Secretary with approval of the Governor may acquire for the use of the Department of Fish and Wildlife by gift, purchase, or lease any and all rights and interests in lands, ponds, or streams, and hunting and fishing rights and privileges in any lands or waters in the State, and the necessary rights of ingress or egress to and from such lands and waters." This project has been reviewed and approved by ANR Secretary Moore.

32 VSA
5-

donation

[SIGNATURES REQUESTED ON THE FOLLOWING AA-1 FORM]

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)
Acceptance of Real Property as a Grant, Pursuant to 10 V.S.A. §4144

BASIC GRANT INFORMATION				
1. Agency:	Agency of Natural Resources			
2. Department:	Department of Fish and Wildlife			
3. Program:	Lands and Habitat			
4. Legal Title of Grant:	n/a			
5. Federal Catalog #:	n/a			
6. Grant/Donor Name and Address:	Linda Chamberlin Mosher 4 Green Mountain Drive St. Albans, VT 05478			
7. Grant Period:	From:		To:	
8. Purpose of Grant:	The purpose of this grant is for DFW to accept a donation of land valued at \$51,500 in Newport City, VT. The parcel is undevelopable and abuts the existing South Bay Wildlife Management Area. Acceptance of this donation will expand wildlife and fish habitats and improve public access			
9. Impact on existing program if grant is not Accepted:	If DFW does not accept this donation it would not be able to provide permanent protection of the diverse marsh habitats along the bay			
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 24	FY	FY	
Personal Services	\$	\$	\$	
Operating Expenses	\$61,500	\$	\$	
Grants	\$	\$	\$	
Total	\$61,500	\$	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$10,000	\$	\$	Survey and closing costs
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source Private Landowner)	\$51,500	\$	\$	\$51,500 = town assessed value of land
Total	\$61,500	\$	\$	
Appropriation No:		Amount:	\$	

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

			\$
			\$
			\$
			\$
			\$
			\$
			\$
		Total	\$

PERSONAL SERVICE INFORMATION



11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: _____ Agreed by: _____ (initial)


12. Limited Service Position Information:	# Positions	Title
Total Positions		

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

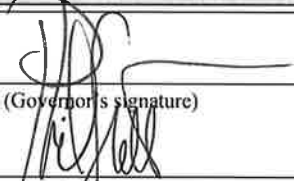
13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: 	Date: 1/25/2024
	Title: Commissioner, Vermont Fish and Wildlife Department	
	Signature: 	Date: 1/29/24
	Title: Secretary, Vermont Agency of Natural Resources	

14. SECRETARY OF ADMINISTRATION

<input checked="" type="checkbox"/>	Approved:	(Secretary or designee signature) 	DocuSigned by: Sarah Clark Date: 2/6/2024 8:00
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15. ACTION BY GOVERNOR

<input checked="" type="checkbox"/>	Check One Box: Accepted	(Governor's signature) 	
<input type="checkbox"/>	Rejected		Date: 3/9/24

16. DOCUMENTATION REQUIRED

Required GRANT Documentation

<input type="checkbox"/> Request Memo <input type="checkbox"/> Dept. project approval (if applicable) <input type="checkbox"/> Notice of Award <input type="checkbox"/> Grant Agreement <input type="checkbox"/> Grant Budget	<input type="checkbox"/> Notice of Donation (if any) <input type="checkbox"/> Grant (Project) Timeline (if applicable) <input type="checkbox"/> Request for Extension (if applicable) <input type="checkbox"/> Form AA-1PN attached (if applicable)
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STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

End Form AA-1

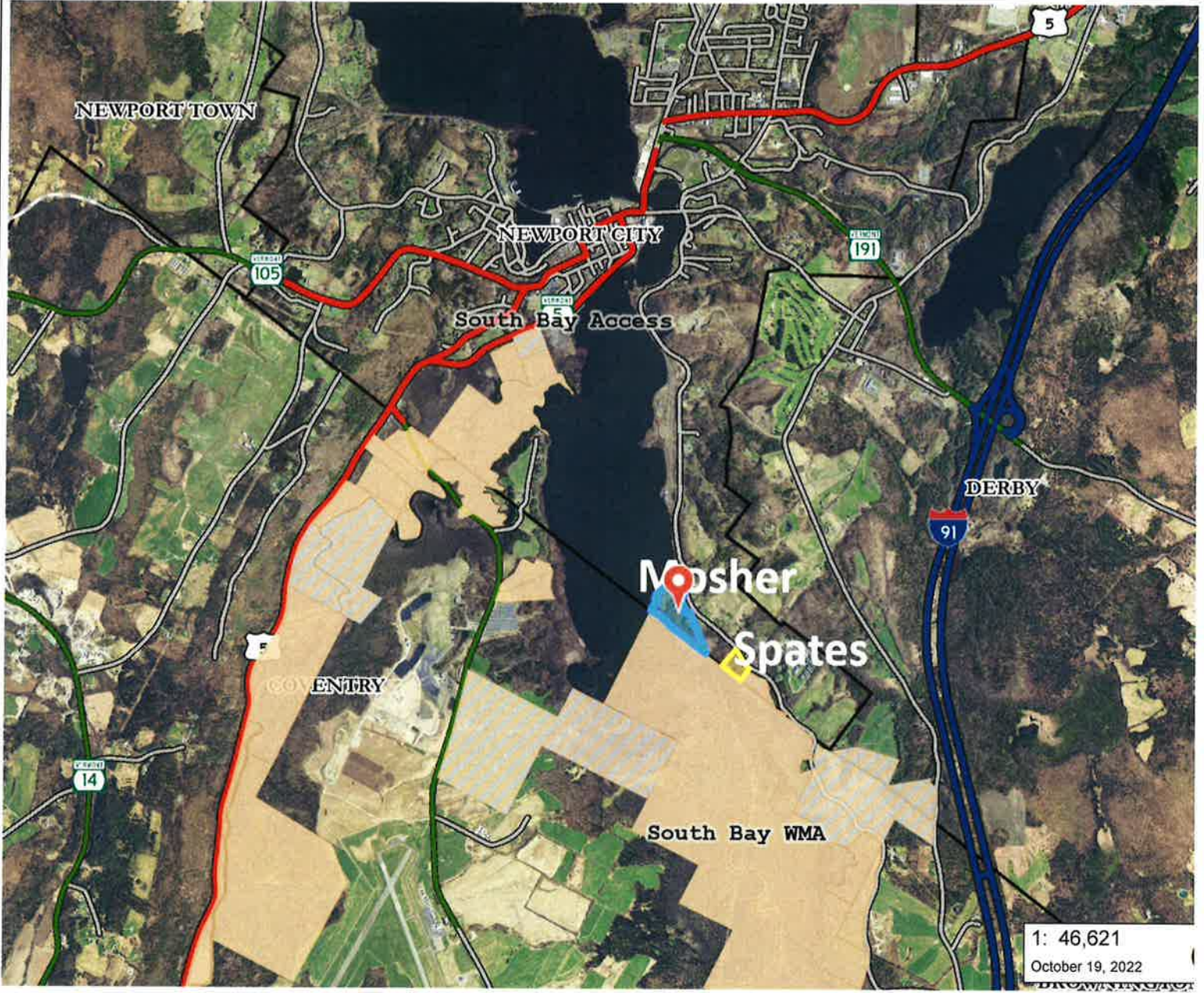
(*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5). (See also 10 V.S.A. § 4144)



Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.



2,368.0 0 1,184.00 2,368.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
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1" = 3885 Ft. 1cm = 466 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

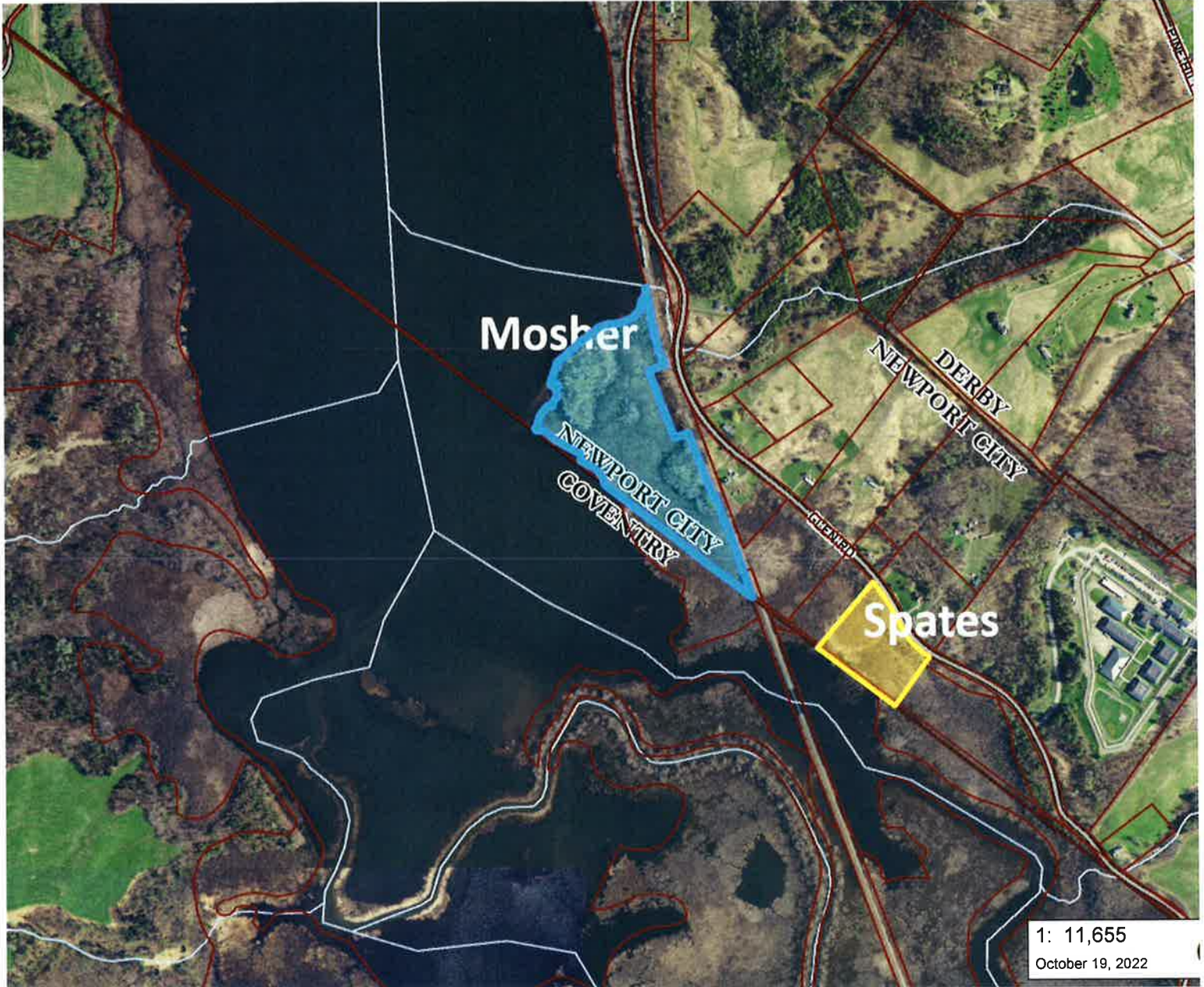
DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. The State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular purpose, or are any such warranties to be implied with respect to the data on this map.



Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.



592.0 0 296.00 592.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
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1" = 971 Ft 1cm = 117 Meters
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Board of Tax Abatement

September 14, 2022

The Newport city board of Tax abatement met on Wednesday, September 14, 2022, at 5:30 PM in the council room in the Newport Municipal Building. Present where Rob Naramore, Steve Laurie, Melissa Pettersson, John Ward Jr., Steve Vincent, Pamela Ladds, Julie Raboin, Paul Decelles, Rosemarie Hartley, Christopher Vachon, James Johnson, and Attorney Joseph Cahill representing Ms. Mosher by phone.

The board met to hear a request for tax abatement on the property owned by Lynda Mosher on the Glen Road ID# 149008. (See file)

Steve Laurie moved to that the balance of taxes and interest be abated upon payment by Ms. Mosher of the sum of \$500 to the City of Newport as agreed and execution of the appropriate documents to transfer her interest in the property to Vermont Fish and Wildlife. Seconded by Pamela Ladds, motion carried. Laurie, Pettersson, Ladds, Raboin, Hartley, Vachon, Johnson in favor. Ward, Vincent, Decelles against. Naramore abstained.

Attested  This 14th Day of September 2022