



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Daniel Dickerson, Fiscal Analyst
Date: January 11, 2015
Subject: Grant Request #2805

Enclosed please find one (1) item that the Joint Fiscal Office has received from the administration.

JFO #2805 – \$330,000 grant from the US Fish and Wildlife Service and an in-kind donation of \$40,000 from Vance DeWitt; both to the Vermont Department of Fish and Wildlife. The funds, and donation, were used (see note below) to purchase 453 acres of land to be added to the Turner Hill Wildlife Management Area in the town of Athens. The parcels were previously owned by Vance DeWitt (240 acres) and Susan Sheehan (213 acres). Mr. DeWitt offered his parcel at a cost \$40,000 less than the appraised value. \$70,000 of State funds were used for the purchase and the total purchase cost was \$440,000, including \$5,000 in legal fees for the closing. [*JFO received 12/24/15*]

Note: A condition of the sellers was that the land deal be closed by the end of calendar year 2015. The AA-1 and supporting materials were not received by the Joint Fiscal Office until December 24, 2015. I was out of the office that day and the following week. Upon my return, I reached out to the Department of Fish and Wildlife to find out whether the closing had already taken place or if the deal was in jeopardy due to the grant not being approved prior to the end of the year. I was told by Louis Porter that the closing had already taken place and I have attached a memo from Commissioner Porter explaining the circumstances surrounding the purchase (see pg. 3 of this packet).

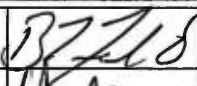
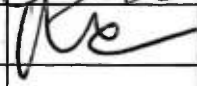
Please review the enclosed materials and notify the Joint Fiscal Office (Daniel Dickerson at (802) 828-2472; ddickerson@leg.state.vt.us) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by January 24, 2016 we will assume that you agree to consider as final the Governor's acceptance of these requests.

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

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RECEIVED
 DEC 24 2015
 JOINT FISCAL OFFICE

STATE OF VERMONT FINANCE & MANAGEMENT GRANT REVIEW FORM

Grant Summary:		\$330,000 Grant from US F&W, \$40,000 in-kind donation from purchase price discounted from appraised value, to purchase 453 acres to be added to the Turner Hill Wildlife Management Area to provide habitat connectivity and public access for wildlife-based recreation.			
Date:		12/11/2015			
Department:		ANR F&W 612000000			
Legal Title of Grant:		Recovery Land Acquisition Grant / DeWitt Land Donation			
Federal Catalog #:		15.615, N/A			
Grant/Donor Name and Address:		US Fish and Wildlife Service, 300 Westgate Center Drive, Hadly, MA 01135			
Grant Period:		From:	To:		
		7/1/2015	6/30/2016		
Grant/Donation		\$330,000 Grant from US F&W, \$40,000 in-kind donation from purchase price discounted from appraised value.			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$370,000	\$0	\$0	\$	
Position Information:		# Positions	Explanation/Comments		
		0			
Additional Comments:					
Department of Finance & Management				(Initial)	
Secretary of Administration				(Initial)	
Sent To Joint Fiscal Office				Date 12/22/15	

12/15





Department of Fish and Wildlife
1 National Life Drive, Davis 2
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Agency of Natural Resources

MEMORANDUM

TO: Senator Jane Kitchel, Chair, Joint Fiscal Committee
Representative Janet Ancel, Vice Chair, Joint Fiscal Committee
Senator Diane Snelling, Clerk, Joint Fiscal Committee

FROM: Louis Porter, Commissioner, Department of Fish and Wildlife

DATE: January 8, 2016

RE: Turner Hill Land Acquisition

The Vermont Fish and Wildlife Department (Department) identified the Dewitt and Sheehan properties, which are adjacent to the Turner Hill Wildlife Management Area (WMA), as ecologically significant areas that support numerous wetlands and ideal habitat for the federally-endangered Northeastern bulrush. The properties also provide public access to the existing Turner Hill WMA. The Department was awarded a federal grant through the Recovery Land Acquisition Grant program administered by the United States Fish and Wildlife Service to fund \$330,000 of the project and was also offered a \$40,000 bargain sale from Vance Dewitt. A consideration discussed with Vance Dewitt was the Department would close on the property by the end of the calendar year, allowing the property owner to realize tax benefits. The Department wanted to maintain the goodwill with the property owner since they made a generous donation that allowed this acquisition to happen.


The Department submitted the AA-1 paperwork to Finance and Management, electronically, on November 24, 2015 but this was not logged in the system since only paper copies are an acceptable form of submission. This error was realized by the Department on December 10, 2015 and an expedited request for Joint Fiscal Committee approval was delivered to Finance and Management on December 11, 2015. This expedited request was received by the Joint Fiscal Committee on December 24, 2015. The property was closed on at the end of the calendar year.


If the Joint Fiscal Committee decides not to approve this request, the Department will explore the option divesting the property with the federal granting agency.

Cc: Daniel Dickerson
Stephen Klein
Steve Gomez

MEMORANDUM

TO: Joint Fiscal Committee

THROUGH: Louis Porter, Commissioner  LP

FROM: Steve Gomez, Financial Manager 

SUBJECT: Request for Expedited Review of Grant Acceptance

DATE: December 11, 2015

The Fish and Wildlife Department is requesting an expedited review of the grant acceptance for the Turner Hill land acquisition project, which includes a new federal grant and a bargain sale from Vance Dewitt. The federal grant was awarded to the Fish and Wildlife Department through the Recovery Land Acquisition Grant administered by the United States Fish and Wildlife Service. The project also includes a generous donation by Vance Dewitt, who agreed to sell his land for \$40,000 less than the appraised value. The \$40,000 bargain sale will be used as in-kind match for federal funds. The Fish and Wildlife Department would like to close on these properties prior to December 31, 2015 which will allow the property owner to claim the land donation on their 2015 taxes. This was the one consideration that the property owners wanted from the Fish and Wildlife Department for the donation. The desire to close on the properties and obtain tax benefits has been part of the verbal discussions regarding these agreements since the beginning with not only Vance Dewitt but also Peter and Susan Sheehan, the other landowners whose property is being purchase with this federal grant. An expedited review of this grant acceptance and closing on the properties by December 31, 2015 will honor the property owners' expectation and reciprocate the gift of this land donation.

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

BASIC GRANT INFORMATION				
1. Agency:	Natural Resources			
2. Department:	Fish and Wildlife			
3. Program:	Lands and Habitat			
4. Legal Title of Grant:	Recovery Land Acquisition Grant			
5. Federal Catalog #:	15.615			
6. Grant/Donor Name and Address:	United States Fish and Wildlife Service 300 Westgate Center Drive Hadley, MA 01035 Vance Dewitt P.O. Box 228 Grafton, Vermont 05146			
7. Grant Period:	From:	7/1/2015	To:	06/30/2016
8. Purpose of Grant:	To acquire two new parcels totaling 453 acres as an addition to the Turner Hill Wildlife Management Area through a federal grant and the land donations.			
9. Impact on existing program if grant is not Accepted:	The Department will not be able to purchase 453 acres of significant wildlife habitat and wetlands, as well as provide the best option for public access to the Turner Hill WMA.			
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2016	FY	FY	
Personal Services	\$5,000	\$	\$	
Operating Expenses	\$435,000	\$	\$	Includes \$40,000 of in-kind
Grants	\$	\$	\$	
Total	\$440,000	\$	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$70,000	\$	\$	
In-Kind	\$40,000	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$330,000	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$440,000	\$	\$	

DEC - 8 2015

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

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

Has current fiscal year budget detail been entered into Vantage? Yes No

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: Louis Porter 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: <i>W. Martin</i>	Date: 11/24/15
	Title: Secretary, Agency of Natural Resources <i>Deputy</i>	
	Signature: _____	Date: 11/23/15
	Title: Commissioner, Vermont Fish and Wildlife	

14. SECRETARY OF ADMINISTRATION

Approved: _____ (Secretary or designee signature) Date: 12/16/15

15. ACTION BY GOVERNOR

Check One Box: Accepted _____ Date: 12/27/15
 Rejected _____ (Governor's signature) Date: _____

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) |
|---|--|

Department of Fish and Wildlife

1 National Life Drive, Davis 2

Montpelier, VT 05620-3702

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Agency of Natural Resources

TO: Jason Aronowitz, Budget Analyst
Department of Finance and Management

FROM: Steve Gomez, Financial Manager
Fish & Wildlife Department

DATE: December 11, 2015

RE: Supporting Documentation for Grant Request – Turner Hill Project

Please find the Vermont Fish and Wildlife Department's (Department) responses to the grant approval questions as requested.

1.) *Are there any state matching requirements or contributions?*

Yes, there is a state matching requirement and the Department will use duck stamp funds, timber sale receipts, and in-kind match from the Vance Dewitt bargain sale to meet this requirement.

2.) *Is the State already performing the function for which the funds are intended?*

The federal funds are designated for the one-time land acquisition of 453 acres at the Turner Hill site. The Department is not performing these functions already and cannot acquire the land without approval of this request.

3.) *After the term of the grant expires, what is the intent of the underlying activity? Does the grant funded activity cease to exist? Will the state be asked to assume financial responsibility?*

The intent of the grant funded activity is to acquire the 453 acres to provide habitat connectivity and public access for wildlife-based recreation. When this objective is complete the nexus with the grant funding ceases but there are Federal regulatory requirements for land management. The Department will have a payment in lieu of taxes in the future.

4.) *What are the measurements that are going to be used to evaluate the effectiveness of the expenditure?*

The measurement used to evaluate the effectiveness of the expenditure will be the increased acreage of state owned land for habitat connectivity and public access.

5.) *How will the grant funds be expended? What is the budget for the grant funds, including all funding sources, for the duration of the grant?*

The grant funds will be expended on the purchase of 453 acres, which will be added to the Turner Hill Wildlife Management Area. The Department will expend \$330,000 of federal Recovery Land Acquisition Grant funds, \$60,000 of duck stamp funds, \$10,000 of timber sale receipts, and utilize \$40,000 of in-kind match. The Department will pay the landowners \$390,000 for the two parcels and there will be \$10,000 in expenses related to closing on the property.



- 6.) *What entities are collaborating on this grant; departments, community organizations?*
The entities involved in this project are the Vermont Fish and Wildlife Department, the United States Fish and Wildlife Service, and the Town of Athens.
- 7.) *What is the intended staffing level for the grant funded activity?*
This project and the associated grants do not require any additional staffing. The Department's land acquisition coordinator will oversee and manage the project to completion.



Department of Fish and Wildlife
Commissioner's Office
1 National Life Drive
Davis 2
Montpelier, VT 05620

TO: Peter Shumlin, Governor

THROUGH: Deb Markowitz, Secretary, Agency of Natural Resources

FROM: Louis Porter, Commissioner, Department of Fish and Wildlife

SUBJECT: Purchase of two separate parcels to provide additional conservation and public access opportunities at Turner Hill Wildlife Management Area (WMA).

Recommendation: That you approve the purchase of two parcels to be added to the Vermont Fish and Wildlife Department's (VFWD) Turner Hill WMA located in the town of Athens.

Description

The VFWD collaborated with The Nature Conservancy and VELCO to protect +/-600 acres as a new Wildlife Management Area where numerous beaver-influenced wetlands provide ideal habitat for the federally-endangered Northeastern bulrush (*Scirpus ancistrochaetus*). The Turner Hill WMA was conserved in 2013 and is located in the towns of Athens and Grafton. It is comprised of undeveloped and intact forestland that supports vital wildlife habitat, state-significant wetlands, stream frontage, traditional recreational opportunities, and scenic viewpoints.


The wetland complex which occurs on the WMA includes two documented occurrences of the Northeastern bulrush, and supports numerous wetlands that contain ideal habitat for the Northeastern bulrush. The second documented occurrence is not actually on the WMA but just to the south on Vance Dewitt's property. Vance's 240-acre property includes three large beaver wetland complexes and numerous other wetlands throughout the property. It also has a Right-of-Way from the Grafton-Townsend Road which could be used for management access if necessary (it is quite steep).

The Dewitt property is one of two properties the VFWD is currently under contract to purchase at Turner Hill WMA (See Exhibit 1). We are also working with Peter and Susan Sheehan to acquire 213 acres. The main attraction of the Sheehan property is access to an otherwise inaccessible WMA for management and the public. Sheehan owns along the eastern side of the WMA which offers the gentlest topography. Our access is currently restricted to the north and west of the WMA which is up very steep roads which are not accessible in the winter. In addition to access, Sheehan's property is currently subdivided into 7 lots. If these lots were built on, they would significantly compromise the long-term management of the WMA as well as the inherit wildness of the area. The property also

APPROVAL FOR PURCHASE OF LANDS

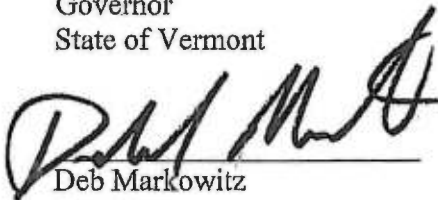
We the undersigned, hereby approve the purchase of land by the Agency of Natural Resources, Department of Fish and Wildlife to protect public access and the natural resources across two parcels totaling 453 acres belonging to Vance Dewitt and Peter and Susan Sheehan in Athens, VT. This approval is required by 10 V.S.A. §4144 of the Vermont Statutes Annotated.

11-5-15
Date




Peter Shumlin
Governor
State of Vermont

11-3-15
Date






Deb Markowitz
Secretary
Agency of Natural Resources

12/30/15
Date



Louis Porter
Commissioner
Fish and Wildlife Department

**Turner Hill WMA
Athens and Grafton, VT
Sheehan and Dewitt Acquisitions
Boundaries are Approximate**

-  Turner Hill WMA
-  Sheehan (212 acres)
-  Dewitt (240 acres)



0 0.5 Miles

