

**STATE OF VERMONT**  
LEGISLATIVE JOINT FISCAL OFFICE

MEMORANDUM

TO: Joint Fiscal Committee Members

FROM: Maria Belliveau, Associate Fiscal Officer

A handwritten signature in black ink, appearing to be 'MB' with a stylized flourish.

DATE: July 24, 2015

SUBJECT: JFO #2770 and 2771 – Funds to Purchase 2,880 acres of Land in the Towns of Ira and Poultney to be added to the Bird Mountain Wildlife Management Area

The Joint Fiscal Committee has been sent two requests that are closely related to each other from the Department of Fish and Wildlife. Both requests are to approve the acceptance of funds to be used for the purchase of 2,880 acres that will be added to the Bird Mountain Wildlife Management Area. These lands are currently owned by The Conservation Fund who agreed to purchase the land when it became available in 2013 with the intent that the State would eventually identify sources of funds to repay the Conservation fund, thereby transferring ownership of the land to the State. As with other state owned land, there will be Payment in Lieu of Taxes (PILOT) from the Agency of Natural Resources made to the towns of Ira and Poultney where the land is located.

The land is an important addition to the existing Bird Mountain Wildlife Management Area, and having the Conservation Fund step in and purchase the land, essentially “holding” it for the State, was essential to securing it for future generations. This will provide permanent protection of public access to hunting, trapping, fishing, wildlife viewing, and other wildlife activities.

The two grants that have been received for Joint Fiscal Committee approval are as follows:

JFO #2770 - \$2,868,000 from the Conservation fund from donations that they have identified to offset the cost of purchasing the land. Part of this donation is from the Vermont Housing and Conservation Board, ensuring that the land will be encumbered with a conservation easement held by VHCB and the Vermont Land Trust.

JFO #2771 - \$30,000 from the Lintilhac Foundation to assist in funding the purchase of the 2,880 acres from the Conservation Fund.

The cost of the land acquisition is \$3,173,000. This source of funds are as follows:

Conservation Fund	\$2,868,000
Lintilhac Foundation	\$ 30,000
Federal Pittman-Robertson funds	<u>\$ 275,000</u>
	\$3,173,000

Please note that the total cost of the project including all expenses such as the land acquisition, fees such as closing, legal, appraisal, and other miscellaneous expenses is \$3,484,000. The difference between the cost of the land acquisition and the \$3,484,000, which amounts to \$311,000, is coming from private donations.

Please review the enclosed materials and notify the Joint Fiscal Office (Maria Belliveau at (802) 828-5971; [mbelliveau@leg.state.vt.us](mailto:mbelliveau@leg.state.vt.us)) if you have questions or would like this item held for legislative review. Unless you respond to the contrary by August 7, 2015 it will be assumed that you agree to consider as final the Governor's acceptance of this request.

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C.c. Louis Porter, Commissioner, Department of Fish and Wildlife  
Steve Gomez, Business Manager, Department of Fish and Wildlife

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  
**RECEIVED**  
 JUL 23 2015  
**JOINT FISCAL OFFICE**

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

<b>Grant Summary:</b>	To assist in funding the purchase of 2,880 acres from The Conservation Fund to be added to the Bird Mountain WMA in Poultney and Ira.				
<b>Date:</b>	6/26/2015				
<b>Department:</b>	ANR - Fish & Wildlife 6120000000				
<b>Legal Title of Grant:</b>	Lintilhac Foundation (VT Flood Resilience Project)				
<b>Federal Catalog #:</b>	N/A				
<b>Grant/Donor Name and Address:</b>	886 North Gate Rd, Shelburne, VT 05482				
<b>Grant Period:</b>	<b>From:</b>		<b>To:</b>		
<b>Grant/Donation</b>	30,000.00				
	<b>SFY 1</b>	<b>SFY 2</b>	<b>SFY 3</b>	<b>Total</b>	<b>Comments</b>
<b>Grant Amount:</b>	\$30,000	\$	\$0	\$30,000	

<b>Position Information:</b>	<b># Positions</b>	<b>Explanation/Comments</b>
	0	
<b>Additional Comments:</b>	Note: the attached Conservation Project Budget of \$3,484,000 shows donations to The Conservation Fund, not to the State. This AA-1 is for the same project as the Bird Mountain AA-1 for the grant from the Conservation Fund.	

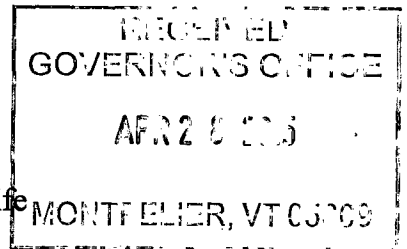
<b>Department of Finance &amp; Management</b>	<i>[Signature]</i>	(Initial)
<b>Secretary of Administration</b>	<i>[Signature]</i>	(Initial)
<b>Sent To Joint Fiscal Office</b>	7/21/15	Date



**Department of Fish and Wildlife**  
1 National Life Dr., Davis 2  
Montpelier, VT 05620-3702  
[www.vtfishandwildlife.com](http://www.vtfishandwildlife.com)

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

*Agency of Natural Resources*



TO: Peter Shumlin, Governor

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

FROM: Steve Gomez, Financial Manager

SUBJECT: Governor and Joint Fiscal Committee Approvals Needed for Acceptance of a \$30,000 Grant from the Lintilhac Foundation

**Recommendation: That you approve the acceptance of a \$30,000 grant from the Lintilhac Foundation to apply towards the purchase of 2,880 acres from the Conservation Fund to be added to the Vermont Wildlife Department's (VFWD) Bird Mountain WMA located in the towns of Poultney and Ira.**

#### Description

Traveling east into Vermont from New York State at the south end of Lake Champlain, one follows the Castleton River bottomlands into the mountains which rise dramatically from the valley floor. The Taconic Mountain Range is a distinct and profound gateway to Vermont. On either side of you, steep-sided mountains rise to elevations of over 2,000 ft. On the north is the state's 1,152 acre Blueberry Hill WMA, where the rugged ridgeline of Grandpa's Knob extends north towards Pittsford. To the south, the cliffs on Bird Mountain loom, where the Bird Mountain WMA protects 770 acres, including the summit at 2,216 ft. Beyond Bird and this dramatic portal, the high ridgeline and mountainous terrain widens and stretches to the south.

The landscape to the south includes 2,880 acres of land purchased in 2013 by The Conservation Fund for inclusion in the Bird Mountain Wildlife Management Area. The Yankee lands were formerly managed by Wagner LLC who recently divested all of their land holdings in Vermont. This is a one-time opportunity to protect an important part of this dramatic and ecologically significant landscape. Designated a Rare and Irreplaceable Natural Area by the VFWD in 2009, this property is just that -- it is wholly unique and deserves conservation and long term stewardship for all Vermonters.

#### Need and Cost

The VFWD is acquiring this land in order to provide permanent protection of public access for hunting, trapping, fishing, wildlife viewing, other wildlife dependent activities and conservation of significant wildlife habitat, as well as habitat connectivity. The cost of the project to expand the WMA is almost \$3.5 million. Public and private funds totaling nearly \$2.7 million have been raised to date. The VFWD plans to contribute \$275,000 in Pittman-Robertson Funds towards the project and if approved, we will also use \$30,000 secured through the Lintilhac Foundation. The \$30,000 was awarded in March of 2015 from the Foundation.



The lands will be encumbered with a conservation easement on them held by the Vermont Land Trust and the Vermont Housing and Conservation Board (VHCB) as a condition of a \$600,000 grant from the VHCB. To ensure these lands are permanently protected the final funding needs still must be met. The hope is to raise the remaining funds through private donations and foundation grants.

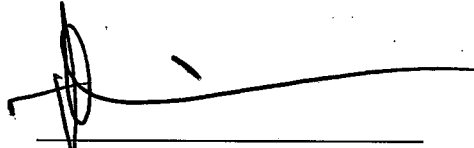
Your approval of this acquisition is required by 32 VSA § 5, which states in part “No original of any grant, gift, loan, or any sum of money or thing of value may be accepted by any agency, department, commission, board, or other part of State government except as follows: (1) All such items must be submitted to the Governor who shall send a copy of the approval or rejection to the Joint Fiscal Committee through the Joint Fiscal Office together with the following information with respect to said items...”. Also included here is a total budget of the project which was provided to the Lintilhac Foundation as part of our grant application (Exhibit 1).



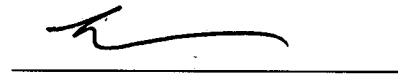
**APPROVAL FOR ACCEPTING GRANT**

We the undersigned, hereby approve the acceptance of a \$30,000 grant from the Lintilhac Foundation to the Vermont Fish and Wildlife Department to be applied towards the purchase of land by the Agency of Natural Resources, Department of Fish and Wildlife to protect public access and the natural resources across 2,880 acres belonging to the Conservation Fund in Poultney and Ira, VT. This approval is required by 32 VSA § 5 of the Vermont Statutes Annotated.

7/20/15  
Date

  
Peter Shumlin  
Governor  
State of Vermont

4/15/15  
Date

  
Louis Porter  
Commissioner  
Fish and Wildlife Department



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:	N/A			
5. Federal Catalog #:	N/A			
6. Grant/Donor Name and Address:	Lintilhac Foundation 886 N. Gate Road Shelburne, Vermont 05482			
7. Grant Period:	From:		To:	
8. Purpose of Grant:	To provide funding for the acquisition of the former Yankee Lands.			
9. Impact on existing program if grant is not Accepted:	The Department will have to utilize state funds instead of grant funds to acquire the land.			
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2016	FY	FY	
Personal Services	\$	\$	\$	
Operating Expenses	\$30,000	\$	\$	
Grants	\$	\$	\$	
<b>Total</b>	<b>\$30,000</b>	<b>\$</b>	<b>\$</b>	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$	\$	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source Lintilhac Foundation)	\$30,000	\$	\$	
<b>Total</b>	<b>\$30,000</b>	<b>\$</b>	<b>\$</b>	
Appropriation No:		Amount:	\$	
6120000000			\$ 30,000	
			\$	
			\$	
			\$	
			\$	
			\$	
			\$	

MAY 4 - 2015

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

	Total \$
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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.

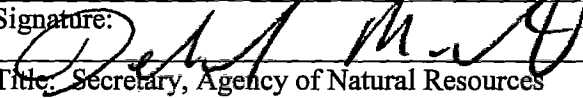
Appointing Authority Name: \_\_\_\_\_ Agreed by: \_\_\_\_\_ (initial)

12. Limited Service Position Information:	# Positions	Title
<b>Total Positions</b>		

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:   
 Title: Secretary, Agency of Natural Resources

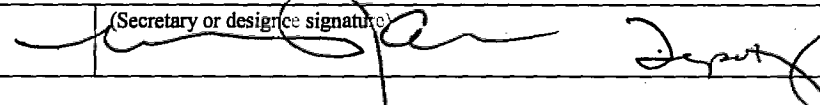
Date: 4-23-15

Signature: \_\_\_\_\_


Date: 4/23/15

Title: Commissioner, Vermont Department of Fish and Wildlife

**14. SECRETARY OF ADMINISTRATION**

<input checked="" type="checkbox"/>	Approved:	(Secretary or designee signature) 	Date: 07/09/15
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**15. ACTION BY GOVERNOR**

<input checked="" type="checkbox"/>	Check One Box: Accepted	(Governor's signature) 	Date: 7/20/15
<input type="checkbox"/>	Rejected		Date:

**16. DOCUMENTATION REQUIRED**

**Required GRANT Documentation**

- |   |  |
|---|--|
| <input type="checkbox"/> Request Memo<br><input type="checkbox"/> Dept. project approval (if applicable)<br><input type="checkbox"/> Notice of Award<br><input type="checkbox"/> Grant Agreement<br><input type="checkbox"/> Grant Budget | <input type="checkbox"/> Notice of Donation (if any)<br><input type="checkbox"/> Grant (Project) Timeline (if applicable)<br><input type="checkbox"/> Request for Extension (if applicable)<br><input type="checkbox"/> Form AA-1PN attached (if applicable) |
|---|--|

**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).



Bird's Eye Conservation Project Budget  
**CONSERVATION PROJECT BUDGET**  
**INCOME AND EXPENSES**

**INCOME**

VHCB Funds	\$600,000	(committed)
Lintilac Foundation	\$30,000	(committed)
Private Donor	\$1,000,000	(in hand)
Private Donor	\$500,000	(committed)
The Conservation Fund	\$284,000	(in hand)
Fish and Wildlife Funds	\$275,000	(committed)
<b>Other Funds</b>	<b>\$795,000</b>	<b>(unidentified private)</b>

**TOTAL NEEDED**                    **\$3,484,000**

**EXPENSES**

Acquisition	\$3,173,000
Appraisal	\$10,000
Check Cruise	\$10,000
Forestry & Monitoring	\$10,000
Mapping/ Documentation	\$1,000
Legal/Closing Costs	\$32,000
Stewardship Endowment	\$20,000
Grantee Staff and Overhead	\$55,000
Fundraising Expenses	\$10,000
Holding Costs/Taxes	\$13,500
Interest	\$150,000

**TOTAL ALL COSTS**                    **\$3,484,000**