

Fish and Wildlife Department

Barre District Natural Resources Office
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Agency of Natural Resources

To: Sarah London, Office of the Governor

From: Jane Lazorchak, Land Acquisition Coordinator, Vermont Fish and Wildlife Department

Date: February 27, 2012

RE: Governor's Approval Needed for a Conservation Easement in the Towns of Clarendon and Shrewsbury

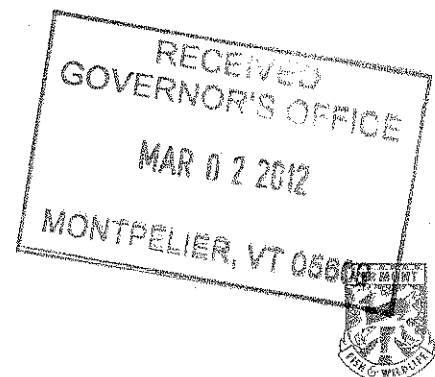
Enclosed is an approval to be signed by Governor Shumlin for the acceptance of a 90-acre conservation easement by the State of Vermont, Department of Fish and Wildlife. The applicants of Act 250 Land Use Permit 1R0567-12 are seeking approval to expand their current gravel pit by opening a new 40 acre pit to the west of the current operation. This area is mapped deer wintering area, and a field visit by Fish and Wildlife Specialist Joel Flewelling and Wildlife Biologist Doug Blodgett on March 23, 2011 showed heavy deer use in approximately 30 acres of hemlock cover within the 40 acre expansion area.

Proposed mitigation for the removal of this deer wintering area, is a 90 acre conservation easement area that contains 60 acres of quality deer wintering habitat. See map (Exhibit 1). Included with this easement would be a Right-Of-Way for management purposes to the Aiken State Forest on the northeast end of the property. See map (Exhibit 2).

The Agency's Land Acquisition Review Committee (LARC) does not approve conservation easements but the Department does notify LARC. The memo addressed to the LARC Chair is attached here (Exhibit 3). In addition, the Towns of Shrewsbury and Clarendon support this easement as documented in the letters from the Selectboards dated 7/20/11 and 11/28/11 (Exhibits 4&5).

If you have any questions regarding this easement project, please contact me directly at 479-4405 or at Jane.Lazorchak@state.vt.us, thank you.

cc: Patrick Berry, Commissioner
John M. Austin, Lands and Habitat Program Director



Department of Fish and Wildlife
Commissioner's Office
103 South Main Street
10 South
Waterbury, VT 05671-0501
802-241-3730

TO: Peter Shumlin, Governor

THROUGH: Deb Markowitz, Secretary, Agency of Natural Resources

FROM: Patrick Berry, Commissioner, Department of Fish and Wildlife *PB*

SUBJECT: Department of Fish and Wildlife acceptance of a 90 acre conservation easement on 500+/- acre parcel owned by Elnicki Aggregate Inc. Located in the towns of Clarendon and Shrewsbury, VT.

Recommendation: Accept a conservation easement as mitigation for the loss of approximately 30 acres of deer winter habitat subject to pending Act 250 Land Use Permit 1R0567-12.

Description of Project

The applicants of Act 250 Land Use Permit 1R0567-12 are seeking approval to expand the current gravel pit by opening a new 40 acre pit to the west of the current operation. This area is mapped deer wintering area, and a field visit by Fish and Wildlife Specialist Joel Flewelling and Wildlife Biologist Doug Blodgett on March 23, 2011 showed heavy deer use in approximately 30 acres of hemlock cover within the 40 acre expansion area.

Proposed mitigation for the removal of this deer wintering area, is a 90 acre conservation easement area that contains 60 acres of quality deer wintering habitat. See map (Exhibit 1). Included with this easement would be a Right-Of-Way for management purposes to the Aiken State Forest on the northeast end of the property. See map (Exhibit 2).

Within the proposed 90 acre conservation easement area there are 66 acres that are part of a 1988 white-tailed deer winter habitat management plan that is required mitigation of the current Act 250 permit. Management activities included in this plan would continue for the life of the permit. All disturbed wintering areas will be reclaimed by planting softwood cover.

A field survey and boundary line establishment will be executed by Elnicki Aggregate Inc., as well as the development of a Baseline Documentation Report.

Need and Cost

The Fish and Wildlife Department is acquiring this easement in order to provide permanent conservation of significant deer winter habitat. The easement is being used as mitigation for an Act 250 project.

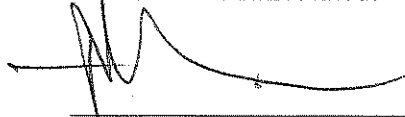
Your approval of this acquisition is required by 10 V.S.A. §4144, which states in part "the secretary, with approval of the governor, may exchange, sell or lease lands under the secretary's jurisdiction when, in his or her judgment, it is advantageous to the state to do so ..." The Agency's Land Acquisition Committee was notified about this conservation easement project (Exhibit 3). In addition, the Towns of Shrewsbury and Clarendon support this easement as documented in the letters from the Selectboards dated 7/20/11 and 11/28/11 (Exhibits 4&5).

APPROVAL FOR PURCHASE OF LAND

We the undersigned, hereby approve the acquisition of a 90 acre conservation easement by the Agency of Natural Resources, Department of Fish and Wildlife to protect winter deer habitat belonging to Elnicki Aggregate in Clarendon and Shrewsbury, VT. This approval is required by 10 V.S.A. §4144 of the Vermont Statutes Annotated.

3/7/12

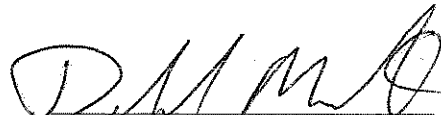
Date



Peter Shumlin
Governor
State of Vermont

2-29-12

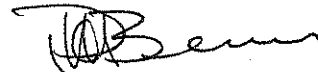
Date



Deb Markowitz
Secretary
Agency of Natural Resources

2/29/12

Date



Patrick Berry
Commissioner
Fish and Wildlife Department