

**From:** London, Sarah [Sarah.London@vermont.gov]  
**Sent:** Tuesday, September 25, 2012 1:43 AM  
**To:** Seelig, G; 'Gil Livingston'  
**CC:** Ross, Chuck  
**Subject:** Proposed terms

Gil, Gus, and Chuck, tonight largely got away from me. But here's some proposed terms based on discussions. All of your August 13 suggestions (Gus) are below in red. Looking forward to being in touch,  
Sarah

- 1) Document, on per easement basis, total and nature of following costs: (a) stewardship; (b) bringing a project into program; (c) closing a transaction.
- 2) Transaction costs will be limited to the cost of the easement acquisition and third party contractor costs such as closing attorneys, title insurance, etc.
- 3) VHCB, VLT, UVLT would develop for Fiscal Year 2014 (July 2013) a performance contract for services to cover staff and overhead costs out of transaction costs. Contributions to VLT operational costs would not exceed 50% of the costs of the farm program.
- 4) The public contribution for "standard closing costs" (title search, title insurance, recording fees, mapping, IRS report) will be capped at \$4,000 per transaction going forward.
- 5) Beginning in FY '14, contributions to the stewardship endowment fund will be evaluated no less than twice a year utilizing benchmarks including the number of new easements, the fund performance and national accreditation requirements. The Governor will be advised of the total stewardship contribution, in light of the benchmarks, no less than twice a year.
- 6) VHCB will work with Secretary Ross to convene focus groups with landowners this winter to determine whether and how a stewardship contribution can be required from landowners starting in FY 14. VHCB and Secretary Ross will explore stewardship contributions by farmers based on a percentage of the value of the easement, a fee-based easement amendment process, and/or any other equitable cost-sharing arrangement with farmers. VHCB and Secretary Ross will report back to the Governor regarding farmer-stewardship contributions next spring.

- 7) Conduct stewardship site visits and direct communication with farmers every other year, where permitted.

Sarah London  
Counsel to the Governor  
802-828-3333  
[sarah.london@state.vt.us](mailto:sarah.london@state.vt.us)