

**Department of Fish and Wildlife**

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Montpelier, VT 05620-3702

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[fax] 802-828-1250

*Agency of Natural Resources***MEMORANDUM**

**To:** Sarah London, Governor's Legal Counsel

**From:** Jane Lazorchak, Land Acquisition Coordinator

**Date:** July 14, 2016

**RE:** Governor's Approval Needed for Dubois Farm Inc. Donation at Dead Creek Wildlife Management Area located in Addison.

Enclosed is an approval to be signed by Governor Shumlin for the acceptance of 40-acre parcel located in Addison. The addition of this property to Dead Creek Wildlife Management Area will provide permanent protection of public access for hunting, trapping, fishing and wildlife viewing, and the conservation of significant wildlife habitat. Total costs for this project are approximately \$12,000.

Funding for this acquisition will come from Pittman-Robertson funding provided to the Department from the United States Fish and Wildlife Service. Included with the Governor's approval memo are a map of the property, a copy of the review and approval by the Agency Land Acquisition Review Committee and a copy of the letter signed by the town of Addison stating town support for the state acquisition of this property.

If you have any questions regarding this project, please contact me directly at 505-0561 or at [jane.lazorchak@vermont.gov](mailto:jane.lazorchak@vermont.gov), thank you.

cc: Louis Porter, Commissioner  
John Austin, Lands and Habitat Program Manager



Department of Fish and Wildlife  
Commissioner's Office  
1 National Life Drive Davis 2  
Montpelier, Vermont 05620-3702  
802-828-1454

TO: Peter Shumlin, Governor

THROUGH: Deb Markowitz, Secretary, Agency of Natural Resources

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

SUBJECT: Donation of roughly the 40-acre Dubois Farm Inc. property to provide additional conservation and public access opportunities at Dead Creek Wildlife Management Area (WMA).

**Recommendation: That you approve the acceptance of the donation of the 40-acre Dubois Farm Inc. property to be added to the Vermont Fish and Wildlife Department's (Department) Dead Creek WMA located in the town of Addison.**

Description

Dead Creek WMA is a 2,858-acre tract in the towns of Addison, Panton and Bridport. A public viewing area is located along the south side of Route 17, one mile west of Route 22A, that provides excellent viewing of the huge fall concentrations of Canada and snow geese. This WMA has seven impoundments that create cattail dominated wetlands. Water levels are actively managed. Surrounding uplands are a mix of active agricultural lands, old fields and Clayplain Forests. Hunting, fishing and trapping are allowed on portions. Access to sections of the WMA is regulated because the area is primarily a waterfowl refuge.

Dead Creek WMA is one of the Department's flagship Wildlife Management Areas. As such, it is a priority of the Department to add strategic pieces as they become available. A high priority is the addition of any forested tracts as they are significant for numerous reasons, including natural community conservation (almost all parcels are state-significant natural communities, primarily Clayplain Forest), wildlife connectivity and public access.

Of the utmost importance to the Department has been the roughly 40-acre woodlot adjacent to the state access road which heads south off of Route 17, running parallel with the main channel of Dead Creek (see Exhibit 1). This forested patch has a long history which started with one of the first partnerships between the Department and The Nature Conservancy. Recognizing the significance of the Clayplain Forest on the property, the organizations worked cooperatively with the landowner to get them access to new land to graze their cows in order to keep the cows out of the woods. Since this initial partnership, the Department has done numerous appraisals to try and work out a deal to acquire these woods to no avail.

The farm, which these woods are part of, recently changed hands to Dubois Farm Inc. They reached out to us to donate us the woods. This is a tremendous opportunity for the

Department to add these woods to our ownership and secure public access. There is literally a fence between our lands and these woods that can come down for the public to use the property. In addition, a known maternity colony for the federally-endangered Indiana bat occurs on the property.

#### Need and Cost

The Department is acquiring this property in order to provide permanent protection of public access for hunting, trapping, fishing, wildlife viewing, other wildlife dependent activities and conservation of significant natural communities. The total preliminary project budget is \$12,000 to cover the survey, subdivision and closing. The Department will use federal funds from the United States Fish and Wildlife Service to cover these costs.


Your approval of these acquisitions 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 ...” This projects have been reviewed and approved by the Agency’s Land Acquisition Review Committee at their meeting in May of 2008 (See Exhibit 2). In addition, the town supports this project as documented in the letter of support from the Addison Select Board (Exhibit 3).

## APPROVAL FOR PURCHASE OF LANDS

We the undersigned, hereby approve the acceptance of the donation of land by the Agency of Natural Resources, Department of Fish and Wildlife to protect public access and the natural resources on the 40-acre Dubois Farm Inc. property in Addison, VT. This approval is required by 10 V.S.A. §4144 of the Vermont Statutes Annotated.

7/21/16

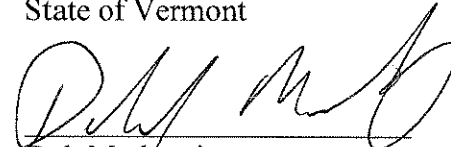
Date



Peter Shumlin  
Governor  
State of Vermont

7-15-16

Date



Deb Markowitz  
Secretary  
Agency of Natural Resources

7/15/16

Date



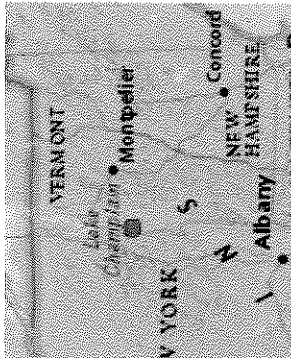
Louis Porter  
Commissioner  
Fish and Wildlife Department



# Dubois Woodlot

Vermont Agency of Natural Resources

vermont.gov



## LEGEND

- Wildlife Management Areas
  - Fee ownership
  - Non-fee interest
- Riparian Lands
- Other Managed Lands
  - Fishing Access Areas
  - Green Mtn. Conservation Camps
  - Fish Culture Stations
  - FWD easement property
- Town Boundary

## NOTES

Map created using ANR's Natural Resources Atlas



1: 46,656

October 30, 2015

2,370.0 0 1,185.00 2,370.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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1" = 3888 Ft. 1cm = 467 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. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

# Agency of Natural Resources Land Acquisition Review Committee Case Report

**Project Information**

LARC Case #	1703	Project Name	Dead Creek WMA Addition		Priority	HIGH	
Previous LARC Case #							
Description	These parcels and Dead Creek area are the best remaining Clayplain Forest in the state. Two of the three parcels border Dead Creek WMA on at least two sides. These parcels would provide habitat for the Indiana bat and two rare plants species.						
Transaction Type	PURCHASE	Price	FMV	Interest to be Acq.	EASEMENT	Fund(s)	LIP
Location:	Town	Addison	County	Addison			
Owner	Mike Reed	Linda DeVries					
# of Parcels	2	Total Acres	155				
Dept to Manage	F&W	Contact	Jane Lazorchak				

**LARC Review**

Date	5/15/2008
Recommendation	Acquire
Comments	FW would consider fee purchase of both parcels, if the landowners are interested. Otherwise, FW will purchase conservation easements. Bill Crenshaw has worked to conserve this area for years. These parcels make up the largest Clayplain Forest in Addison County.

**Secretary Review**

Date	7/25/2008
Disposition	ACQUIRE
Comments	

**Notes**

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**TOWN OF ADDISON**  
*County of Addison*

*Chartered 1761*

65 VT Rte 17W      802-759-2020  
ADDISON VT 05491      802-759-2233 fax

June 10, 2016

Jane Lazorchak  
Department of Fish & Wildlife  
1 National Life Drive  
Montpelier, VT 05620

Dear Ms Lazorchak,

At the June 7, 2016 meeting of the Addison Select Board a motion was made to support the transaction of Vermont Fish and Wildlife acquiring 37 acres from the Dubois Farm. All were in favor.

Thank you for meeting with us to discuss this project.

Sincerely,

Jeff Kauffman  
Chairperson  
Addison Select Board