

Housatonic River Basin Natural Resources Restoration Project  
Natural Resources Trustee SubCouncil for Connecticut  
Request for Supplemental Information (RSI)  
INSTRUCTIONS

RECEIVED  
JUN 20 2007  
INLAND FISHERIES

**PART A: SPONSOR AND PROJECT SUMMARY FORM**

Please read "Request for Supplemental Information (RFI) OVERVIEW" and this document, "Request for Supplemental Information (RSI) INSTRUCTIONS" before completing this form.

Part A must be completed using this "Sponsor and Project Summary Form"

**SPONSOR INFORMATION**

**Type of Entity** Check the box that best describes the sponsor.

- |  |  |
|--|--|
| <input type="checkbox"/> Private individual          | <input type="checkbox"/> Municipal government    |
| <input type="checkbox"/> Non-profit organization     | <input type="checkbox"/> Corporation or Business |
| <input checked="" type="checkbox"/> State government | <input type="checkbox"/> County government       |
| <input type="checkbox"/> Federal government          | <input type="checkbox"/> Academic Institution    |
| <input type="checkbox"/> Tribal government           | <input type="checkbox"/> Other (explain)         |

**Authorized Representative of Sponsor**

Connecticut Department of Environmental Protection

**Name**

Beth Brothers

**Title**

EP Program Specialist 2

**Address**

79 Elm St

**City**

Hartford

**State**

CT

**Zip**

06106

**Phone**

(860)-424-3086

**Email**

elizabeth.brothers@po.state.ct.us

**Contact Person (if different from Authorized Representative):**

**Name**

**Title**

**Address**

**City**

**State**

**Zip**

**Phone**

**Email**

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**Project Name** Provide a brief working name:

Recreational and Conservation Easements for Housatonic Basin streams

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**Project Location**

Attach an 8.5 x 11-inch map or copy of an aerial photograph showing project location and extent. Include pertinent topographic and geographic information, a scale, and north arrow.

State(s), Municipality/ies: All Housatonic Basin Towns in Conn.

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Longitude for approximate center of project area: -73.3615

Latitude for approximate center of project area: 41.5907

**NOTE: If a specific location(s) has/have not been selected yet, include in Part C a narrative describing how project location(s) will be selected.**

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**Restoration Priority Category** See Appendix C of these Instructions for Restoration Priority Category Descriptions

**Primary Category.** Check the restoration category that is the primary goal of the project.

Check one box.

- Aquatic Natural Resources Restoration/Enhancement
- Riparian & Floodplain Natural Resources Restoration/Enhancement
- Restoration/Enhancement of Recreational Uses of Natural Resources

**Secondary Categories.** Check all relevant boxes.

- Aquatic Natural Resources Restoration/Enhancement
- Riparian & Floodplain Natural Resources Restoration/Enhancement
- Restoration/Enhancement of Recreational Uses of Natural Resources

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**List Specific Injured Natural Resources and/or Impaired Natural Resource Services to Benefit from Project**

- 1- Replace or enhance Recreational Fishing Natural Resource Services of the Housatonic River lost due to PCB contamination
- 2-Recreational use by other non-consumptive recreational groups (hiking,boating, bird watching etc), whose river usage was impacted by PCB contamination, would benefit from increased near bank river access
- 3-Enhance critical coldwater resource using conservation easement. This will enhance riparian and aquatic resources through the creation of Greenways and in addition, easements will facilitate/compliment other stream and riparian restoration activities

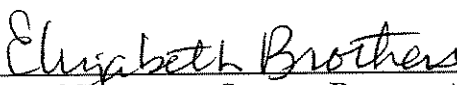
**Project Budget Summary**

Complete the table below to summarize the budget information that is detailed in Part D: Project Budget Narrative and Forms. Sponsors are advised to complete Part D (Project Budget Narrative and Forms) before filling in the table below.

Housatonic River NRD Funds – Requested	Other Contributions (Committed)	Other Contributions (Not Committed)	Total Project Cost (boxes 1+2+3)
1. From Part D, Table 2, Box 5 \$2,812,580	2. From Part D, Table 2, Box 6 \$297,701	3. From Part D, Table 2, Box 7 \$0	4. From Part D, Table 2, Box 8 \$3,110,282
<b>Amount of Other Contributions to Be Considered as Cost-Matching to NRD Fund Request</b>			
5. \$297,701			

**Authorizing Statement**

I hereby declare that the information included in this project submission and all attachments is true, complete, and accurate to the best of my knowledge, and that the proposed project complies with all applicable state, local, and federal laws and regulations.

  
 \_\_\_\_\_  
 Signature of Sponsor or Sponsor Representative 6/20/07  
Date

\_\_\_\_\_  
 Connecticut Dept of Environmental  
 Protection  
 Name of Sponsor or Sponsor Representative  
 (Type or print clearly)

## **PART B: Abstract**

A result of the PCB contamination of the Housatonic River has been the loss of recreational opportunity for anglers and other water based recreationists. About 550,000 angler trout harvest events have been lost as a result of the PCB consumption ban. Through the use of access and conservation easements it will be possible to replace much of these lost recreational opportunities. In addition, the use of conservation easements can enhance water and habitat quality for critical coldwater resource. These resources are important to the survival and quality of coldwater fish species, a major component of the Housatonic River's fisheries.

River section of easement acquisition would be prioritized using input of towns, fishing groups, and other NGOs. During a five-year period, access easements would be pursued for 20 miles of streams and for 1.3 miles of coldwater conservation easements. Data from recent fishing surveys indicate that on moderate size streams these easements would generate harvest events equivalent to about 65% of the lost harvest opportunities.

An information pamphlet and GIS coverage will be generated for all easements acquired.

## **PART C: Project Narrative**

### **Proposal- Recreational and Conservation Easements for the Housatonic Basin streams**

#### **Project Narrative:**

#### **1.0 General Description**

#### **1.1 Project Goals and Objectives**

This project looks to improve conditions within the Housatonic Basin by acquisition of easements, either access (fishing etc) or conservation easements.

##### a) Objective:

1) To enhance/replace or restore recreational services for anglers and other outdoor groups through acquisition of permanent access agreements or conservation easements.

Prior to the PCB spill, the Housatonic River above Lake Lillinonah was stocked annually with 22,000 trout, which generated about 40,000 angler-hours/year of fishing pressure and 18,000 to 20,000 harvest events/year. The PCB spill resulted in lost harvest opportunities for Housatonic trout anglers of about 600,000 trout harvest events between 1976 and 2005. In addition, over the course of the last 30 years access to many miles of fishable streams and rivers have been lost due to development and posting of private lands. This trend is expected to accelerate in future years.

2) Protect and restore the ecological integrity of the Housatonic and Naugatuck Rivers by protecting the critical watershed areas of non impacted tributary streams through the acquisition of conservation easements. These easements can enhance key coldwater refuges in the main Housatonic River as well as enhance populations of cold water fish. In addition, conservation easement acquisitions can be worded to enhance/facilitate opportunities for stream and riparian restoration work within the Housatonic Basin. The acquisition of continuous sections of riparian corridors (Greenways) will enhance overall riparian and floodplain wildlife and generally improve the ecological health of the drainage and of the main stem Housatonic River.

##### b) Project success criteria or measurable goals: The success of this project can be accessed by the miles of streams acquired as easements or riparian buffers.

After four years have

- a) acquired up to 20 bank-miles of recreation access easements with 30 ft right of way) and
- b) acquired up to 1.3 bank-miles of cold water conservation easements-100ft wide riparian buffer zone.
- c) completed surveying and posting of 50% of all acquired parcels by the end of 4<sup>th</sup> year.

#### **1.2 Project Scope and Project Implementation Plan:**

##### a) General tasks:

- ◆ Hire Property Agent II

- ◆ Prioritize basin river sections- This includes stakeholder meetings to get input on resource values and how areas mesh with existing stakeholder plans. Develop list of first tier river sections: high use, high value areas and list of secondary tier locations: section with next highest use and value etc. (ranking approach discussed below)
- ◆ Compile list of landowners in areas targeted for access easements and a separate list for cold-water habitat conservation easements.
- ◆ Hold public information meetings with conservation groups, towns and landowners to explain project goals and benefits of areas targeted for easements. Develop compatible goals.
- ◆ Contact individual landowners about acquiring easements. Negotiate as needed. This will usually require several visits by land agent.
- ◆ Complete easement acquisition and survey properties.
- ◆ These last two components are part of an iterative process with subsequent rounds of contacts being made for progressively lower rated parcels.
- ◆ Place informational signage at easements.
- ◆ Monitor usage of easement areas.
- ◆ Prepare and distribute an easement pamphlet that lets the public know where these recreational opportunities are.
- ◆ Prepare, proof and distribute GIS data to all interested parties.

b) Project Schedule

Fiscal Year	Action 1- Access / Conservation easements	Action 2- Coldwater Habitat Conservation easements-
Year 1	Hiring of Property Agent II	
Year 1	Screening and rating of potential stream sections for Access easements. This includes public meetings to gather stakeholder input.	Screening and rating of potential stream sections for Conservation easements based on DEP field data and expert opinions.
Year 1	Compilation of landowner lists for access easement targets- first tier areas and assessment of property values- begin landowner contacts.	Compilations of land owner lists in secondary target areas and assessment of property values
Year 1-2	Public Information meetings to explain target acquisition areas and project purpose. Use meetings to build stakeholder support and develop local contacts	Public Information meetings to explain target acquisition areas and project purpose. Use meeting to build stakeholder support and develop local contacts.
Year 2	Contact Land owners, negotiation for easements of Access easement target areas-first tier.	
Year 2-3	Finalize & sign agreement for first wave of easement. Begin surveying of easement areas for Access easement areas-first tier.	Contact Land owners, negotiate for easements of secondary target areas.

Year 3	-Revisit Access easement areas-first tier. -Compilations of land owner lists in Access easement targets- Second tier areas and assessment of property values. -Contact Land owners, negotiation for easements of Access easement target areas- second tier	Finalize & sign agreement, survey easement areas for secondary areas.
Year 4	Revisit second tier landowners. Develop and sign agreement, schedule surveys for secondary areas.	Finalize & sign agreement, survey easement areas for secondary areas.
Year 4	Monitor use and condition of easement areas.	Monitor use and condition of easement areas.
Year 5	Prepare and distribute Easement Pamphlet	
Year 5	Prepare, proof and distribute GIS data of access/conservation areas.	
Year 5	Monitor use and condition of easement areas.	Monitor use and condition of easement areas.

C) Project phases: Description-(see Budget Table 2)

Property Agent Duties: (Task A – D)

Prioritizing Parcels (Task A): The project will consist of two concurrent acquisition projects for access (fishing and other recreational opportunities) and/or conservation easements (riparian buffers and conservation of cold water habitats). Both acquisition tracts require screening processes to identify high priority areas for acquisition. Limited manpower at the DEP will require hiring a duration land agent to coordinate the screening process, to conduct landowner contacts and negotiate agreements.

The screening process for access acquisitions will look at all Housatonic River Tributaries above Derby Dam and rank them. Category ranking will be on a 5-point system with 5 being highest and 0 lowest.

Ranking criteria points will be given for:

- ◆ River size (mean width:<10ft -1pt, 10-20ft-2pts, 20-30ft-3 pt; 30-40ft 4 pts, > 50ft-5 pts
- ◆ Quality of existing or potential trout fishing. Based on best professional judgement rating by DEP fisheries biologist using current and projected use by anglers for each river section. Existing fishing access points: combined average of fishing groups, Stakeholders and DEP biologist.
- ◆ Existing guaranteed public access (town or state lands). 5 points for contiguous to state land to 0 points if no public lands exist on the streams.
- ◆ Potential to create long continuous sections of fishable river should be given priority; using an index calculated as (index=number of parcels/river section length between holdings) for as many areas as possible. Points assigned at each 20% percentile grouping (i.e. smallest 20% of index 5 points, next lowest 20% 4 points etc). It is more efficient to work on long section with the fewest possible number of landowners.
- ◆ Subjective scoring of relative value of tributaries by trout fishing groups (TU etc) (5 pts possible should include fishery value and aesthetic value).
- ◆ Subjective scoring of relative importance of river sections by town, watershed and other NGO conservation plans. Average of scoring by all interested groups (5 pts high value/ 0 points no value).

The screening process for key coldwater habitats will use the extensive local knowledge of CT DEP IFD staff regarding thermal refuge sites and upstream habitats. This will be augmented by using CT DEP Bureau of Water Protection and Land Reuse ambient monitoring databases of continuous water temperatures water quality, invertebrate populations and fishing populations. A prioritized list of location will be developed based on relative resource values and vulnerability to development. Local Municipalities, NGO and other DEP Divisions will be consulted for additional input on the final list.

Compiling Landowner Lists (Task B): The Property Agent will use ArcGis to map parcels for the highest priority river sections, and obtain landowner information from town records. In towns with GIS maps of holdings it will be possible to transfer the data directly. In other towns a more time consuming manual creation of plots and inventorying of data will be required.



Electronic record keeping will be employed to track contacts with individual landowners and the progress of easement negotiations.

Informational Meeting Task C): The purpose of this meeting will be to introduce the property agent to the landowners, towns officials, local NGO and all other stakeholders with an interest in these highest priority areas. The purpose of the project will be explained and the forum will give them a chance to ask questions, see the level of involvement of the local community and familiarize themselves with the property agents. In this way they will feel more comfortable when the Property Agent makes individual contacts.

Easement Negotiation and Acquisition (Task D): Once parcels are identified negotiations and acquisitions will occur based on methodologies described in Section 2.5.1 which are standard CT DEP Property Management procedures.

Using towns and or other NGOs as partners, there exists significant potential to use Project funds to leverage federal moneys from additional sources such as Federal Trail or Greenways funds, National Habitat Initiative or the Eastern Brook Trout Joint Venture. The DEP has about \$100,000 in an accounts earmarked for purchase of permanent fishing easements that could be used with this project.

Contracted Duties (Task E):

Surveying and Posting (Task E): During the course of the project all easement areas will be surveyed and posted, as required by the State Attorney General's Office.

Inland Fisheries/ Property Agent II Duties (Task F-G):

Information Distribution (Task F): At the conclusion of the Acquisition phase of the Project a booklet/Pamphlet will be prepared on Access easement for Fishing and other recreation in the Housatonic Basin that will contain narratives and maps showing the location of all past easements and the newly acquired fishing easements. To be done by Inland Fisheries Division staff. All GIS data generated will be merged with existing DEP information and made available to all public planning agencies. To be done by Property Agent II.

Easement Usage Monitoring (Task G): Easement areas will be monitored for usage during years 4-5 of the project. See section 2.24 Measurable results sub-section Functional parameters for details.

In reviewing past permanent fishing easements it was noted that many of the landowners, who grant permanent fishing or conservation easements, are conservation minded individuals who often subsequently sell or gift their lands to conservation groups, towns or the state.

D) Access agreements, easements, and rights-of-way:

The end product of this project is acquisition of fishing/access and conservation easements. Identification of specific easement sites is part of the project process. No specific properties have been identified yet.

E) Regulatory Approval:

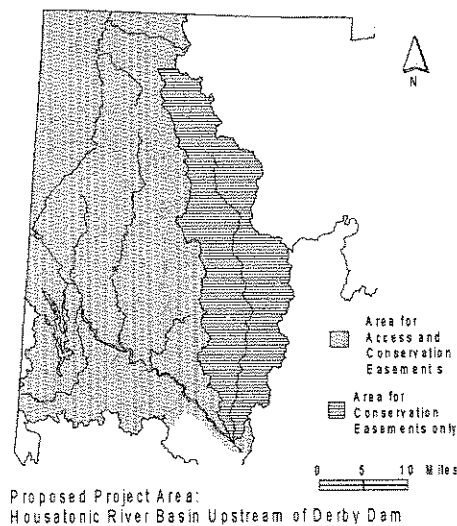
No regulatory approval is required for this project

**2.0 EVALUATION CRITERIA NARRATIVE**

**2.1 Relevance and Applicability of Project**

**2.1.1 Location of Project**

- A) Housatonic River and all it's tributaries above the Derby dam for Access Easements and riparian buffer zones.
- B) The entire Housatonic Basin for conservation easements-riparian buffer zone on important cold water resources.



**2.1.2 Natural Recovery Period**

It is anticipated that PCB fish consumption advisories will remain in place for the foreseeable future on the Housatonic River. Acquisition of areas with harvest fishing opportunities will replace lost fish harvesting opportunities in the Housatonic River.

**2.1.3 Sustainable Benefits**

Permanent easements will provide benefits in perpetuity.

**2.1.4 Magnitude of Ecological Benefit**

Riparian buffer zones created by conservation easements will protect and enhance the fishery resources, the cold-water habitat and water quality within the Housatonic River watershed upstream of the Derby Dam.

**2.1.5 Magnitude of Recreational Benefit**

Access Easements will allow replacement of a substantial part of the 18,000 trout harvest events/year lost from the Housatonic River due to the PCB consumption advisory. Over the last 30 years over 600,000 harvest events have been lost. Each

mile of stream fishing access acquired will equate to about 400-800 harvest events per year depending on stream size and trout stocking density. If the targeted 20 miles of stream access is acquired it could potentially generate about 12,000 harvest events per year. This would replace about 2/3 of the lost trout harvest with guaranteed annual harvest opportunities in perpetuity.

## **2.2 Technical Merit**

### **2.2.1 Technical/Technological Feasibility**

There have been three major past projects that focused on acquiring fishing easements in the past. Conservation Officer George Willis acquired substantial contiguous sections of permanent fishing easement along the Natchaug River in Ashford/Eastford during 1927-31. A similar project was done on the Blackberry River in 1943-46. More recently permanent fishing easements were acquired along the Mount Hope River, Yantic River and Hop Brook during 1990-2007. A directed systematic one-on-one approach to landowners has been very successful in these past acquisition efforts.

Several methods are available to setting fishing easement values based on stream size and fishable value of the stream. DEP staff has considerable experience in negotiating conservation easement agreements, fishing and access easements. There are several examples of Federal conservation easement programs available on the Internet. All of these programs use similar methodology for setting conservation easement values. The values are usually 40-60% of the fair market value of that portion of the property covered by the conservation easement. For example, if the 100ft wide riparian buffer strip on a parcel, valued at \$200,000, was 10% of the total parcels acreage then the conservation easement would be valued at \$8,000-\$12,000. DEP Property Agents have indicated that with the high percentage of out-of-state vacation homeowners in western Connecticut that up wards of 80% of fair market value may be more realistic for easements in the Connecticut Market.

### **2.2.2 Adverse Environmental Impact**

Other than the potential for some foot traffic associated erosion concerns in access easement areas, no adverse environmental impacts are expected from this program.

### **2.2.3 Human Health and Safety**

No human health and safety issues are anticipated to be associated with these projects

### **2.2.4 Measurable results**

Structural parameter = miles of easements (conservation and access) and proportion of coldwater habitat within the drainages enhanced by conservation easements).

Functional parameter = A survey of the usage of the easements will be undertaken to quantify this parameter. In year 4 & 5 on-site counts and interviews of recreational users will be done at a subset of easements sites. The surveys would quantify types of users; ask about frequency of use and satisfaction of users. This study would allow calculation of consumer surplus value of these access easements to anglers and others. Using harvest rate information from past DEP fishing surveys of the

Housatonic basin streams, annual harvest opportunities will be projected for each easement. Baseline (reference) harvest values for the Housatonic River above Lake Lillinohah are zero.

## **2.3 Project Budget**

### **2.3.1 Relationship of Expected Costs to Expected Benefit**

Fishing Easement for 20 miles

Cost = \$1.7 million

Benefit = \$6 million over 50 years

Conservation Easement for 1.3 miles

Cost = \$1.35million

Benefit = to be determined

#### **Project Benefits:**

Anglers, who lost significant recreational opportunities due to the PCB contamination, would gain the largest benefit. Since public access to fishable land has been disappearing over the years, permanent easements create long-term guaranteed public benefit. In addition, conservation easements would help facilitate habitat rehabilitation by the creation of riparian buffer zones, and allow the creation of additional near-water recreational and educational opportunities for other passive recreational and education groups such as hikers & outdoor educational groups. Targeting conservation easements of key critical habitat will enhance and restore portions of the Housatonic River habitat. GIS coverage of this data would be of benefit to public and private planning groups in the region. Based on the calculations sited in section 2.15 of this document the annual harvest economic gain to the anglers is \$120,000 if you assume a \$10 benefit/trip. This alone will result in a pay back of 20.83 years based on 2007 dollars.

Where it is appropriate, Federal Trails monies will be used to improve access to the new fishing easements. According to the National Trails Training Partnership new and/or improved trails are beneficial. "Generally, it's been found a trail can bring at least one million dollars annually to a community." Since, the sought after easements will be permanent the long-term benefit to local communities is very high.

The benefit to canoe users and outdoors educational groups can't be calculated here but considering that these easements are in perpetuity it is considered to be a positive gain.

### **2.3.2 Implementation-Oriented**

This project, by necessity, must go through a screening process to obtain public input prior to location selection. The scope of the screening process makes this a prohibitive task to initiate without project funding. Implementation of this plan is straight forward, with readily obtainable, defined goals, but does require considerable coordination with groups and municipalities.

### **2.3.3 Budget Justification and Understanding**

See Part D

#### **2.3.4 Leveraging of Additional Resources**

There is an existing DEP permanent fishing easement fund with an approximate balance of \$100,000 that will be available to supplement the NRD funds. For some appropriate areas it will be possible to leverage additional funding with existing trails (Federal Trails Money) or areas that are targeted Greenways (State Greenways programs). Another possibility will be to work cooperatively with towns to leverage State Open Space moneys. In addition, there exists the potential to use Federal National Habitat Initiative moneys for conservation easements along streams that would benefit wild brook trout populations. The limits and availability of these funds change annually. Each individual parcel will have to be evaluated to determine what other funding source may be applicable to that particular parcel.

### **2.4 Socioeconomic Merit**

#### **2.4.1 Community Involvement and Diversity**

As part of the selection process for conservation and access easements members of local municipalities, NGO (TNC, watershed associations, Trout Unlimited, etc.) and other interested individual citizens will be invited to participate in evaluation sessions.

#### **2.4.2 Adverse Socioeconomic Impacts**

No adverse socioeconomic impacts are anticipated.

#### **2.4.3 Coordination and Integration**

The degree to which this project has synergistic effects for other plans and projects will be dictated by our ability to interact with municipalities and NGO during the selection and acquisition process. It is our intent to try and maximize the secondary benefits of these easements by creating long contiguous sections of publicly accessible rivers that will link existing public lands.

#### **2.4.4 Public Outreach**

An easement publication will be prepared during year 5 for general public distribution. All property information would be incorporated into DEP GIS property data and be made available to the general public. All easement areas will be posted to delineate the areas and the type of activity permitted on the site (fishing, hiking etc.).

### **2.5 Applicant Implementation Capacity**

#### **2.5.1 Technical Capacity of Applicant and Project Team**

The Department of Environmental Protection's Division of Land Acquisition and Management's team of Property Agents have approximately 100 years of combined real estate experience with work involving site selection, negotiation, acquisition, property management, leasing and appraisal. Four of our agents are also State Certified General Real Estate Appraisers.

The Agents' education parallels work experience with individuals having formal training in such areas as site selection, negotiation, real estate practices, business law and both residential and income property appraisal courses.

As evidenced by its name, the Division is broken down into two primary functions, land acquisition and property management, with agents participating in both functions. Last year, 95 properties were reviewed and evaluated for purchase, 33 of which were approved for acquisition. During the year, 317 acres of land, located in eight municipalities were acquired at a cost of \$3,741,340. Acquisitions, however, were limited by available funds and were modest compared to other years. For example, in 2003 the availability of increased funding allowed the team to acquire 2,791 acres at a cost of \$22,557,377.

Ninety-five property management projects were also logged in during the year. Such projects typically include land transfers, property exchange agreements, leases and the granting of and acquisition of easements, including the acquisition of fishing easements. Over the years the Division has acquired hundreds of fishing leases and agreements and 129 permanent fishing easements. In the past, available funding has allowed the targeting of specific rivers and streams for acquisition of fishing easements. Lack of money has curtailed such current activities.

An additional function of the Division is to oversee and run a municipal open space and watershed land acquisition grant program by which grants are provided to Connecticut towns. Upon providing such a grant, the Division secures a conservation and public recreation easement over each parcel acquired with such grants.

As a Division of the State of Connecticut Department of Environmental Protection, the team also has access to Agency experts such as soil scientists, wetland and watercourse experts, foresters and wildlife and fisheries biologists. In addition, the Office of the Connecticut Attorney General provides counsel on and review of our acquisition documents.

#### **2.5.2 Administrative Capacity of Applicant and Project Team**

The DEP has well-established administrative capacity including supervisory and financial oversight, clerical support, and legal counsel. Project team members that will supervise and assist with this project include experienced land agents, a land surveyor, water resources specialists and fisheries biologist familiar with the drainages. The DEP has the facilities to provide office space and mechanisms for rental and maintenance of a vehicle for this project.

#### **2.5.3 Project commitments**

Attached is a letter of Commitment describing in-kind services agreed to by William A. Hyatt, Director of Inland Fisheries Division.

### **3.0 Land Acquisition Projects**

A sample of the "Permanent Fishing Easement & Agreement" is included below. Due to space limitations the conservation easement document (12 pages) has not been included. The

document entitled "Open Space and Watershed Land Acquisition Grant Agreement" will be made available upon request.

PERMANENT FISHING EASEMENT & AGREEMENT

THIS INDENTURE, made by and between \_\_\_\_\_ (Grantor), for himself, his heirs, successors and assigns for the consideration of \_\_\_\_\_ (\$ \_\_\_\_\_) dollars receipt of which is hereby acknowledged, does hereby bargain, sell, grant and convey unto the State of Connecticut, acting through its Commissioner of Environmental Protection, pursuant to Connecticut General Statutes Sec. 26-16 absolutely and forever, with warranty covenants, a permanent easement and right of way over and upon the following described property in the Town of \_\_\_\_\_ viz:

(Insert Description)

Said easement and right of way is granted for the use of said State for public fishing purposes and for the use of any person who may be permitted by said State to fish in such waters under the rules and regulations adopted by the Department of Environmental Protection, together with the right of the State to post signs regarding the use of said easement.

The said State agrees to maintain a suitable patrol upon such property within the limits of its resources as determined by the Commissioner of the Department of Environmental Protection during the open season for fishing, for the purpose of prevention of encroachment by fishermen upon the property of the Grantor not included under the terms of this grant and to enforce the laws of the State relating to fishing and such rules and regulations as may be adopted by said Department under the provisions of Chapter 490 of the General Statutes of the State of Connecticut as amended. However, the provision for patrol does not constitute a right of termination or reverter.



IN WITNESS WHEREOF, the parties have hereunto sets their hands.

Signed and Sealed  
In the Presence of:

GRANTOR:

\_\_\_\_\_  
Witness:

By: \_\_\_\_\_

\_\_\_\_\_  
Witness:

Date: \_\_\_\_\_

GRANTEE:  
STATE OF CONNECTICUT

\_\_\_\_\_  
Witness:

By: \_\_\_\_\_

Commissioner of Environmental Protection

\_\_\_\_\_  
Witness:

Date: \_\_\_\_\_

STATE OF CONNECTICUT )  
COUNTY OF TOLLAND ) SS:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2000  
by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

STATE OF CONNECTICUT )  
COUNTY OF HARTFORD ) SS: HARTFORD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2000  
by \_\_\_\_\_, Commissioner of Environmental Protection, State of  
Connecticut.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

STATUTORY AUTHORITY

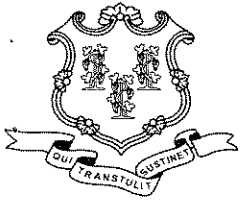
Section 26-16 of the General Statutes  
of Connecticut as amended.

APPROVED AS TO FORM:

Richard Blumenthal  
Attorney General

By: \_\_\_\_\_  
William B. Gundling  
Associate Attorney General

Date: \_\_\_\_\_



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



June 18, 2007

Trustee Housatonic River Restoration Project

To Whom It May Concern:

The Inland Fisheries Division has pledged the following resources to the proposed Housatonic River Restoration Project: Recreation Easement, Riparian Buffer Zones and Conservation Easements to enhance streams of the Housatonic Basin:

- 1) Allocate 3 months of biologist staff time to assist with prioritization and selection of potential access easement sites and identification and prioritization of key coldwater habitat stream habitats within the Housatonic Basin during the first year of the project.
- 2) Allocate 2 months of staff time following completion of the project to develop an Access Easement Pamphlet for public dissemination of information on acquired access easements.
- 3) Allocate 3 months/year of seasonal resource aide time for two years following the completion of the project to monitor use of Easements acquired under this project.

William A. Hyatt

A handwritten signature in black ink, appearing to read "W. A. Hyatt".

Director, Inland Fisheries Division  
Department of Environmental Protection  
79 Elm St.  
Hartford, CT 06106

## **PART D. PROJECT BUDGET NARRATIVE AND FORMS**

(See Table 1 & 2 below)

### **1.0 Budget Narrative**

**1.1 Salaries:** This project involves personnel from DEP Land Management Division and DEP Inland Fisheries Division. A Property Agent would work on this project full time (1,820 hours/year) for five years. Base salary would start at \$30.39/hr and increase annually at a rate of about 5%. This position would be funded from NRD funds. In addition, DEP Property Management staff would provide all necessary supervision, and related technical oversight. DEP fishery biologist will provide assistance during the property prioritization (2x 3months, information distribution (2x 3 months) and monitoring (2 months) tasks. The monitoring task will also require the time of two seasonal resource aides. Salaries and benefits for the biologist and seasonal aides were listed as match and conservatively calculated using a \$48/hr average rate for biologist and \$15/hr for the seasonal aids. (See attached commitment letter from DEP Inland Fisheries).

**1.2 Benefits:** Benefits were calculated at the standard DEP rate of 60% of base salary and would be charged against NRD funding.

**1.3 Overhead:** DEP will cover all overhead cost associated with this project. These costs were treated as match and were calculated at the standard DEP rate of 23.24% of the base salary. This includes all clerical, accounting, legal, and personnel services required for the project. Office space, all related office services and equipment (phone, copier etc) would also be included.

**1.4 Contracted Services:** DEP is required by the State Attorney Generals office to do an A-2 survey on all properties and easements acquired by state agencies. Surveying of individual easements would be contracted out after acquisition of the easements. Costs of surveys are parcel specific and depend on size and complexity of the parcel. An average costs was estimated based on recent (1990-2005) surveys of similar easements and expanded to the target areas of 20 miles of access easement and 1.3 miles of conservation easement. A 10% overage was added to this estimate.

DEP purchase procedures require an independent assessment of value. These assessments along with title searches will be contracted out, but will be funded from a DEP easement fund (current value approx. \$100,000).

**1.5 Supplies, Material, and Equipment:** The property agent will have to travel extensively throughout the western side of the state to access town hall records, meet with cooperators, landowners and to conduct public informational meetings. Included in this line are annual costs for vehicle rental (approx. \$5000/year) and project annual vehicle maintenance (\$1,000). In the first year, costs of a lap top computer, network workstation, and necessary software are included to allow the property agent to carry electronic maps and property inventories with him/her in the field (\$8,000) and to assess network GIS, email and other computer services. Additional funds (\$15,000)

are allocated in the fifth year for the cost of producing and distribution of an assess easement pamphlet.

**1.6 Travel:** Approximately \$2,000 annually was allocated to cover gas and related in-state travel expenses of the property agent associated with the project.

**1.7 Others (Easements):** The cost for recreational access easements were calculated based on several factors 1) aiming to replace 2/3 of the lost harvest opportunities of Housatonic anglers using 20 miles of stream access, 2) average cost of \$6.5/bank-foot for recently (1995-2007) purchased permanent fishing easements (range \$4-8.5/bank-foot), and a 10% overage estimate). The estimated cost of 20 miles of stream bank was \$755,040.

The cost of a conservation easement was estimated based on 1) a target of 1.3 miles of stream bank, 2) using a 100- riparian buffer zone, 3) assuming that the cost will be up to 80% of the value of the portion of the parcel to be conserved and 4) a random survey of land values in the Housatonic basin (average \$50,000/acre; range 15,000-75,000/acre). A 10% overage was added to the estimate. These assumptions resulted in an estimate of \$690,000 to purchase 1.3 miles of conservation easements.

Recording fees, attorney reviews, town fees, etc. will be covered from the DEP easement fund mentioned earlier.

TABLE 1. HOUSATONIC RIVER NRD FUNDING ALLOCATION BY FISCAL YEARS <sup>1</sup>

PROJECT TITLE:	Recreational and Conservation Easements for the Housatonic Basin streams				
	Connecticut Department of Environmental Protection				
EXPENSE CATEGORY (See App. A)	FISCAL YEAR 1	FISCAL YEAR 2	FISCAL YEAR 3	FISCAL YEAR 4	FISCAL YEAR 5
	Housatonic River NRD Funds	Housatonic River NRD Funds	Housatonic River NRD Funds	Housatonic River NRD Funds	Housatonic River NRD Funds
A. SALARIES	55,140	57,897	60,792	63,831	67,023
B. OVERHEAD AND BENEFITS	33,089	34,743	36,481	38,364	40,220
C. CONTRACTED SERVICES	0	0	0	0	0
D. SUPPLIES, MATERIALS AND EQUIPMENT	25,000	10,000	10,000	10,000	20,000
E. TRAVEL	2,000	2,000	2,000	2,000	
F. OTHER (LIST)Easements/	50,000	470,000	570,000	250,000	100,000
G. OTHER (LIST)Surveys/	0	150,000	325,000	325,000	
<b>TOTAL BY FISCAL YEAR</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
	165,229	724,640	1,004,273	689,195	229,243
<b>GRAND TOTAL (sum of boxes 1+2+3+4+5)</b>					<b>\$2,812,580</b>
[This sum is the total NRD fund request and should match Part A, Budget Summary, Box 1]					

<sup>1</sup> The fiscal year is July 1 – June 30. If the proposed project will be completed in one year, fill in only the column titled "Fiscal Year 1."

**TABLE 2. PROJECT BUDGET SUMMARY BY TASK AND FUNDING SOURCE**

<b>PROJECT TITLE:</b>	<b>Recreational and Conservation Easements for the Housatonic Basin streams</b>				
<b>SPONSOR NAME:</b>					
<b>TASK<sup>2</sup></b>	<b>HOUSATONIC RIVER NRD FUNDS</b>	<b>OTHER CONTRIBUTIONS</b>		<b>TOTAL COST BY TASK</b>	
		<b>COMMITTED</b>	<b>NOT COMMITTED</b>		
A. Prioritizing streams	51,365	39,307		90,672	
B. Compile landowners info	58,247	6,407		64,654	
C. Informational Meetings	24,725	3,203		27,928	
D. Land contact, negotiation and easement purchases	1,863,244	140,917		2,004,161	
E. Surveying	800,000	0		800,000	
F. Information distribution	15,000	60,810		75,810	
G. Monitoring	0	47,057		47,057	
<b>TOTAL BY FUNDING SOURCE</b>	<b>5</b> 2,812,580	<b>6</b> 297,701	<b>7</b>	<b>8</b> <b>\$3,110,282</b>	

**NOTES:** Box 5 should be the same as the Grand Total indicated in Part D Table 1. Box 6 above should match Part A, Budget Summary, Box 2. Box 7 above should match Part A, Budget Summary, Box 3. Box 8 should match Part A, Budget Summary, Box 4

<sup>2</sup> The listed tasks should correspond with information provided in the Project Implementation Plan.