



# New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500  
(603) 271-3421  
FAX (603) 271-1438

[www.WildNH.com](http://www.WildNH.com)  
e-mail: [info@wildlife.nh.gov](mailto:info@wildlife.nh.gov)  
TDD Access: Relay NH 1-800-735-2964

October 5, 2020

The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire, 03301

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

## REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the New Hampshire Fish and Game Department (NHFG) to accept and expend a total of \$1,511,600 in federal funds from the United States Fish and Wildlife Service (USFWS) for the purpose of acquiring a conservation easement interest in 1324+/- acres in the towns of Gilsum and Surry, effective upon Joint Fiscal Committee and Governor and Council approvals through June 30, 2021. 100% Federal Funds.

Funds to be budgeted as follows:

### 020-07500-21550000 Wildlife Habitat Conservation – FY 2021

Class		Current Budget	Change	Revised Budget
010-500100	PERSONAL SERVICES - PERMANANT	\$48,973	\$0	\$48,973
020-500200	CURRENT EXPENSES	500	0	500
030-500311	EQUIPMENT	1,000	0	1,000
033-509033	LAND ACQUISITIONS AND EASEMENTS	517,531	1,510,088	2,027,619
041-500801	AUDIT FUND SET ASIDE	866	1,512	2,378
049-584902	TRANSFERS TO OTHER STATE AGENCIES	38,147	0	38,147
060-500602	BENEFITS	19,199	0	19,199
070-500704	IN STATE TRAVEL	100	0	100
073-500578	GRANTS NON FEDERAL	40,000	0	40,000
080-500710	OUT OF STATE TRAVEL	2,500	0	2,500
217-502682	INTER-AGENCY PAYMENTS	15,000	0	15,000
304-500841	RESEARCH AND MANAGEMENT	310,000	0	310,000
305-500845	HABITAT ACQUISITION & MANAGEMENT	99,434	0	99,434
	Total Expenses	\$1,093,250	\$1,511,600	\$2,604,850
<b>Source of Funds</b>				
000-404705	Federal Funds	\$866,116	\$1,511,600	\$2,377,716
007-407629	CLNA Funds	20,028	0	20,028
008-405234	Agency Income	207,106	0	207,106
	Total Revenues	\$1,093,250	\$1,511,600	\$2,604,850

#### REGION 1

629B Main Street  
Lancaster, NH 03584-3612  
(603) 788-3164  
FAX (603) 788-4823  
email: [reg1@wildlife.nh.gov](mailto:reg1@wildlife.nh.gov)

#### REGION 2

PO Box 417  
New Hampton, NH 03256  
(603) 744-5470  
FAX (603) 744-6302  
email: [reg2@wildlife.nh.gov](mailto:reg2@wildlife.nh.gov)

#### REGION 3

225 Main Street  
Durham, NH 03824-4732  
(603) 868-1095  
FAX (603) 868-3305  
email: [reg3@wildlife.nh.gov](mailto:reg3@wildlife.nh.gov)

#### REGION 4

15 Ash Brook Court  
Keene, NH 03431  
(603) 352-9669  
FAX (603) 352-8798  
email: [reg4@wildlife.nh.gov](mailto:reg4@wildlife.nh.gov)

Bill  
The Honorable Mary Jane Wallner, Chairman  
Fiscal Committee of the General Court

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#### EXPLANATION

The New Hampshire Fish and Game Department (NHFG) is working with The Nature Conservancy (TNC) to protect the approximately 1324 acre Surry Mountain Forest property in the Towns of Gilsum and Surry, NH. Successful acquisition and protection of the property requires a partnership effort with multiple public funding sources and private funds raised by TNC. This request is to budget and expend federal grant funds from the United States Fish and Wildlife Service (USFWS) for NHFG to purchase from TNC a conservation easement over the property as part of the overall protection strategy. The easement will permanently protect important wildlife habitat and will require that the land remain open for public pedestrian uses, hunting, and fishing. The easement will also require NHFG review and approval of future forest management, recreation, and habitat management plans on the property.

The appraised fair market value of the conservation easement is \$1,720,000. The easement will be acquired by NHFG using USFWS Wildlife Restoration Program funds. The easement will be purchased as a bargain sale at \$1,500,000 and the remaining \$220,000 of value will provide a portion of the required match under the federal program. Additional required match of \$280,000 will be provided through the value of Department owned lands previously donated or acquired with non-federal funds.

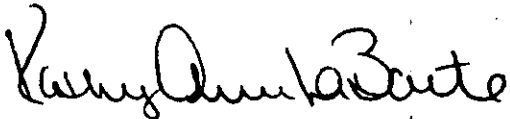
This acquisition is part of an effort to use Wildlife Restoration Program funds from the USFWS to expand and enhance the statewide Wildlife Management Area system under grant W-108-L-1. The purchase of this conservation easement will protect significant wildlife habitats and add to the area that is permanently available to the public for hunting, fishing and other wildlife related recreational activities. Approved federal grant F14AF01270 (NH W-108-L-1) Revision #14 added a total of \$1,511,600 in available federal funds from the USFWS for the easement purchase and associated project costs.

General Funds will not be requested to support this project.

Respectfully submitted,



Scott R. Mason  
Executive Director



Kathy Ann LaBonte, Chief  
Business Division

1. DATE ISSUED MM/DD/YYYY 09/25/2020  
 1a. SUPERSEDES AWARD NOTICE dated 12/16/2019 except that any additions or restrictions previously imposed remain in effect unless specifically rescinded

NOTICE OF AWARD



AUTHORIZATION (Legislation/Regulations)  
 Pittman-Robertson Wildlife Restoration Act, 16 U.S.C. § 669 et seq.

2. CFDA NO. 15.611 - Wildlife Restoration and Basic Hunter Education

3. ASSISTANCE TYPE Formula Grant

4. GRANT NO. F14AF01270-14 Formerly

5. TYPE OF AWARD Other

4a. FAIN F14AF01270

6a. ACTION TYPE Post Award Amendment

6. PROJECT PERIOD MM/DD/YYYY  
 From 09/01/2014 Through 09/30/2021

7. BUDGET PERIOD MM/DD/YYYY  
 From 09/01/2014 Through 09/30/2021

8. TITLE OF PROJECT (OR PROGRAM)  
 NH W-108-L-1 State Wildlife Management Area Enhancement

9a. GRANTEE NAME AND ADDRESS  
 Fish And Game, New Hampshire Department Of  
 11 HAZEN DR  
 CONCORD, NH 03301-8502

9b. GRANTEE PROJECT DIRECTOR  
 Joanne Elmsary  
 11 HAZEN DR  
 CONCORD, NH 03301-8502  
 Phone: 111-111-1111

10a. GRANTEE AUTHORIZING OFFICIAL  
 Randy L. Curtis  
 11 Hazen Dr  
 Concord, NH 03301-8502  
 Phone: 603-271-0801

10b. FEDERAL PROJECT OFFICER  
 Jason Rasku  
 300 Westgate Center Drive  
 Wildlife and Sport Fish Restoration Program  
 Hadley, MA 01035  
 Phone: 4132538216

ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)	
i Financial Assistance from the Federal Awarding Agency Only	
ii Total project costs including grant funds and all other financial participation <input type="checkbox"/> ii	
a. Salaries and Wages	\$ 0.00
b. Fringe Benefits	\$ 0.00
c. Total Personnel Costs	\$ 0.00
d. Equipment	\$ 0.00
e. Supplies	\$ 0.00
f. Travel	\$ 0.00
g. Construction	\$ 0.00
h. Other	\$ 12,377,356.33
i. Contractual	\$ 11,600.00
j. TOTAL DIRECT COSTS	\$ 12,388,956.33
k. INDIRECT COSTS	\$ 0.00
l. TOTAL APPROVED BUDGET	\$ 12,388,956.33
m. Federal Share	\$ 9,291,717.00
n. Non-Federal Share	\$ 3,097,239.33

12. AWARD COMPUTATION	
a. Amount of Federal Financial Assistance (from item 11m)	\$ 9,291,717.00
b. Less Unobligated Balance From Prior Budget Periods	\$ 0.00
c. Less Cumulative Prior Award(s) This Budget Period	\$ 7,780,117.00
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	\$ 1,511,600.00
13. Total Federal Funds Awarded to Date for Project Period	\$ 9,291,717.00

14. RECOMMENDED FUTURE SUPPORT  
 (Subject to the availability of funds and satisfactory progress of the project):

YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a.	\$	d.	\$
b.	\$	e.	\$
c.	\$	f.	\$

15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:

a. DEDUCTION  
 b. ADDITIONAL COSTS  
 c. MATCHING  
 d. OTHER RESEARCH (Add / Deduct Option)  
 e. OTHER (See REMARKS)

16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:

a. The grant program legislation  
 b. The grant program regulations.  
 c. This award notice including terms and conditions, if any, noted below under REMARKS.  
 d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

REMARKS (Other Terms and Conditions Attached -  Yes  No)

This letter constitutes approval of revision to extend the period of the grant and to increase the total award amount.

GRANTS MANAGEMENT OFFICIAL:  
 Shelley Dibona, GRANTS FISCAL OFFICER  
 300 WESTGATE CENTER DRIVE  
 HADLEY, MA 01035  
 Phone: 413-253-8509

17. VENDOR CODE	0070058517	18. DUNS	808590863	19. CONG. DIST.	02	
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
10	20059535-10	\$0.00	09/01/2014	09/30/2021	5029	NH WR
11	20085889-10	\$0.00	09/01/2014	09/30/2021	5029	NH 5222
12	20112317-10	\$0.00	09/01/2014	09/30/2021	5029	5222 NH

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LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PR LINE DESCRIPTION
13	20124054-10	\$0.00	09/01/2014	06/30/2021	5029	5222 NH
14	20138143-10	\$0.00	09/01/2014	06/30/2021	5029	5222 NH
15	20150818-10	\$0.00	09/01/2014	06/30/2021	5029	5222 NH
16	20185195-10	\$0.00	09/01/2014	06/30/2021	5029	5222 NH
71	0051003073-00010	\$1,511,600.00	09/01/2014	06/30/2021	5029	5222 NH

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**Terms and Conditions**

1. **U.S. Fish and Wildlife General Award Terms and Conditions** (see link <https://www.fws.gov/grants/atc.html>)

2. **Mandatory Disclosures**

**Conflicts of interest:** Per 2 CFR §1402.112, non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR §200.318 apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR §200.112. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each conflict of interest disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies for noncompliance described in 2 CFR §200.338, including suspension or debarment (see also 2 CFR Part 180).

**Lobbying:** The recipient must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. The recipient must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form to the Service Project Officer identified in their notice of award if the Federal share of their award is more than \$100,000 and the recipient has made or has agreed to make any payment using non- appropriated funds for lobbying in connection with the application or award. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.

**Other Mandatory Disclosures:** Recipients and subrecipients must disclose, in a timely manner, in writing to the Service Project Officer identified in their notice of award or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies for noncompliance described in 2 CFR §200.338, including suspension or debarment.

**SCOPE OF WORK**

1. **Project Description**

The Service hereby incorporates the recipient's application submitted to and approved by the Service into these award terms and conditions.

1. Revenue generated by the Grant Recipient or any subrecipient during the grant period that is

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earned as a result of the Federal award including but not limited to income from fees for the use of real property, the sale of commodities, and royalties shall be treated as program income. Program income is subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200.307. Revenues realized after the grant period are required to be fully used in perpetuity for the administration of the applicable State fish and wildlife agency and may not be diverted to other purposes.

### AWARD CONDITIONS

#### 1. Real Property

1. The Grant Recipient will identify in each Conservation Easement (CE) purchased with these grant funds that the CE is subject to the terms and conditions of the grant. The Grant Recipient will also simultaneously record with the CE a Notice of Federal Participation that further describes the purpose of the acquisition and outlines the terms and conditions of the grant.
2. A Conservation Easement Baseline Documentation Report (CE) must be completed within 1 year from the purchase of the CE. A complete color copy must be provided to the Service.
3. A copy of the annual monitoring report must be submitted to the Service each year.
4. Real property acquisition documentation (including copies of the recorded deed, notice of federal participation, title vesting certificate or title insurance policy, survey, final summary of land costs by tract, recorded conservation easement and baseline documentation where applicable) must be submitted with appropriate Interim or Final Reports for each transaction completed during the Reporting Period.

### PAYMENTS

#### 1. Domestic recipients waived from using Treasury's ASAP System

The recipient must use the applicable Standard Form (SF) to request payments under this award. Use either the SF-270, "Request for Advance or Reimbursement (Non-Construction)" form or the SF-271, "Outlay Report and Request for Reimbursement (Construction)", as appropriate to the award. Send all payment requests to the Service Project Officer identified in the notice of award.

### REPORT

#### 1. Interim Financial Reports

The recipient is required to submit interim financial reports on an annual basis directly in GrantSolutions. The recipient must follow the financial reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "Federal Financial Report" form. See also our instructional video on "Completing the Federal Financial Report (SF-425)".

#### 2. Interim Performance Reports

The recipient is required to submit interim performance reports on an annual basis directly in GrantSolutions. The recipient must follow the performance reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>FPR.

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**3. Final Reports**

The recipient must liquidate all obligations incurred under the award and submit a *final* financial report in GrantSolutions no later than 90 calendar days after the award period of performance end date. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "Federal Financial Report" form. See also our instructional video on "Completing the Federal Financial Report (SF-425)".

The recipient must submit a *final* performance report no later than 90 calendar days after the award period of performance end date. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the Service award number on all reports.

The recipient must follow the final Federal Financial Report and the final Performance Report reporting period end dates and due dates provided in GrantSolutions. The final reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report or Reports>FPR.

**4. Reporting Due Date Extensions**

Reporting due dates may be extended for an award upon request to the Service Project Officer identified in the notice of award. The request should be sent by selecting the award in GrantSolutions and selecting send message. The message must include the type of report to be extended, the requested revised due date, and a justification for the extension. The Service may approve an additional extension if justified by a catastrophe that significantly impairs the award Recipient's operations. The recipient must submit reporting due date extension requests through GrantSolutions to the Service Project Officer identified in their notice of award before the original due date. The Service Project Officer will respond to the recipient after approval or denial of the extension request.

**5. Significant Developments Reports**

See 2 CFR §200.328(d). Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.