



State of Vermont

AGENCY OF ENVIRONMENTAL CONSERVATION

Montpelier, Vermont 05602

Department of Fish and Game
Department of Forests, Parks, and Recreation
Department of Water Resources
Environmental Board
Division of Environmental Engineering
Division of Environmental Protection
Natural Resources Conservation Council

DEPARTMENT OF FORESTS, PARKS AND RECREATION

March 5, 1979

Larry Gatto
Route 244
Ely, Vermont 05044

Dear Larry:

This is to recap our recent telephone conversation regarding the Town of Fairlee FY 1979 land acquisition proposal.

The people of the community must keep in mind that the property which you are considering to purchase with Federal Land and Water Conservation Fund (HCERS) assistance is to be purchased for recreational purposes. The Town then will have certain long-term responsibilities of insuring that the facility is open to and accessible by the public during reasonable operating hours. Initial steps in providing access in the case of the Lange property would be to sign the property as being open to the public and to provide adequate safe and legal parking space. Since the size of the parking area or the number of parking spaces is contingent on the amount of use a facility receives, you must estimate the area needed based on an analysis of anticipated use patterns. We can help you do this if you like.


To my knowledge, a sign acknowledging Land and Water Conservation Fund assistance is not needed in this situation because the property is not adjacent to a public road or walkway.

Another important long-term responsibility associated with the purchase is that the property, once acquired, must permanently be in public ownership and dedicated to outdoor recreation. It cannot be sold or in anyway converted to alternate uses without prior approval of the Secretary of the Interior. If consent were ever given to convert the property, the sponsor would first of all have to be in a very desperate situation and secondly would have to replace the converted property with another parcel, permanently dedicated to recreation, of equal or greater monetary and recreational value. So, to answer your question, the community for all practical purposes cannot sell the property.

Also, the Town cannot be relieved of obligations stated here and in the General Provisions of the Federal contract the Town will have to sign by repaying Federal or State funds received. The contract binds the Local and State governments to permanently comply with the Federal regulations.

I hope this answers most of your questions.

Sincerely,


Craig Whipple
HCERS Grants Administrator

CW:jcg