VERMONT

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Agency of Administration

TO: **Joint Fiscal Committee**
Government Accountability Committee
House Committee on Government Operations
Senate Committee on Government Operations
FROM: **Maribeth Spellman, Commissioner**
DATE: **September 27, 2016**
SUBJECT: **Vermont Department of Fish & Wildlife Position Pilot Request**

In accordance with Act 179, Sec. E.100(d) as amended by 2015 Acts and Resolves No. 4, Sec. 74 and Acts and Resolves No. 172, Sec. E.100.2, Secretary of Administration Justin Johnson has approved the attached position pilot request from the Vermont Department of Fish & Wildlife (VFWD).

The written description required by Act 179, Sec. E.100(d)(4), including the method for evaluating the cost-effectiveness of the positions, as provided by VFWD, is attached for your information.

The Department of Human Resources fully supports the request to create eight positions with the Position Pilot Program. We believe the request is an appropriate use of the Position Pilot. Department of Human Resources has reviewed vacancies at VFWD and has determined all vacancies are under active recruitment. Each position will increase the Department's advancement of strategic priorities using existing funding sources, conversion of temporaries and eliminate $20,000 of contracted services.

Summary of Department of Fish & Wildlife Position Pilot Request

VFWD proposes creating eight positions (six limited service and two permanent) funded within existing departmental federal and special fund appropriations. The positions will be paid for by the use of funds from converting four existing temporaries to permanent positions and reduce the cost of contracts by transferring the funds and work to the new pilot positions. Each position will increase the Department's effectiveness and address a wide variety of conservation and public access issues that Vermonters are concerned about.

The following positions will be three-year limited service to allow for financial flexibility in future years.

Fish & Wildlife Scientist II – Funds for this position will be made available with existing federal Environmental Quality Incentive Program funds, mitigation funds dedicated to black bear research, and reduction of a temporary position needs over 1,280 hours. Work performed by the new position consists of research to improve the understanding of impacts of industrial-size wind energy on black bears.

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Fish & Wildlife Education Specialist - Funds for this position will be made available through Sport Fishing Restoration, federal Wildlife Restoration, angling/hunting license funds, and reduction of a temporary positions over 1,560 hours. The new position will provide education programming at the Dead Creek Visitor Center, oversee facility management at Kehoe Green Mountain Conservation Camp, and manage the Let's Go Fishing program.

Fish & Wildlife Facilities and Lands Coordinator - Funds for this position will be made available through federal Sports Fish Restoration funds and motorboat registration fees. The position will work on operation priorities for the fisheries division including improving recreational access to the state's waters for fishing and boating.

Fish & Wildlife Specialist – Funds for this position will be made available through federal Wildlife Restoration funds, Sate Wildlife Grant funds, and angling/hunting license funds. The new positon will manage projects and assist biological staff with waterfowl management, reptile projects, environmental impact assessments, inventory and site assessments of natural communities and wildlife management area administration.

Fish Culture Specialist IV – Funds for this position will be made available through federal Sport Fish Restoration funds and angling/hunting license funds. The new position will provide day-to-day supervision, advanced technical level maintenance skills, and professional level scientific work at Vermont's fish egg production facility.

Fish & Wildlife Scientist IV – Funds for this position will be funded through federal Wildlife Restoration funds and angling/hunting funds. This new position will manage projects and data analysis related to population modeling, habitat availability and use, and human dimensions.

The following positions will be made permanent through the position pilot program.

Fish & Wildlife Scientist III- Funds for this position will be made available through federal Sport Fish Restoration funds and angling/hunting licenses and reduction of a temporary. This new positions will oversee the potential environmental impacts and licensing of 71 hydropower projects in Vermont. The work currently is provided by a temporary with specialized skill set.

Fish & Wildlife Scientist III – Funds for this position will be made available through federal Sport Fish Restoration funds and angling/hunting license funds. The new position will focus on management of fisheries in the Northeast Kingdom including fish sampling, stocking, regulation evaluation, public outreach and habitat restoration.

Any questions should be directed to Molly Paulger at 828-3517.

c: Secretary Johnson
Secretary Markowitz
Commissioner Porter
M. Paulger

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Agency of Administration

TO: **Justin Johnson, Secretary of Administration**
FROM: **Maribeth Spellman, Commissioner** MS
RE: **Vermont Department of Fish & Wildlife Position Pilot Request**
DATE: **September 23, 2016**

On August 30th, 2016, I received a Position Pilot Proposals from the Vermont Department of Fish & Wildlife (VFWD). The written description required by Act 179, Sec. E.(100)(d)(4), including the method of evaluating the cost-effectiveness of the positions, as provided by VFWD, is attached for your information. Below is our recommendation and summary of our analysis.

The Department of Human Resources fully supports the request to create eight positions with the Position Pilot Program. We believe the request is an appropriate use of the Position Pilot. Department of Human Resources has reviewed vacancies at VFWD and has determined all vacancies are under active recruitment. Each position will increase the Department's advancement of strategic priorities using existing funding sources, conversion of temporaries and eliminate $20,000 of contracted services. The Department of Finance and Management is currently working with VFWD and is requesting additional information regarding the fees and contractual services and will make their recommendation directly to you.

Summary of Department of Fish & Wildlife Position Pilot Request

VFWD proposes creating eight positions (six limited service and two permanent) funded within existing departmental federal and special fund appropriations. The positions will be paid for by the use of funds from converting four existing temporaries to permanent positions and reduce the cost of contracts by transferring the funds and work to the new pilot positions. Each position will increase the Department's effectiveness and address a wide variety of conservation and public access issues that Vermonters are concerned about.

The following positions will be limited service to allow for financial flexibility in future years.

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The following positions will be made permanent through the position pilot program.

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Any questions should be directed to Molly Paulger at 828-3517.

c: Secretary Johnson
Secretary Markowitz
Commissioner Porter
M. Paulger

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Agency of Natural Resources

MEMORANDUM

TO: Michael Clasen, Deputy Secretary
Agency of Administration

Sam Winship, Budget Analyst
Department of Finance and Management

FROM: Steve Gomez, Financial Manager
Fish & Wildlife Department

DATE: September 13, 2016

SUBJECT: Additional Information for Position Pilot Request

The Vermont Fish and Wildlife Department (Department) made a request on August 30, 2016 for eight positions through the position pilot program. This memo provides clarification on the adequacy and sustainability of funding for these positions.

The Department opted to request the majority of positions as limited service to provide financial flexibility in future years. All of the funding sources highlighted below have a combination of adequate balances and projected future revenues to meet the multi-year financial requirements of these positions. There is a heavy reliance on both federal and dedicated funds for these positions. In the first year, these eight positions will require an estimated $350,000 of federal funds, $105,000 of license fees, and $70,000 of dedicated funds after subtracting the savings from converting temporary positions. The Department has the financial flexibility to fund these positions due to an availability of federal funds from multiple years of above average apportionments and unobligated funds due to retirements. These federal funds are dedicated for the purpose of fish and wildlife conservation and have many conditions on eligible expenditures. The availability of license fees is due to an increase in revenues from the fee bill, prior year budget savings, and an increase in revenues from fishing promotions. The Department will also have another round of fee increases starting in 2017. The dedicated funds are from two sources. The first source is based on an agreement reached with a wind energy developer to study the effect of wind turbines on black bears. The Department has received $350,000 to date and will receive an installment of $150,000 this fiscal year. There is adequate funding for the Fish and Wildlife II position focused on black bear research from the previous and current installments. The second source is motorboat registration receipts, which are managed by the DMV. The Department receives a percentage of these funds that are dedicated to boating access area improvement and maintenance. Based on DMV's fee bill request last legislative session there will be an increase in funding to cover the Fish & Wildlife Facilities and Lands Coordinator position.

The Department plans on handling contractual pay increases through the use of federal funds, dedicated funds, and license fees. There will not be an additional request for General Fund for these positions. Based on initial projections the Department anticipates an annual increase as follows for the different funding sources: $17,000 in federal funds, $5,000 in license fees, and $2,500 in dedicated funds. The federal funds will be obligated from dedicated sources for fish and wildlife conservation, the license fee portion will be generated from fee bill increases and the additional sale of licenses, and the dedicated funds will be earmarked for future years. The Department has adequate and sustainable funding sources for the positions requested.

It is understood that if these positions are approved, the Department will have an open and competitive hiring process.

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Agency of Natural Resources

MEMORANDUM

TO: Justin Johnson, Secretary
Agency of Administration

Maribeth Spellman, Commissioner
Department of Human Resources

THRU: Deborah Markowitz, Secretary
Agency of Natural Resources

FROM: Louis Porter, Commissioner
Fish & Wildlife Department

DATE: August 30, 2016

SUBJECT: Position Pilot Request

BACKGROUND

The Vermont Fish & Wildlife Department's (VFWD) mission to conserve fish, wildlife, and plants and their habitats for the people of Vermont, has broad public support. Vermonters care about wildlife, their habitats, and connecting with the outdoors. The positions requested through this pilot will address a wide variety of conservation and public access issues that Vermonters are concerned about.

VFWD conducted a needs assessment of positions, starting at the division level, between May and July of 2016. The goal of the assessment was to identify the highest priority positions, first at the division level and then at the department level. A total of 14 positions were initially requested, which were presented to the Department's management team. The management team reviewed the positions and considered the following factors in the decision making process:

1.) Advancement of strategic priorities
2.) Operational needs at the division level
3.) Conversion of temporary positions
4.) Available funding

After the initial management team meeting a total of eight positions were selected for further discussion. The next step was to calculate the cost of these positions and identify funding sources to understand current and future budget constraints. Based on this analysis the Business Office confirmed that funding resources were available for these eight positions, with the majority as limited-service positions to provide financial flexibility in future years. VFWD has adequate funding for these positions through the utilization of multiple federal and dedicated funding sources, with no additional General Fund support required. A final proposal was approved by the management team to request eight positions, four as conversions from temporary positions to limited-service positions and four new positions.

RESULTS AND BENEFITS

The positions requested through this pilot will improve VFWD's capacity to serve Vermonters' interest in protecting and enhancing fish and wildlife resources. The positions focus on issues such as habitat protection and improvement, the management of iconic wildlife such as black bear, trout and waterfowl, public access to the outdoors, and connecting people with the outdoors. These positions will strengthen VFWD's ability to accomplish its mission to protect and conserve our fish, wildlife, plants, and their habitats for the people of Vermont. In addition to the important programmatic gains made through these positions, they will also create administrative and financial efficiencies including leveraging additional federal funds and reducing recruitment and training costs. Below are the anticipated outcomes from these positions:

- Improvement of fish and wildlife resources:
  - Increase assistance to private landowners to develop wildlife habitat plans.
  - Improve aquatic habitat on VFWD owned riparian buffers.
  - Increase support for state land management and long range management plans.
  - Increase the number of sites monitored for critical natural community information.
  - Enhance scientific design, data management, and analysis regarding research of Vermont's wildlife.
  - Enhance processing of environmental review projects for Section 248 and Act 250.
  - Active participation in all Federal Energy Regulatory Commission and 401 Water Quality Certifications with fisheries or aquatic habitat considerations.
  - Manage wild lake trout populations in at least seven inland lakes.
  - Maintain Atlantic Salmon in Lake Memphremagog and the Clyde River.
  - Meet production goals for fish eggs based on biological requests.
  - Understand the impacts of wind energy projects on black bear habitat use and behavior for evaluating future siting of projects.

- Connecting Vermonters with the outdoors
  - Increase the number of educational programs at VFWD's Dead Creek Visitor Center.
  - Increase the number of courses and participants for the Let's Go Fishing program.
  - Complete a needs assessment on how to better serve boaters and anglers and generate a recommendation report.
  - Complete Americans with Disability Act accessibility plan for VFWD's boating access areas.
- Administrative and financial efficiencies
  - Eliminate $20,000 of contracted services
  - Convert four temporary positions to limited-service.
  - Oversee regulatory permit requirement for a renewable energy project.
  - Reduce standby hours and emergency response time for off-hour problems at fish culture stations.
  - Increase opportunities for marinas, non-profits, and towns/cities to obtain federal funding for boating infrastructure improvements.

PROPOSAL

Conversions

VFWD proposes to convert four temporary positions to limited-service positions, which will utilize available federal funds and dedicated monies and reduce the number of waiver requests submitted for temporary employees. If the position pilot option is available in the future and it appears financially and operationally prudent, VFWD hopes to continue the transition of temporary employees to limited service status in upcoming years, in order to better serve VFWD without needing wavier requests.

- *Fish & Wildlife Scientist II:* This proposed five-year limited service position, would be funded through federal Environmental Quality Incentive Program funds and mitigation funds dedicated to black bear research. This position will both oversee research to improve the understanding of impacts of industrial-size wind energy facilities on black bear behavior and habitat use along forested ridgelines and provide technical assistance to private landowners on wildlife habitat improvement projects. This position supports VFWD's strategic goals of conserving Vermont's wildlife species to maintain ecosystem integrity and conserving, restoring, and enhancing habitats to maintain ecological values. This is an operational priority for the wildlife division in order to complete the black bear research project and to provide private land technical assistance in southeastern Vermont. The position will be funded with

federal funds and dedicated mitigation funds and will not create a budgetary need for state funds. It will also result in the reduction of a temporary position that worked in excess of 1,280 hours in 2016.

- *Fish & Wildlife Education Specialist:* This proposed four-year limited service position, funded through federal Sport Fish Restoration, federal Wildlife Restoration, and angling/hunting license funds will provide Vermonters with increased educational opportunities at the Dead Creek Visitor Center in Addison, Vermont, the Kehoe Green Mountain Conservation Camp in Castleton, Vermont and as part of the Let's Go Fishing program. The position will: a.) oversee educational programming at the Dead Creek Visitor Center and provide visitor services for hunters, anglers, bird watchers, school groups, and etc., b.) oversee facility management at the Kehoe Green Mountain Conservation Camp including the visitor center, camps, firearm ranges, and the property overall, and c.) manage the Let's Go Fishing program by training instructors, overseeing the equipment inventory, and organizing events. The position supports VFWD's strategic goal of providing a diversity of wildlife-based activities and opportunities. This is an operational priority for the outreach, fisheries, and wildlife division since the position provides educational support for a breadth of wildlife and fisheries based activities and will allow the public to connect with VFWD's mission. The creation of this position will allow the VFWD to reduce a temporary position that exceeds 1,560 hours worked per year.

- *Fish & Wildlife Facilities and Lands Coordinator:* This proposed five-year limited service position, funded through federal Sport Fish Restoration funds and motorboat registration fees, which are dedicated for access area development and maintenance, will increase VFWD's capacity to meet an increasing demand for improved recreational access to the state's waters for fishing and boating. This position will focus on inspecting access area sites, prioritizing projects, overseeing the implementation of projects, and managing Clean Vessel Act and Boating Infrastructure Grants that are distributed to marinas and municipalities throughout the state. The position supports VFWD's strategic goal of providing fishing opportunities and public access to Vermont waters. This is an operational priority for the fisheries division in order to increase recreational opportunities for Vermonters.

- *Fish & Wildlife Specialist:* This proposed four-year limited service position, funded through federal Wildlife Restoration funds, State Wildlife Grant funds, and revenues from the sale of angling and hunting licenses, will provide critical support to wildlife projects in northwestern Vermont including the Dead Creek Wildlife Management Area. This position will both manage projects independently and assist biological staff with waterfowl management, reptile projects, environmental impact assessments, inventory and site assessments of natural communities and wildlife management area administration. This position supports VFWD's strategic

goal to conserve, enhance, and restore Vermont's natural communities, habitats, and species along with the ecological process to sustain them. The creation of this position will allow the VFWD to reduce a temporary position that exceeds 1,560 hours worked per year.

New Positions

- *Fish & Wildlife Scientist III:* This proposed permanent position, funded through federal Sport Fish Restoration funds and revenues from the sale of angling and hunting licenses, will oversee the potential environmental impacts and licensing of 71 hydropower projects in Vermont. These projects require continuous VFWD involvement and the position must develop standards for flow regulation, fish studies, and habitat studies, as well as assess the impacts of hydropower projects on hydrology, biology, water quality, geomorphology, and habitat connectivity. This review requires specialized skills not available elsewhere, and are currently being provided by hiring the previous employee in this position back on a temporary basis. Additional funding may be available through permitting fees charged for the FERC license and 401 Water Quality Certification review. This position supports VFWD's strategic goal to conserve, enhance, and restore Vermont's natural communities, habitats, and species along with the ecological process to sustain them. This is an operational priority for the fisheries division in order to meet licensing, permitting, and certification requirements for hydropower to protect aquatic habitat.

- *Fish & Wildlife Scientist III:* This proposed permanent position, funded through federal Sport Fish Restoration funds and revenues from the sale of angling and hunting licenses, will provide expertise and management of fisheries in the Northeast Kingdom. This position will conduct fish sampling, stocking and regulation evaluations, public outreach, and habitat restoration and protection for landlocked salmon and trout, which are important species for recreational angling. This position will serve a critical role of representing fish species and angling in regulatory programs such as Act 250, Section 248, Stream Alteration, Shoreland Protection, Lake Encroachment, Corps of Engineers Section 10 and 404, and FERC hydropower licensing. This position is also the lead person for the acquisition and management of state-owned riparian lands. This position supports VFWD's strategic goal to conserve, enhance, and restore Vermont's natural communities, habitats, and species along with the ecological process to sustain them and the strategic goal to provide a diversity of safe and ethical fish and wildlife-based activities. This is an operational priority for the fisheries division to manage wild lake trout, landlocked Atlantic, and other fish species in the Northeast Kingdom, as well as improve aquatic habitat.

- *Fish Culture Specialist IV:* This proposed five-year limited service position, funded through federal Sport Fish Restoration funds and revenues from the sale of angling and hunting licenses, will provide day-to-day supervision, advanced technical level maintenance skills, and professional level scientific work at Vermont's fish egg production facility. The position will ensure all nutritional, fish health, and water quality components of fish production goals and objectives are met in compliance with facility permits. The position will issue schedules and assignments to staff and provide training. The position will also oversee the collecting, transporting, and stocking of fish, as well as public outreach efforts related to fish culture. This position supports VFWD's strategic goal to provide a diversity of safe and ethical fish and wildlife-based activities. This is an operational priority for the fisheries division since the position involves supervisory work at the Department's dedicated fish egg production facility.

- *Fish & Wildlife Scientist IV:* This proposed four-year limited service position, funded through federal Wildlife Restoration funds and revenues from the sale of angling and hunting licenses, will provide research design and data analysis for all wildlife projects, with a focus on wildlife populations. This position will serve as the division's biometrician that will advise and assist biologists and managers to ensure the proper use of statistical experimental design and data analysis and that investigations are conducted efficiency and effectively with respect to design and analysis. This position will manage projects and data analysis related to population modeling, habitat availability and use, and human dimensions. These projects will cover a suite of species including white-tailed deer, moose, turkey, black bear, and furbearers. The position will also review scientific literature, and prepare technical trainings for staff. This position supports VFWD's strategic goal to conserve, enhance, and restore Vermont's natural communities, habitats, and species along with the ecological process to sustain them. This is an operational priority for the wildlife division in order to strengthen the statistical analysis of data, population models, and regulatory recommendations.

Please let me know if you have any questions and thank you for your consideration.

Position Title	Pay Grade	Permanent or Limited Service	Summary of Work	Estimated Annual Salary	Funding Sources
Fish & Wildlife Scientist III	24	Permanent	Oversees hydropower and Federal Energy Regulatory Commission licensing, which includes developing standards for flow regulation, fish passage, and habitat, assesses environmental impacts, and involvement with water quality violations.	$77,000	75% federal, 25% license fees
Fish & Wildlife Scientist III	24	Permanent	Serves as the inland lake trout and salmon biologist for the Northeast Kingdom. Duties include fish sampling, stocking and regulation evaluations, public outreach, and habitat protection and restoration.	$77,000	75% federal, 25% license fees
Fish Culture Specialist IV	23	Limited Service 5 years	Serves as the on-site supervisor for the Salisbury Fish Culture Station with duties that include the training, scheduling, and assignment of personnel for fish culture operations, ensuring that water quality, nutritional, and fish health objectives are met, and. assisting with public outreach.	$84,000	75% federal, 25% license fees
Fish & Wildlife Facilities and Lands Coordinator	23	Limited Service 5 years	Assist with the management of state-owned access areas and boating related federal grants including developing contracts, site inspections, and public outreach.	$74,000	75% federal, 25% boating registration fees
Fish & Wildlife Scientist II	23	Limited Service 5 years	Oversees the Deerfield Wind Black Bear study and EQIP projects. Duties include capturing and monitoring black bears, analyzing movement and behavior data, and developing wildlife habitat plans for private landowners.	$74,000	33% federal, 67% mitigation funds
Fish & Wildlife Education Specialist	23	Limited Service 4 years	Manage the Education Center at Kehoe, coordinate the Let's Go Fishing program, and develop/coordinate seasonal education programs at Dead Creek.	$74,000	65% federal, 35% license fees
Fish & Wildlife Scientist IV (Research Coordinator/Biometrician)	25	Limited Service 4 years	Positon will provide research design, data analysis and division management assistance on all wildlife projects. Assistance will also be provided to other department divisions.	$80,000	75% federal, 25% license fees
Fish & Wildlife Specialist - Essex	21	Limited Service 4 years	Provide critical support to projects in all 3 division programs including waterfowl management, WMA management, reptile project, environmental impact assessment, and mapping, inventory and site assessments of natural communities.	$69,000	71% federal, 29% license fees