

ACT 250 JURISDICTION; RECREATIONAL TRAILS; EVALUATION

(a) As part of Act 194, the Act 47 Commission on Act 250: the Next 50 Years (the Commission) was charged with evaluating the strengths and challenges associated with regulation of recreational trails under 10 V.S.A. chapter 151 (Act 250) and alternative structures for the planning, review, and construction of future trail networks and the extension of existing trail networks.

(b) As part of this charge, the Commissioner of Forests, Parks and Recreation or designee and the Chair of the Natural Resources Board or designee formed a recreational trails working group to submit a report to the Commission on or before October 1, 2018 to examine multiple potential planning and regulatory structures, including possible revisions to Act 250; the creation of a trail oversight program within the Agency of Natural Resources that includes best development practices and an agency permitting process, including consideration of a general permit; and other options that the working group may identify. In considering alternative structures, the working group was asked to evaluate how best to foster the development of an interconnected recreational trail network in Vermont while safeguarding the State's natural resources, including water quality, wildlife habitat and populations, and sensitive natural communities and areas, and minimizing potential impacts on neighboring properties and host municipalities.

(c) The working group submitted a preliminary report to the Commission on Oct. 1, 2018 with stakeholder survey results, but asked for additional time to meet with stakeholders, including representatives of trail organizations and conservation organizations, who were meeting outside of the working group process to find common ground. Stakeholder conversations have been productive, but all involved parties request additional time to deliver final recommendations to the Legislature. Therefore, the Commission recommends that the Commissioner of Forests, Parks and Recreation or designee and the Chair of the Natural Resources Board or designee continue to convene the recreational trails working group with representatives of trail organizations and conservation organizations and shall submit a status report to the Legislature on or before March 1, 2019 and a final report on or before November 15, 2019 with recommendations regarding potential planning and regulatory structures for the planning, review, construction, and maintenance of future trails and trail networks and the extension of existing trails and trail networks as articulated in section (b), as well as

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the maintenance of the infrastructure of existing trail networks, recognizing that trails and outdoor recreation add substantial benefits to the Vermont economy, and are a vital part of Vermont's tradition of keeping lands open for public use.