

FOREST PARTNERSHIP PROPOSAL FOR ALTERNATIVE TRAIL

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1            (vi) Vermont Trail System projects. In the case of a construction  
2 project for a trail recognized as part of the Vermont Trail System pursuant to  
3 section 443 of this title, the computation of land involved shall not include any  
4 portion of the trail or of the Vermont Trail System in existence on or before  
5 July 1, 2018, unless that portion will be physically altered as part of the project  
6 and is on the same tract or tracts of land. [Note: This provision shall sunset on  
7 July 1, 2019]

8  
9 Additional Changes:

- 10            1) Eliminate requirement that affected landowners are required to be co-  
11 applicants, provided trail organization or other applicant has landowner  
12 permission to place a trail on their property.
- 13            2) Clarify that Act 250 jurisdiction only applies to site  
14 improvements/disturbance associated with the construction of the trail  
15 within the trail corridor and not the entire property of a landowner  
16 according to Natural Resource Board Rule 71.
- 17            3) Direct Commissioner of Forests, Parks & Recreation and Chair of  
18 Natural Resources Board to convene stakeholder group to evaluate  
19 strengths and challenges associated with Act 250's regulation of  
20 recreational trails and alternative regulatory structures for the planning  
21 and construction of future trail networks (including the extension of

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1           existing trail networks). Alternatives to consider include (i) possible  
2           revisions to Act 250; (ii) the creation of a trail oversight program  
3           within the Agency of Natural Resources that includes best development  
4           practices and an agency permitting process, including consideration of  
5           a general permit; and (iii) other options identified as part of the  
6           stakeholder process. In considering alternative structures the  
7           Commissioner and Chair shall evaluate how best to foster the  
8           development of an interconnected recreational trail network in Vermont  
9           while safeguarding the state’s natural resources, including water  
10           quality, wildlife habitat and populations, and sensitive natural  
11           communities and areas, and potential impacts on neighboring properties  
12           and host municipalities. The Commissioner and Chair shall file a  
13           report to the Commission on Act 250: the next 50 years, the Senate  
14           Committee on Natural Resources & Energy, and the House Committee  
15           on Fish, Wildlife and Natural Resources, including recommendations  
16           for legislation, by January 15, 2019.

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