



**STATE OF VERMONT**  
**SUNSET ADVISORY COMMISSION**

**MEMORANDUM**

To: House Committee on Agriculture and Forestry  
House Committee on Natural Resources, Fish, and Wildlife  
Senate Committee on Natural Resources and Energy

From: Rep. John Gannon and Sen. Jeanette White, Co-Chairs, Sunset Advisory Commission

CC: Michael O'Grady, Deputy Chief Counsel, Office of Legislative Counsel  
Ellen Czajkowski, Legislative Counsel, Office of Legislative Counsel

Date: XX, YY, 2020

Subject: Request for review of statutory provisions regarding the Vermont Trails and Greenways Council

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The Sunset Advisory Commission (SAC) was created in [3 V.S.A. § 268](#) to review and make recommendations on whether to maintain as is, amend, or repeal the State's boards and commissions. In accordance with this duty, SAC reviewed the Trails and Greenways Council (Council) set forth in [10 V.S.A. ch. 20](#). As a result of this review, SAC is requesting that you, as committees of jurisdiction, review the statutory provisions regarding the Council and work with interested parties to update its enabling law.

- 10 V.S.A. ch. 20 is in regard to the Vermont Trails System. Within this chapter:
- [§ 441](#) established a State policy to maintain and improve the Vermont Trails System's network of trails in order to provide access to the use and enjoyment of the outdoors, to conserve and use the State's natural resources, and to provide a method of transportation;
  - [§ 443](#) provides that the Vermont Trails System shall consist of those trails recognized by the Agency of Natural Resources with the advice of the Council, and requires the Agency, with the advice of the Council, to establish criteria for recognizing single use and shared use trails; and
  - [§ 445](#) designates the Council, which is an incorporated organization of trail-using and trail-providing groups, as an advisory council to the Agency to "advise on all matters related to this chapter, including the allocation of State and federal funds appropriated for the purposes of this chapter."

The Department of Forests, Parks, and Recreation provided [written](#) (pgs. 13–15) and verbal testimony to SAC regarding the Council. That testimony indicated that the Council’s role enables the State to receive federal recreation trails funding and that in addition, the Council provides the State with a good working relationship with the important network of people who help maintain trails. SAC and the Department also discussed the economic and health benefits that trails provide to the State, and the Council’s role in helping to tie those issues together.

While the SAC ultimately voted to maintain the Council, it also noted that the Department’s written testimony advised in Responses #41 and 43 that there would be improvements in efficiency and effectiveness if 10 V.S.A. ch. 20 provided more clarity and specificity regarding the Council, including details about its membership and representation, roles and responsibilities, and process and governance. In discussing this response at the SAC meeting, the Department indicated that it would make sense to modernize the Council and what its role should be, and that there should be further consideration of this issue, including with the Council.

Therefore, SAC also voted to recommend that your committees work with the Department and the Council in reviewing 10 V.S.A. ch. 20 in order to propose any necessary updates to it in response to the potential improvements suggested by the Department. Thank you for your consideration of this matter. Please do not hesitate to contact us for further information.