

## NATURAL AREAS DESIGNATION

### **Philosophy:**

Under Vermont law (10 V.S.A. §2607 – See Attachment 1) the Department recognizes, designates, protects, and manages “Natural Areas” on properties under its jurisdiction. These generally are important natural communities, sites for rare plants and animals, or areas of geologic interest. Though protected, they are open to compatible uses by the public, including but not limited to, recreation of various forms, educational activities, research, and nature study.

### **Policy:**

The Commissioner, with the approval of the Governor, may designate areas in state forests and parks as Natural Areas. Proposed areas must meet the criteria established in 10 V.S.A. §2607. Definitions and interpretations of terms in the law are given in Attachment 2.

Existing Natural Areas may be removed from such designation only with the approval of the Governor, following public notice and hearing.

### **Procedure for Implementation:**

***Initial Notification:*** A potential Natural Area is proposed for designation by any party.

***Preliminary Field Checking:*** The party reporting the site, State Naturalist, Forestry District Manager, and/or Parks Regional Manager, and any appropriate resource person (e.g., Wildlife Biologist, Botanist, etc.) shall conduct a general inspection of the site to determine feasibility of the proposal. They shall decide upon either further study or no further action.

***Research:*** If the decision is for further study, the State Naturalist shall conduct or coordinate thorough research of the site, including literature review, consultation with appropriate scientific experts, and site analysis. He/she shall develop a written report and recommendation based on the findings.

***Review:*** The Department staff shall review and comment on the report, in order:

- 1) Forestry District Manager and Parks Regional Manager in whose district or region the site occurs. At this point, if it is agreed that the site be proposed for designation as a Natural Area, the district/region would so present it at a public involvement meeting, as an amendment to the parcel’s long-range management plan (LRMP). Following the discussion and consideration of comments, a recommendation would accompany the report and be processed in the same manner as all LRMPs, by going to:
- 2) Division Directors.

3) Commissioner

***Designation:*** If the review results in recommendation of the site as a Natural Area, the Commissioner shall seek approval of the Governor for such designation.

If an existing Natural Area is proposed for removal from designation, the above procedure shall be followed.

*Conrad M. Motyka, Acting Commissioner*

Effective Date: May 15, 1991

Attachments (2)

## NATURAL AREAS DESIGNATION

### Attachment 1

#### NATURAL AREAS LAW – TITLE 10 V.S.A., CHAPTER 83, §2607

#### **§2607. Natural Areas; Designation.**

- a) The Commissioner, with the approval of the Governor, may designate and set aside areas in the state forests and state parks as natural areas.
- b) “Natural Areas” means limited areas of land which have retained their wilderness character, although not necessarily completely natural and undisturbed, or have rare or vanishing species of plant or animal life or similar features of interest which are worthy or preservation for the use of present and future residents of the state and may include unique ecological, geological, scenic, and contemplative recreational areas on state lands.
- c) Land uses and practices in natural areas shall be subject to regulations of the Department to carry out the purposes of this chapter to manage or maintain the areas for the preservation of their natural condition. Areas so designated may be removed from such designation only by approval of the Governor following public notice and hearing. –  
Added 1977, No. 253 (Adj. Sess.), §1.

## NATURAL AREAS DESIGNATION

### Attachment 2

#### 10 V.S.A. §2607: DEFINITIONS AND INTERPRETATIONS OF TERMS

**“Limited Areas of Land”:** Size shall be such as to provide protection for the feature(s) that warrant an area’s designation as a Natural Area (including buffer zones, if needed). Determination of the feature(s) shall be based on scientific documentation. Examples:

- If a discrete biological community, such as a bog, its size shall be such to include the entire community and any adjacent land (buffer) that is deemed necessary to afford direct protection.
- If an area is designated because it has a colony of a rare species of plant, size shall be enough to include what is considered habitat essential for the survival of the colony. Buffer zones may be needed.
- If an area is a more extensive landscape system, such as an alpine boreal forest or cliff formation, boundaries shall be specified insofar as possible by natural features (e.g., height of land, drainages, change in forest type, elevations, etc.).

**“Wilderness Character”:** This refers to areas that have the appearance of being unaffected by, and/or impart a feeling of remoteness from, past or present human activities. “Wilderness character” and size are considerations in designating Natural Areas, but not the only factors. This quality is not to be equated with that of the U.S. Forest Service’s Wilderness Areas, nor shall USFS criteria be applied to Department-owned Natural Areas.

**“Similar Features”:** These are biologically, ecologically, or geologically significant entities, as recognized by the Agency of Natural Resources (Nongame and Natural Heritage Program, State Geologist, State Naturalist, etc.).

**“For the Use of...”:** Appropriate and/or prohibited uses shall be prescribed in the long-range management plans for each area.

**“Scenic and Contemplative Recreational Areas”:** An area shall not be designated as a Natural Area solely on the basis of scenic and/or contemplative recreational qualities, since both require subjective judgments and most undeveloped areas in Vermont possess some of these qualities. Rather, these qualities shall be considered as supporting evidence for “wilderness character.”