

AGENCY OF NATURAL RESOURCES POLICY

TRAIL EASEMENTS ON AGENCY LANDS

Philosophy:

Trails represent an important component of the recreational infrastructure available on state lands. State lands contain hundreds of miles of trails and forest roads that provide important opportunities for hiking, cross-country skiing, snowmobiling, and other trail activities. These trails include the Long Trail, numerous VAST snowmobile trails, segments of the Catamount Cross Country Ski Trail, multi-use rail trails, interpretive nature trails, and a multitude of hiking trails leading to popular destinations. Through its comprehensive long-range management planning process, the Agency works to provide trails that offer high quality, sustainable recreation activities on state land in a manner that protects natural resources and minimizes user conflicts.

With the exception of the Long Trail system and a few key segments of the Catamount Trail, trails on state lands are not generally encumbered by permanent trail easements. This approach provides the Agency the flexibility to work with trail organizations and user groups to develop new trails in appropriate locations, to temporarily close trails for various management purposes, and to relocate or discontinue existing trails that may be adversely impacting natural resources or present other management problems.

By their very nature, trail easements elevate trail interests above other important land management considerations. In the case of the Long Trail where the overriding management focus on state lands is to foster the permanent protection of the trail corridor, trail easements are clearly appropriate. The Long Trail is the nation's first long-distance hiking trail and is of statewide and even national significance. However, widespread use of trail easements on state land would reduce management flexibility and could undermine the Agency's management planning process. The conveyance of a trail easement to a private, non-profit trail group essentially transfers a portion of the public's interest in the land to a non-public entity without the benefit of meaningful public input. As the number of trail organizations continues to increase and with it, the demand for more trails on state lands, the unrestricted use of trail easements could result in permanent "ribbons" of single-use trails on state land. This, in turn, could erode the public's interest in the land and could conceivably perpetuate trail uses in undesirable locations.

Policy:

The Agency fully supports trails and trail-related activities on Agency lands and will work proactively with trail organizations and users to provide high quality trails in appropriate locations through the long-range management planning process. With the exception of trails within the Long Trail system under the management of The Green Mountain Club, the Agency will not acquire new parcels (whether through purchase, donation, or exchange) where a private organization is proposing to hold a permanent trail easement. (Existing trail easements on state lands are not affected by this policy and will be continued). Additionally, the Agency will not, as a general rule, acquire new parcels that have pre-existing trail encumbrances, though exceptions may be considered by the Agency on a case by case basis according to established procedures.

Procedure for Implementation:

Implementation of this multi-faceted policy will involve several Agency functions and programs as follows:

New Land Acquisition – Proposed new state land acquisition projects are reviewed by the Agency’s Land Acquisition Review Committee (LARC) according to established procedures. Unless the parcel involves the Long Trail, or is otherwise truly exceptional in nature, LARC will not recommend state acquisition for parcels that contain or would provide for permanent trail easements. In acquiring new parcels that contain important trail facilities or opportunities, the Agency will work with the Vermont Housing and Conservation Board, and other funding sources as may be appropriate to provide trail recognition and protection within standard conservation agreements or easements.

Cooperative Agreements – ANR has a long history of working hand in hand with trail organizations to provide trail opportunities for sustainable recreation activities in appropriate locations on state land. As necessary and appropriate, ANR will enter into cooperative agreements or MOU’s with trail organizations to clearly describe the relationship between the Agency and trail organization, outline the responsibilities of these parties, and to describe how trail opportunities will be provided on state lands.

Long-Range Management Planning – The Agency’s long-range management planning process will be the principal tool used to locate appropriate locations on state land for new trails, to reroute existing trails to more desirable locations, and to temporarily close or permanently discontinue trails. This process shall directly involve trail organizations and user groups as well as the general public.

Associated Policies – This policy shall be implemented in accord with the following established policies or their successor policies:

- FPR Policy #1 - All Terrain Vehicles
- FPR Policy #4 – Mountain Bicycles, Horseback Riding, and Pack Animals
- FPR Policy #12 – Railroad Rights-of-way (Discontinued Railroads)
- FPR Policy #15 – Trail Closure
- FPR Policy #21 – State Lands Management Planning

/s/ 11/25/02
Conrad Motyka Date
Commissioner, FPR

/s/ 11/25/02
Ronald Regan Date
Commissioner, FW

/s/ 11/25/02
Chris Recchia Date
Commissioner, DEC

/s/ 11/25/02
Scott Johnstone Date
Secretary, ANR