



State of Vermont
Division of Policy, Planning and
Intermodal Development
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Agency of Transportation

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September 25, 2017

Julie S. Moore, Secretary
Vermont Agency of Natural Resources
1 National Life Drive (Davis 2)
Montpelier, VT 05620-3901

Diane B. Snelling, Chair
Vermont Natural Resources Board
1 National Life Drive (Dewey Building)
Montpelier, VT 05620-3201

Re: Lamoille Valley Rail Trail

Dear Secretary Moore and Chair Snelling,

As you are aware, the recent Lamoille Valley Rail Trail settlement between the State of Vermont and the Vermont Association of Snow Travelers (VAST) calls for an amendment of the trail lease between VAST and the Vermont Agency of Transportation (VTrans) to incorporate substantive conditions from the Act 250 permit (LUP #7C1321), including conditions relating to: hours of operation, limitations on use of all-terrain vehicles (ATVs), noise, mitigation and trail reroutes.

The conditions of the lease protect the surrounding communities and allow the trail to be developed into a recreational path that all Vermonters and visitors can enjoy. One of the paragraphs of the trail lease amendment, paragraph 7, concerns naturally vegetated buffer zones. That paragraph reads as follows:

VAST shall maintain varying width undisturbed, naturally vegetated buffer zones, measured from top of bank, along the watercourses on the project site, as detailed in its application for LUP #7C1321, in which no cutting, clearing, mowing, vehicle operation or other disturbance is allowed except the limited select cutting of small trees as detailed in LUP #7C1321. In addition, VAST may engage in limited tree cutting to open view windows onto the river, provided it can be done without compromising the balance of the vegetative buffer. VAST may also plant appropriate screening along sections of the Trail that abut major highways.

In the event that there is a complaint or a suspected breach of paragraph 7, VTrans, by way of this letter, is advising that it intends to consult with the Natural Resources Board and the Vermont Agency of Natural Resources as necessary to investigate the suspected breach, particularly if the suspected breach concerns a cutting or disturbance of the vegetative buffer.

If there is a suspected material breach of the lease and its conditions, under the terms of the settlement and lease, VTrans will then provide written notice of the suspected material breach to VAST and provide VAST with the opportunity to cure within a reasonable time. A copy of the written notice shall also go to the Natural Resources Board.

Sincerely,

A handwritten signature in cursive script that reads "Michele Boomhower".

Michele Boomhower
Director of Policy, Planning and Intermodal Development

cc: Hans G. Huessy, Esq., Counsel for VAST
John K. Dunleavy, Assistant Attorney General