



State of Vermont  
Agency of Natural Resources  
Fish and Wildlife Department  
Department of Forests, Parks, and Recreation


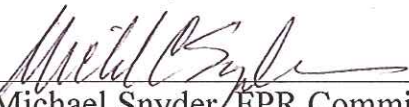



Long Term Access Plan  
for the Private Timberlands Portion  
of the Kingdom Heritage Lands



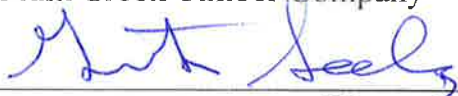
Averill, Lemington, Avery's Gore, Brighton, Morgan, Lewis, Bloomfield, Brunswick,  
Ferdinand, Maidstone, East Haven, Granby, Burke, and Victory, Vermont

Prepared in collaboration with the Kingdom Heritage Lands partners  
*The Nature Conservancy: Vermont Chapter*  
*Vermont Housing and Conservation Board*  
*Vermont Land Trust*  
*U.S. Fish and Wildlife Service*  
*Plum Creek Timber Company*

Approved:  9/26/14  
Louis Porter, DFW Commissioner Date  
Reviewed:  9/15/14  
Michael Snyder, FPR Commissioner Date  
Reviewed:  9.15.14  
Deborah Markowitz, ANR Secretary Date

Reviewed:   
Chris Fife, Resource Supervisor  
Plum Creek Timber Company

10/10/2014  
Date

Reviewed:   
Gus Seelig, Executive Director  
Vermont Housing and Conservation Board

10/22/14  
Date

### **Acknowledgments**

This plan was developed with the cooperation and participation of many organizations and individuals, who are too numerous to mention individually. The hard work of these dedicated people made this plan possible.

Development and writing of the plan and oversight of the planning process was accomplished by Vermont Agency of Natural Resources staff and a steering committee which consisted of representatives from the U.S. Fish and Wildlife Service, Plum Creek Timber Company, Inc., Vermont Land Trust, The Nature Conservancy of Vermont, and the Vermont Housing and Conservation Board.

Last, but perhaps most important, we acknowledge those individuals and organizations who took the time to attend informational meetings, read the plan, and make comments about the plan and planning process.

Thank you.

## **Mission Statements**

### **Vermont Agency of Natural Resources**

The mission of the Agency of Natural Resources is "to protect, sustain, and enhance Vermont's natural resources, for the benefit of this and future generations."

Four agency goals address the following:

- To promote the sustainable use of Vermont's natural resources;
- To protect and improve the health of Vermont's people and ecosystems;
- To promote sustainable outdoor recreation; and
- To operate efficiently and effectively to fulfill our mission.

## **Departments**

### **Vermont Department of Environmental Conservation**

To preserve, enhance, restore, and conserve Vermont's natural resources, and protect human health, for the benefit of this and future generations.

### **Vermont Department of Fish and Wildlife**

The mission of the Vermont Fish and Wildlife Department is the conservation of all species of fish, wildlife, and plants and their habitats for the people of Vermont. To accomplish this mission, the integrity, diversity, and vitality of their natural systems must be protected.

### **Vermont Department of Forests, Parks and Recreation**

The mission of the Department of Forests, Parks, and Recreation is to practice and encourage high quality stewardship of Vermont's environment by monitoring and maintaining the health, integrity, and diversity of important species, natural communities, and ecological processes; managing forests for sustainable use; providing and promoting opportunities for compatible outdoor recreation; and furnishing related information, education, and services.

## Contents

EXECUTIVE SUMMARY .....	7
I. INTRODUCTION .....	9
II. DESCRIPTION OF THE LONG TERM ACCESS PLAN.....	12
III. CONTEXT FOR THE LONG TERM ACCESS PLAN .....	13
A. Background on the Acquisition of the Kingdom Heritage Lands and Resulting Implications for Future Management and Planning .....	13
1. Acquisition History .....	13
2. Management Implications Resulting from the Acquisition .....	17
3. Planning Implications Resulting from the Acquisition .....	20
B. Summary of the Regional Ecological Context.....	20
1. General Context.....	20
2. Resource Significance .....	21
3. A Unique Opportunity.....	23
C. Summary of the Regional Recreational Context .....	25
1. Key Aspects.....	25
2. Regional Supply of Recreational Opportunities .....	25
3. Existing Recreational Demand in Vermont and Northern New Hampshire .....	27
4. Special Recreational Opportunities of the Kingdom Heritage Lands .....	29
D. Economic and Social Considerations.....	29
F. Management Direction for the Kingdom Heritage Lands As a Whole .....	33
1. Overall Vision .....	33
2. Overall Theme for Management .....	33
3. Goals and Objectives for the Management of All Three Parcels .....	34
IV. DESCRIPTION OF THE PROPERTY (With Emphasis on Public Access and Recreation) 36	
A. Overview of the Private Timberlands.....	36
B. Existing Roads .....	38
C. Existing Public Recreational Resources and Facilities .....	41
1. Recreational Resources .....	41
2. Existing Public Recreation Facilities .....	47
D. Levels of Recreational Use and Projected Trends in Use.....	50
1. Current Uses and Levels of Use .....	50
E. Management of Public Access Since 1998 .....	52
V. PUBLIC INVOLVEMENT .....	53
E. Summary of Public Involvement .....	53
A. Public Involvement Process.....	53
1. Scoping Process.....	53
2. Draft Review Process .....	55
A. Public Comments .....	55
1. Scoping Comments .....	55
2. Draft Review Comments .....	57
VI. MANAGEMENT OF PUBLIC ACCESS .....	58
A. Introduction.....	58
B. Goals and Objectives for Public Access Management on the Private Timberlands.....	58
1. Public Access Management Goal.....	58

2.	Public Access Management Objectives .....	58
C.	Overall Responsibilities and Authorities for Managing Public Access .....	59
D.	Management of Dispersed Pedestrian Access .....	60
1.	Permitted Dispersed Pedestrian Activities .....	60
2.	Limitations on Dispersed Pedestrian Access .....	61
E.	Designation and Management of Recreation Corridors.....	62
1.	Overview .....	62
2.	Corridor Locations and Designations.....	62
3.	Corridor Management .....	68
F.	Management of Existing and Proposed Public Recreation Facilities and Signs .....	74
1.	Management of Existing Public Recreation Facilities .....	74
2.	New Facilities.....	74
3.	Signs .....	75
4.	Maintenance of Recreation Facilities and Signs .....	76
G.	Uses Requiring Advance Written Authorization .....	77
1.	Overview .....	77
2.	Short-Term Uses - Special Use Permits.....	78
3.	Longer-Term Uses without Transfer of Rights - Licenses.....	78
4.	Overnight Camping and Campfires .....	79
H.	Access for Persons with Disabilities.....	79
I.	Public Access Near Private Camps.....	79
J.	Forestry Operation Closure Zones .....	80
K.	Other Restrictions of Public Access and Use .....	80
L.	Management of Roads .....	81
1.	Background .....	81
2.	Improvements in Road Conditions.....	82
3.	Road Management Issues.....	83
4.	Maintenance, Responsibilities and Funding.....	83
5.	Road Closures .....	85
M.	Summary of Closures.....	86
N.	Linkages with Recreational Opportunities on Nearby Lands .....	86
O.	Public Information, Education and Outreach.....	89
P.	Enforcement.....	90
Q.	Emergency Response .....	90
1.	Accidents and Medical Emergencies .....	90
2.	Search and Rescue.....	91
R.	Monitoring and Evaluation .....	91
1.	Monitoring Concerns.....	91
2.	Monitoring Strategy .....	93
S.	Communication, Coordination, and Resolution of Disputes Between Landowner and Easement Holders .....	95
1.	Public Access Easement Requirements.....	96
2.	Conservation Easement Requirements.....	97
3.	Stewardship Memorandum of Understanding Requirements .....	97
VII.	PROCESS FOR REVIEWING AND AMENDING THE LONG TERM ACCESS PLAN	98

VIII. APPENDICES .....	100
A. Summary of Easements and other Important Legal and Policy Factors Affecting Use ..... of the Kingdom Heritage Lands .....	101
B. Summary of public involvement during the original (2002) planning process .....	107
1. Steering Committee Public Involvement Process .....	107
2. Citizen Advisory Council Public Process .....	111
3. Summary of Public Input .....	111
C. List of supplemental studies and references developed to support the plan .....	121
D. Data sources for figures .....	123
E. Summary of Public Comments with Responses and Description of Changes to Draft Plans .....	124
1. Summary of Public Comments with Responses .....	124
2. Summary of Changes to Draft Plans .....	137

### **Figures**

Figure 1: Location of the Kingdom Heritage Lands in Vermont.....	14
Figure 2: The Kingdom Heritage Lands in Vermont.....	16
Figure 3: Publicly Conserved Lands in Northeast Vermont.....	24
Figure 4: The Private Timberlands Portion of the Kingdom Heritage Lands in Vermont .....	37
Figure 5: Motor Vehicle Corridors Designated Under the Access Plan .....	40
Figure 6: Public Access Facilities.....	49
Figure 7: Additional Roads to Open on the Private Timberlands.....	65
Figure 8: Recreation Linkages .....	88

### **Tables**

Table 1: Ponds On The Private Timberlands.....	42
Table 2: Rivers And Streams On The Private Timberlands .....	44
Table 3: Mountains And Ridges On The Private Timberlands.....	45
Table 4: Public Recreation Facilities On The Private Timberlands .....	48
Table 5: Maintenance Guidelines for Recreational Facilities and Signs .....	76

# **EXECUTIVE SUMMARY**

## **Private Timberlands Public Access Plan Update**

### Project Background

Sixteen years ago, Vermont began perhaps the most ambitious conservation project in its history.

In 1998, Champion International sold 132,000 acres of land in northeastern Vermont. Through a complex partnership, these lands were divided into three parcels. The most ecologically significant areas became public lands, while the largest areas continued as private working forest:

- The State of Vermont acquired 22,000 acres for the West Mountain Wildlife Management Area (WMA).
- The US Fish and Wildlife Service acquired 26,000 acres for the Silvio O. Conte National Wildlife Refuge.
- Essex Timber Company acquired 84,000 acres for working forestry, with easements protecting certain natural resources and guaranteeing perpetual public access. This land was subsequently purchased by the Plum Creek Timber Company.

The most important part of this project has been its focus on complementary management across the three ownerships to achieve three equally important goals: Working forests, ecological protection, and public access.

Sixteen years after acquisition, calling these parcels “the former Champion lands” does little to recognize their unique and historical values for the people of Vermont. As a result, this document will refer to these lands as the Kingdom Heritage Lands.

### The Planning Process

The Vermont Agency of Natural Resources (ANR) uses management plans to administer its land, and relies heavily on public involvement in planning.

The original planning process for the Kingdom Heritage Lands was unprecedented—after more than 35 public meetings, participation from the Vermont Legislature, and hundreds of written comments, ANR and its legal partners for these lands produced two guiding plans in 2002, a Long Range Management Plan for the West Mountain Wildlife Management Area and a Public Access Plan to manage the public access easement on the Private Timberlands.

In 2013 and 2014, ANR began the process to update these plans by soliciting input from user groups, local residents, and organizations. While numerous legal constraints and directives determine much of the management direction for these properties, this plan update was created by integrating this legal framework with comments from the public, the goals for these ownerships, updated scientific assessments, and a decade of management experience with these lands.

### Public Access Plan Update

The Private Timberlands (now owned by Plum Creek) are one of the largest landholdings in Vermont. The Timberlands have two primary goals: working forestry and public access. As manager of the Public Access Easement on these lands, ANR works closely with the landowner and all users of these lands.

ANR's experience managing public access on these lands over the last decade has been very positive. In large part, this has been thanks to the thoroughness of the original Public Access Plan and a successful collaborative relationship with the landowner.

Public comment on updates to the Public Access Plan focused largely on maintaining the remote character of these lands and the public access opportunities they provide. Comments also indicated an interest in maintaining or increasing public access for a variety of activities including, snowmobiling, mountain biking, hiking, hunting, and fishing.

This updated Public Access Plan follows the original plan closely, by

- Emphasizing dispersed pedestrian access across the ownership (for uses like hunting, fishing, bushwhacking, photography, and berry-picking).
- Maintaining more intensive uses in designated corridors with Corridor Managers, presently including:
  - Up to 150 miles of snowmobiling trails across the Kingdom Heritage Lands are managed by the Vermont Association of Snow Travelers,
  - Seven miles of hiking trails are managed by the Green Mountain Club on the Private Timberlands,
  - 35 miles of equestrian corridors are managed by the Vermont Horse Council on the Private Timberlands and West Mountain WMA.

This updated plan also takes steps to increase public vehicular access in the area, by

- Designating up to an additional 15 miles of roads across the Private Timberlands (for a total of 85 miles) to be open for public vehicular access. ANR will share the cost of maintaining these roads, as it does the 70 miles already designated.

Overall, this updated plan hopes to guide a second decade as successful as the first for the Private Timberlands—providing public access and working forestry side-by-side, and ensuring public voices are heard in the process of crafting management decisions.



## I. INTRODUCTION

This is a Long Term Access Plan (LTAP) for approximately 84,000 acres of privately owned forest lands (hereafter referred to as the “Private Timberlands”) that are located primarily in Essex County, Vermont, and are now owned by the Plum Creek Timber Company, Inc. (Plum Creek or “the Landowner”).<sup>1</sup> These lands are part of the larger block of more than 132,000 acres in the northeastern part of the state that was acquired from Champion International, Inc. (Champion) in 1999, in a complex transaction involving a number of public and private organizations.

Sixteen years after acquisition, calling these parcels “the former Champion lands” does little to recognize their unique and historical values for the people of Vermont. As a result, this document will refer to these lands as the Kingdom Heritage Lands.

The process which created the original (2002) Public Access Plan for the Private Timberlands was more extensive and balanced than any other in the State’s history. Given this, and the very positive experience ANR has had managing recreation on these lands under the original plan, this update aims to preserve as much of the original plan as possible, while refining and adding information and strategies where appropriate.

The Private Timberlands portion of the Kingdom Heritage Lands encompasses an undeveloped expanse of forests, mountains, ponds and streams that contribute significantly to the character, economy, and recreational opportunities of the region. These lands include a mixture of forest types, including softwoods, mixed woods, and hardwoods, of various age classes and at elevations ranging from approximately 850 feet near the Connecticut River to more than 3,000 feet on some of the higher mountain tops. They also include a diversity of wildlife habitats, and are home to more than 200 species of birds, mammals, reptiles and amphibians.

These lands have been extensively used for hunting, fishing, trapping, snowmobiling, wildlife viewing, berry picking, and other uses for generations. Because of their rugged, undeveloped, and remote character, they provide special opportunities for recreational activities that benefit from such a setting. The value of the Private Timberlands for public access is enhanced because they are an integral part of the large, undeveloped forested landscape in northeastern Vermont that includes a total of more than 200,000 acres that are either owned by the public or open to public access through permanent easements.

Like the Essex Timber Company, Champion, and the St. Regis Paper Company before them, Plum Creek acquired these lands as a business investment to harvest timber. However, a Public Access Easement put in place at the time of the acquisition from Champion requires that the long-standing tradition of public access be continued in perpetuity on these private lands. The Public Access Easement also requires the Vermont Agency of Natural Resources (ANR) and the Vermont Housing and Conservation Board (VHCB) to develop, in consultation with the

---

<sup>1</sup> More precisely, the Private Timberlands portion of the Kingdom Heritage Lands encompasses 84,442 acres. Small portions of these lands are located in Caledonia County and Orleans County.

Landowner, Long Term Access Plans to guide the management of public access. This document is an update of the original (2002) Long Term Access Plan. While the Public Access Easement is the controlling legal instrument, this Plan provides a more detailed description of how public access on these private lands will be managed, who will have responsibility for such management, and how public access will interface with the Landowner's forestry and other land management activities.

It is important to note that this Plan is focused only on public access and recreation. Timber management and the protection of ecologically sensitive areas on the Private Timberlands are not under the purview of the Plan or the public process through which it was developed; Plum Creek has its own timber management plan that reflects the provisions of the Conservation Easement on its land. In addition to the terms of the easements, the Landowner has its own goals for the property.

This Long Term Access Plan reflects a variety of factors, including the requirements of the Public Access Easement and relevant provisions of the Conservation Easement; Plum Creek's rights and interests as the landowner; the property's natural and recreational resources; past and current human uses; and public input. Major elements of the Plan include the following:

- Public access and recreation on the Private Timberlands must occur and be managed in accordance with the provisions of the Public Access Easement and relevant laws and regulations, and must be consistent with the provisions of the Conservation Easement.
- ANR has primary responsibility for managing public access.
- Dispersed pedestrian activities (*e.g.*, walking, snowshoeing, cross-country skiing, hunting, fishing, trapping, boating, swimming, and wildlife observation) are generally permitted on the entirety of the property, provided they are conducted in accordance with existing laws and regulations such as state regulations governing hunting, fishing and trapping.
- Intensive and concentrated uses, including motor vehicle access, snowmobiling, bicycling, horseback riding, and hiking trails, may occur only on recreational corridors that are specified for each use and for which an organization has agreed to assume management responsibility (the "Corridor Manager").
- Corridors are currently designated for motor vehicle and motorized disabled access, and for snowmobiling, hiking, and horse riding. ANR serves as the Corridor Manager for designated motor vehicle and motorized disabled access corridors. The Vermont Association of Snow Travelers (VAST), the Green Mountain Club (GMC), and the Vermont Horse Council (VHC) serve as the Corridor Managers for designated snowmobiling, hiking, and equestrian corridors, respectively.
- No corridors are designated at this time on the Private Timberlands for other corridor-based uses, such as bicycling and dog sledding.

- The Landowner retains the right, in accordance with the provisions of the Public Access Easement, to temporarily exclude the public from areas where active forestry operations are underway.

The process of developing this Plan has been a complex one, involving the gathering of a great deal of information; discussion and negotiation among ANR, VHCB, Plum Creek, the Vermont Land Trust, and the US Fish and Wildlife Service; and extensive input from interested citizens and organizations. The original (2002) planning process involved more than 35 public meetings to solicit ideas and comments from the public, and the 2014 Plan update involved three additional public meetings, numerous stakeholder group meetings, and extended public comment periods.

This Plan is in substantial conformance with local and regional plans and regulations, including the Northeast Vermont Development Association “Regional Plan for the Northeast Kingdom” (2006), the Local Development Plan for Unorganized Towns and Gores of Essex County (2011).

This Long Term Access Plan will be in effect for ten years, and then it will be reviewed and updated as necessary. However, even before that time, parts of the Plan may be amended if it becomes apparent that improvement is needed, or conditions change. Section VII provides more specifics on the process for reviewing and amending the Plan. In general, the process of amending the Plan will include opportunities for public comment and a public discussion of the issues involved.

## II.DESCRPTION OF THE LONG TERM ACCESS PLAN

The remainder of this Long Term Access Plan for the Private Timberlands portion of the Kingdom Heritage Lands consists of the following sections:

**Section III** describes key elements of the context within which the LTAP was developed. It includes an overview of the transaction that led to the acquisition of this property and its principal implications for future management and planning; a summary analysis of the recreational values of the Kingdom Heritage Lands when considered in the broader context of the surrounding region; a discussion of socio-economic considerations related to the acquisition and future management of these lands; a brief summary of public involvement; and the proposed management direction, including goals and objectives, for the Kingdom Heritage Lands as a whole.

**Section IV** provides a description of the Private Timberlands, with an emphasis on public access and recreation. It includes a general overview of the property, and more detailed descriptions of its roads and recreational features. Information also is presented on current levels of public use and trends in use.

**Section V** provides a summary of public involvement. This summary describes the input that was received both through written comments and public meetings that were held during the planning process. This public input covered issues that participants believe should be addressed in the Plan, and, comments on the Draft Plan.

**Section VI** is the heart of the LTAP. It describes goals and objectives for the management of public access on the Private Timberlands, identifies specific management responsibilities and provisions for various types of public access, and addresses other considerations related to implementation.

**Section VII** describes the general process that will be followed for review and amendment of the LTAP. This includes both regular review on the 10-year cycle specified in the Public Access Easement for the Private Timberlands, and the possibility of amendment within the 10-year plan period if circumstances warrant such action.

**Section VIII (Appendices)** includes a summary of key legal and policy factors that affect future management of the Private Timberlands and the rest of the Kingdom Heritage Lands; a summary of data sources used in preparing maps for the Plan; a list of supplemental studies and references developed to inform and guide the plan; a summary of public involvement from the original (2002) planning process; and a summary of comments made by the public on the updated draft plan and how this revised version addresses those comments.

### **III. CONTEXT FOR THE LONG TERM ACCESS PLAN**

In developing this Long Term Access Plan for the Private Timberlands portion of the Kingdom Heritage Lands, numerous important factors were considered. These include constraints on public use and management resulting from the acquisition of these lands; the recreational values of the Kingdom Heritage Lands when considered in the broader context of the surrounding region; socio-economic considerations related to the acquisition of these lands and their future management; the views and opinions of the public; and the management direction, including goals and objectives, that has been formulated for the Kingdom Heritage Lands as a whole. Each of these topics is explored in greater detail below.

#### **A. Background on the Acquisition of the Kingdom Heritage Lands and Resulting Implications for Future Management and Planning**

##### **1. Acquisition History**

The acquisition of the so-called “Kingdom Heritage Lands” and the creation of the West Mountain Wildlife Management Area resulted from one of the most complicated land deals in Vermont history. The specifics of how the property was transferred to the current owners are relevant to management because in some cases the provisions of the transfer mandate certain types of management or constrain management in other ways.

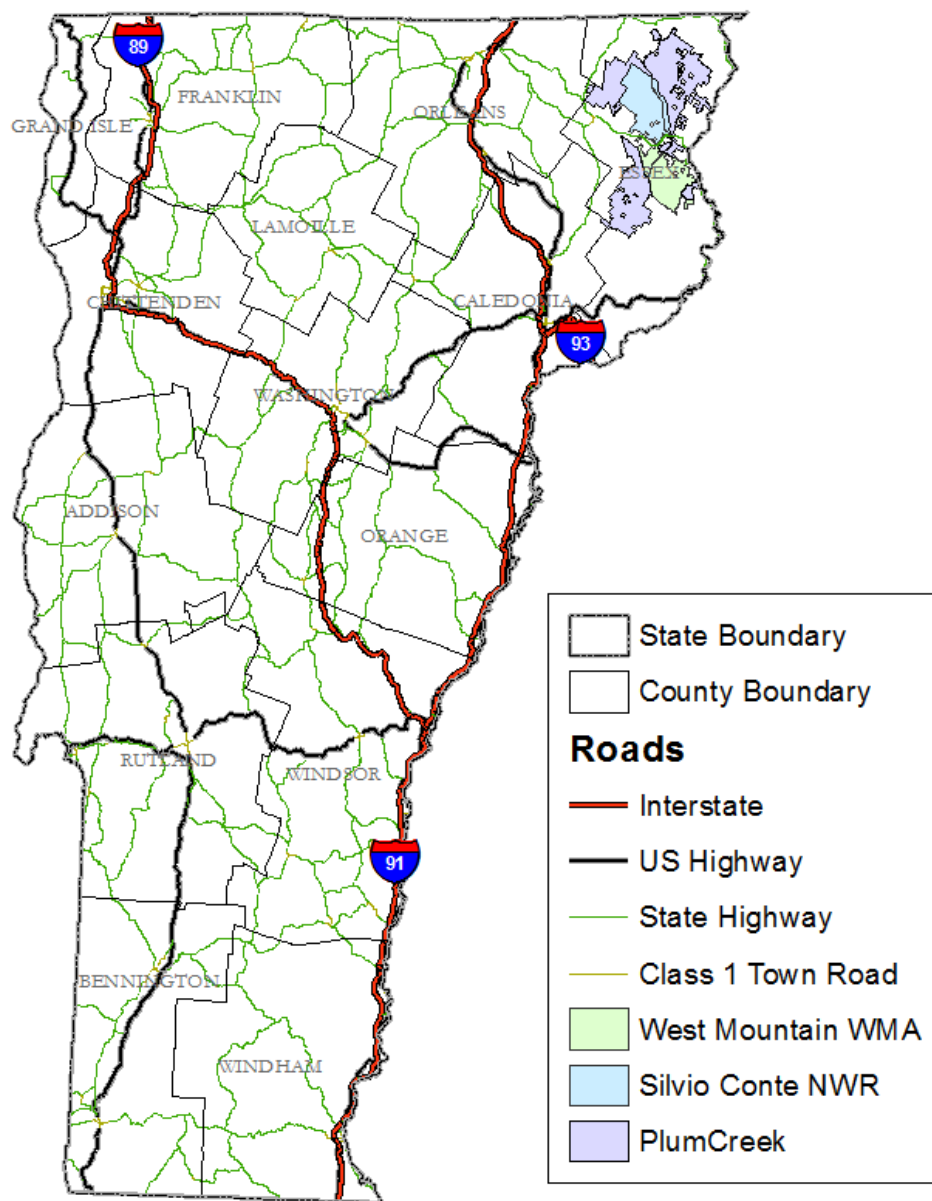
On October 8, 1997, Champion International Inc. announced its intention to sell approximately 132,000 acres in northeastern Vermont (Figures 1 and 2). Champion, and the St. Regis Paper Company before it, had owned these lands for decades, and during the last 20 years of ownership had harvested much of the merchantable spruce, fir, and hardwoods on the property.

On December 9, 1998, The Conservation Fund (TCF) of Arlington, Virginia announced that it had signed a contract to purchase Champion’s Vermont holdings, along with an additional 144,000 acres in New York and 18,000 acres in New Hampshire—a total of roughly 294,000 acres in the three states. The overall purchase price was \$72.25 million; the price for the Vermont lands was \$26,535,000.

TCF did not intend to retain long-term ownership of the Vermont lands, but instead worked in partnership with the Vermont Land Trust (VLT), the Vermont Agency of Natural Resources, the Vermont Housing and Conservation Board, the Vermont Chapter of The Nature Conservancy (TNC), and the U.S. Fish and Wildlife Service (USFWS) to create a new model for the protection and management of large acreages in the “Northern Forest” of the northeastern United States – one that would combine large- and small-scale conservation objectives with sustainable forest management and a continuation of the tradition of public access.

Figure 1: Location of the Kingdom Heritage Lands in Vermont

## Location of the Kingdom Heritage Lands



Created by Doug Morin  
Vermont Fish & Wildlife Department  
April 2014

0 15 30 60 Miles

For planning purposes only. Not survey accurate.



A central part of this model was to divide the Kingdom Heritage Lands into separate but complementary ownerships on the basis of ecological values and basic management purposes: areas with the greatest ecological significance would be publicly owned and protected, with timber harvesting precluded on substantial acreages to allow natural processes like forest succession to occur unimpeded; and the most productive timber lands, with fewer special ecological values, would be kept in private ownership with a requirement that they be managed for long-term sustainable forestry. Public access for a variety of historical uses and other activities would be guaranteed on the entirety of the property.

When the possibility of acquiring the Kingdom Heritage Lands had first arisen, the Vermont Agency of Natural Resources requested that TNC lead a process to identify the most ecologically significant portions of those lands. ANR, TNC, TCF and the other partners in the acquisition used the results of that analysis to determine which parts of the overall property should be publicly owned either by the State of Vermont or the federal government, and which should remain under private ownership as a “working forest.” Ultimately, the ANR acquired more than 22,000 acres of land south of Route 105 that now comprise the West Mountain WMA, and the USFWS acquired 26,000 acres encompassing much of the Nulhegan Basin north of Route 105 as part of the Silvio O. Conte National Fish and Wildlife Refuge (Figure 2.)

The State lands are subject to, and must be managed in accordance with, an easement addressing both conservation and public access that was granted by ANR at the time the property was acquired from Champion. TNC and VHCB co-hold this easement (the “State Lands Easement”).<sup>2</sup>

The federal lands are not subject to easements, but rather will be managed in accordance with federal laws, regulations, and policies governing the USFWS, the National Wildlife Refuge System, and the Conte Refuge.

The Conservation Fund protected the remaining approximately 84,000 acres (hereafter referred to as the “Private Timberlands”) with permanent conservation and public access easements to ensure, in perpetuity, that forest products will be harvested in an ecologically sustainable manner and the public will continue to enjoy access for compatible recreational pursuits. TCF then put those lands on the market encumbered by the Public Access and Conservation Easements. After a competitive bidding process, the Private Timberlands were sold to the Essex Timber Company, LLC (Essex), a private corporation based in Massachusetts.<sup>3</sup> The Vermont Land Trust and VHCB are co-holders of the Conservation Easement on the Private Timberlands, while the ANR and VHCB are co-holders of the Public Access Easement.<sup>4</sup>

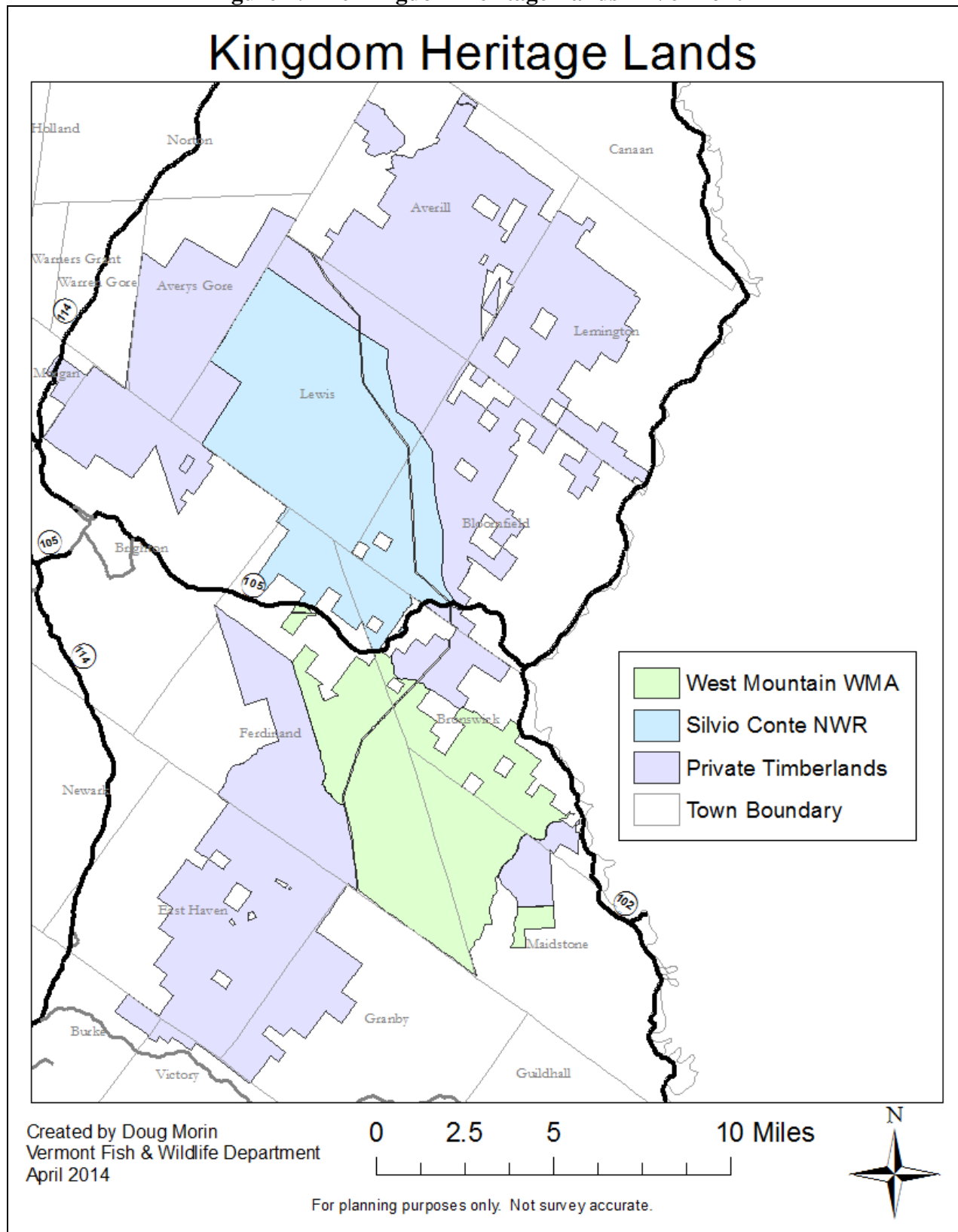
---

<sup>2</sup> Pursuant to a “Stewardship Memorandum of Understanding” (MOU) co-signed by ANR, VHCB, VLT, and TNC at the completion of the acquisition in 1999, VHCB delegated some day-to-day stewardship responsibilities for the State Lands Easement to TNC. However, VHCB remains a full and active partner, and retains review and approval authority for various matters covered in the Easement and the MOU.

<sup>3</sup> Essex Timber Company subsequently acquired an additional 1,228 acres of inholdings. These additional holdings are not subject to the easements covering the lands acquired from The Conservation Fund.

<sup>4</sup> In accordance with the Stewardship MOU, VHCB delegated some day-to-day stewardship responsibilities for the Conservation Easement on the Private Timberlands to VLT and for the Public Access Easement to ANR. However, VHCB remains a full and active partner, and retains review and approval authority for various matters covered in the Easement and the MOU.

Figure 2: The Kingdom Heritage Lands in Vermont





The Conservation Fund and VLT were able to complete the \$26.5 million purchase by pulling together funding from a wide range of sources. In addition to the purchases by Essex (\$7.5 million) and the USFWS (\$6.5 million), funding to acquire the lands now included in the West Mountain WMA and the easements on the Private Timberlands came from several sources, including the Freeman Foundation (\$4 million), the Richard King Mellon Foundation (\$4.5 million), the State of Vermont (\$4.5 million), the North American Wetlands Conservation Act (\$1 million), and numerous smaller foundation grants and individual contributions. State funding was used to acquire the Conservation Easement and the Public Access Easement on the Private Timberlands. The lands now included in the West Mountain WMA were acquired with funding from the Mellon Foundation and the North American Wetlands Conservation Act.<sup>5</sup>

Since the original acquisition, some additional changes in ownership have occurred. The Private Timberlands were sold by Essex to the Plum Creek Timber Company (Plum Creek) in 2008. Also, two inholdings in West Mountain WMA were added to the WMA through donation and purchase with Forest Legacy Program funds.

## **2. Management Implications Resulting from the Acquisition**

Many parties contributed not only money, but also ideas and energy to this complex transaction. These participants sought to ensure that the public values their organizations represent would be reflected in planning and future management of these lands through the easements that are now permanently attached to the West Mountain WMA and the Private Timberlands. Beyond the requirements of the easements, agency mandates to which the ANR and the USFWS must adhere have important implications for future management, and Plum Creek has its own objectives as a for-profit corporation. In addition, the Vermont Legislature mandated certain requirements for future management, including guaranteeing "Use of land for traditional and lawful recreational use, including boating, fishing, trapping, snowmobiling, snowshoeing, skiing, bird watching, hiking, biking, hunting, including training and using hunting dogs, equestrian uses, and other currently allowed forms of traditional recreational uses" (as articulated in the 1999 Budget Adjustment Act).<sup>6</sup> And Governor Dean issued an executive order (#12-02) relating to the Kingdom Heritage Lands.

---

<sup>5</sup> A total of \$28 million was raised for the acquisition. Of this, \$26.5 million was paid to Champion. Most of the balance covered acquisition, holding and disposition costs, including appraisals, timber inventories, mapping, title reports, attorney fees, interest, stewardship and staff expenses; the remainder was placed in a fund for future forest land conservation in Vermont.

<sup>6</sup> A point of confusion arose during the planning process stems from what recreational uses were guaranteed in the Budget Adjustment Act. The passage quoted from the Act guarantees a more inclusive range of uses than some members of the public consider as "traditional uses." Specifically, many members of the public consider "traditional uses" to include hunting, fishing, trapping, bushwhacking (dispersed cross-country walking, skiing, and snowshoeing—i.e., not on trails) and snowmobiling, and do not view biking, equestrian uses, and hiking on trails as traditional. (In fact, biking and equestrian uses were not officially allowed by Champion on these lands but apparently did occur.) To minimize any further confusion, in this document the term "historic uses" denotes those uses that were allowed historically on these lands by Champion, including both long-standing historic uses such as fishing, hunting, trapping and bushwhacking, as well as snowmobiling, which is a more recent historic use. Therefore, the term historic uses is used in this document where it is understood that commenters clearly meant to convey hunting, fishing, trapping, bushwhacking, and snowmobiling as opposed to the broader list of "traditional" "lawful" uses identified by the Legislature.

In very general terms, the principal implications of the acquisition of these lands from Champion and their subsequent conveyance to the current owners are as follows:

a. State Lands (West Mountain Wildlife Management Area):

- The State Lands Easement mandates the protection of ecological values and the fostering of compatible pedestrian recreational use and utilization, including hunting, fishing and trapping, as the primary purposes of public ownership and management of the property.
- On some parts of the WMA, active forest and wildlife management will be conducted for the particular benefit of priority game and non-game species.
- The remainder of the WMA will be passively managed as an ecological Core Area or “Special Treatment Area”, as required by the Easement. In this area, natural processes such as forest succession will be allowed to shape the land and its natural communities with minimal human interference.
- Dispersed pedestrian uses (*e.g.*, walking, snowshoeing, cross-country skiing, hunting, fishing, trapping, boating, swimming, wildlife observation) are permitted under the Easement. Intensive and concentrated uses, including motorized, mechanized and equestrian activities, may occur only on approved recreation corridors.
- The North American Wetlands Conservation Act Grant Agreement requires the protection of 5,600 acres of wetlands and associated uplands within the West Mountain WMA that include important black duck production areas and that provide other significant benefits to waterfowl and other migratory birds (including several priority species and numerous rare and endangered species). The Grant also requires providing opportunities on that acreage for “open public recreation, including hunting, fishing, hiking, canoeing and birding.”
- Executive Order (#12-02) by Governor Howard Dean stated that the WMA shall allow “...perpetual public access for traditional recreational uses, including boating, fishing, trapping, snowshoeing, skiing, bird watching, hiking, and hunting (including training and using hunting dogs)...”
- Executive Order (#12-02) further stated that road access shall be maintained within two statute miles of any point in the WMA.

b. Private Timberlands (Plum Creek Timber Company):

- The Conservation Easement requires that these lands be managed for ecologically sustainable timber production consistent with a set of specified timber management standards. These include the requirement that after an initial 40-year period of forest

recovery, the Landowner must harvest at least half of the net annual growth of trees on the property.

- Certain ecologically sensitive areas that are identified in the Conservation Easement as “Special Treatment Areas” (such as deer wintering areas, small patches of “*old growth*” forest, and certain water bodies and wetlands) will be given special protection.<sup>7</sup>
- Dispersed pedestrian uses (*e.g.*, walking, snowshoeing, cross-country skiing, hunting, fishing, trapping, boating, swimming, wildlife observation) are permitted under the Public Access Easement. Intensive and concentrated uses, including motorized, mechanized and equestrian activities, may occur only on approved recreation corridors. For each approved corridor, an organization or individual must be identified that will serve as “Corridor Manager” and assume responsibility for management of the corridor.
- The Landowner retains the right to temporarily exclude the public from areas where active forestry operations are underway, in accordance with the Public Access Easement.

c. Federal Lands (Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge):

- As part of the National Wildlife Refuge System, the federal lands will be managed for fish, wildlife, and plant species and their habitats. Priority species will include migratory birds, endangered species, and native and migratory fish.
- With respect to public access and recreation, priority will be given to wildlife-dependent uses including hunting, fishing, wildlife observation, photography, environmental education, and interpretation. All public uses must be determined to be appropriate and compatible with the Refuge purposes and the mission of the USFWS and the National Wildlife Refuge System.

Additional information on the constraints on future use and management of the Kingdom Heritage Lands resulting from their acquisition and new ownership is presented in Appendix A: Summary of Easements and Other Important Legal and Policy Factors Affecting Future Use of the Kingdom Heritage Lands.

---

<sup>7</sup> The term “Special Treatment Area” (STA) is used in both the State Lands Easement covering the West Mountain WMA and the Conservation Easement covering the Private Timberlands that are now owned by the Essex Timber Company, but with different meaning and management implications. For the West Mountain WMA, the term is synonymous with the term “Core Area” that is used throughout the rest of this document, and refers to that part of the state lands in which natural processes will shape the landscape and its natural communities to the greatest extent possible. For the Private Timberlands, the term refers to specific ecologically sensitive areas identified in the Conservation Easement that are subject to special management provisions (*e.g.*, no-cut buffers around identified water bodies and wetlands; harvesting restrictions in deer wintering areas).

### **3. Planning Implications Resulting from the Acquisition**

Along with its contribution of funding toward the acquisition of the Kingdom Heritage Lands, the Vermont Legislature mandated that a comprehensive management plan for the West Mountain WMA be developed and updated every 10 years with involvement from Vermont residents and municipalities. In addition, the Public Access Easement for the Private Timberlands mandates the preparation of a Long-Term Public Access Plan for those 84,000 acres every 10 years.

To guide the process of updating the original Plans, the six organizations that own or hold easements on portions of the Kingdom Heritage Lands—the Vermont Agency of Natural Resources, the U.S. Fish and Wildlife Service, the Plum Creek Timber Company, the Vermont Land Trust, the Vermont Housing and Conservation Board, and The Nature Conservancy’s Vermont Chapter—convened a series of meetings throughout 2013 and 2014. In the spirit of collaboration that characterized the acquisition effort, the group operates by consensus.<sup>8</sup>

Significant public involvement has been a foundation of developing these Plans since the original acquisition of these lands. The specific steps taken to obtain public input and the substance of that input are summarized in Section V of this Plan.

## **B. Summary of the Regional Ecological Context**

### **1. General Context**

The Kingdom Heritage Lands are located in the “Northeast Kingdom” of Vermont, a region that contains one of the State’s most extensive areas of relatively remote and wild lands.<sup>9</sup> These lands include a substantial portion of the Nulhegan Basin, an extensive area of northern lowland forest and wetlands ringed by hills and mountains of moderate elevation and drained by the Nulhegan River. Bordering the Nulhegan Basin to the south, they include the Paul Stream and Wheeler Stream watersheds, which comprise a diverse landscape including wetlands and ponds, interspersed with low mountains and hills.

The Kingdom Heritage Lands have long been recognized as an interesting part of the rich diversity of landscapes and natural communities within Vermont. These lands include the only large ecosystem in Vermont with characteristics related to the boreal forest of Canada. Geologically and ecologically, these lands are more related to New Hampshire and western

---

<sup>8</sup> In the event of irresolvable disagreements related to management and use of the three properties, decisions will be made by those parties with legal responsibilities for each parcel—i.e., ANR in collaboration with TNC and VHCB for the West Mountain WMA; The Private Timberland owner (currently Plum Creek), VLT, and VHCB for forest management and conservation issues on the Private Timberlands; ANR, VHCB, and Plum Creek for public access issues on the Private Timberlands; and USFWS for the Nulhegan Basin Division of the Conte Refuge.

<sup>9</sup> The Green Mountains comprise the other notable area in this regard.

Maine than to the Green Mountains, and are a unique landscape of geologic features and glacial landforms.

## **2. Resource Significance**

The Kingdom Heritage Lands have numerous ecological resources and values that are significant at the state and regional (northern New England) levels. These lands are significant in two major respects:

### Concentration of High Value Resources:

These lands possess a concentration of unusual and high value natural resources, including:

- a rare ecological system in Vermont with boreal affinities—a large lowland basin dominated by spruce-fir forest (the largest lowland spruce-fir forest in Vermont) with a variety of forested and open wetland types;
- a large number of rare and/or state-significant natural communities, including at least 21 on West Mountain WMA and an additional 25 on the Conte Refuge;
- two occurrences of upland old-growth forest, plus a number of smaller wetland forests that may be considered old-growth;
- a number of pond-wetland complexes with very high ecological integrity and natural communities of statewide significance (including all eleven pond-wetland complexes in the West Mountain WMA);
- eight ponds which are Vermont Natural Heritage Sites, based on the presence of rare species (seven in the West Mountain WMA);
- miles of high-quality stream ecosystems, notably the Nulhegan River, which has recently been identified as a river of statewide significance because it, and its surrounding lands, are in exceptionally good ecological condition for a river of its size, and Paul Stream, which is recognized as an outstanding example of its type statewide, serving as a reference point against which the water quality of similar streams is compared.
- a population of state-threatened Eastern pearlshell mussel in the Nulhegan River;
- the only confirmed reproductive group of Canada Lynx (Federally listed as Threatened) in Vermont in more than 100 years.
- 47 rare and uncommon plant species, 6 of which are protected by the Vermont Endangered Species Law;

- state and regionally significant breeding habitat for numerous bird species, including songbirds, woodpeckers, raptors, waterfowl and grouse, including Vermont's only known breeding population of the rare spruce grouse;
- the State's largest deer wintering area.

#### Surrounding Forested Lands:

These lands are part of a vast area of relatively undeveloped forest that stretches from northern New York to eastern Canada, the so-called "Northern Forest Lands." The Northern Forest is the largest continuous expanse of relatively uninterrupted forest in the eastern United States. This extensive regional forest contains a range of forest age-classes, from early successional to, in a few isolated locations, mature forest, but it is by and large young forest, less than 100 years old. It provides important habitat for the large mammals native to the extensive northeastern deciduous, coniferous and mixed forests. These include black bear, bobcat, American marten, deer, and moose. In addition, the expanse of undeveloped forest in northern Vermont and New Hampshire comprise one of the most important geographic areas in the northeastern United States for bird species of regional conservation concern, as identified by Partners in Flight.<sup>10</sup>

Within this larger landscape setting, the Kingdom Heritage Lands link together other publicly conserved lands, (e.g., state forests, parks, wildlife management areas, municipal forests, and lands protected by Forest Legacy easements), into a nearly contiguous block of over 200,000 acres (Figure 3). Aside from the Green Mountain National Forest, this is the largest block of land in Vermont that is protected from development. Contiguous, largely forested tracts like this provide important habitat for the sustenance and movement of wide-ranging species, such as moose, bear, lynx, and potentially cougar and wolf, were they ever to return to Vermont.

Further, the Kingdom Heritage Lands provide a forested link between the northern Green Mountains, and the North Country of New Hampshire (Coos County). As an example of the ecological importance of this linkage, in the relatively recent past (since the 1960s), moose were able to repopulate the northern area of Vermont from the forested regions of northern New Hampshire through the Northeastern Highlands of Vermont.

The special value of this large block of protected lands lies in its largely un-fragmented nature. In a large-scale forested landscape where natural communities, with their native flora and fauna, are less broken up by the wide roads and cleared lands associated with development or agriculture, natural ecological processes retain more influence, and species that benefit from interior forest conditions find favorable habitat. In such areas there is less exposure to exotic plants and animals, which have the potential to greatly alter natural ecosystem patterns and processes. For example, in fragmented ecosystems, many songbirds

---

<sup>10</sup> Partners in Flight (PIF) is a coalition of over 300 partners from federal and state agencies, conservation groups, foundations, academia, and forest products companies working together on bird conservation across the continental United States.

suffer high levels of nest parasitism by brown-headed cowbirds, which leads to population declines. Also, roads and roadside ditches are known to be corridors along which nonnative invasive species can quickly spread. In simple terms, less fragmentation means more habitat available for most of the species native to the Northern Forest.

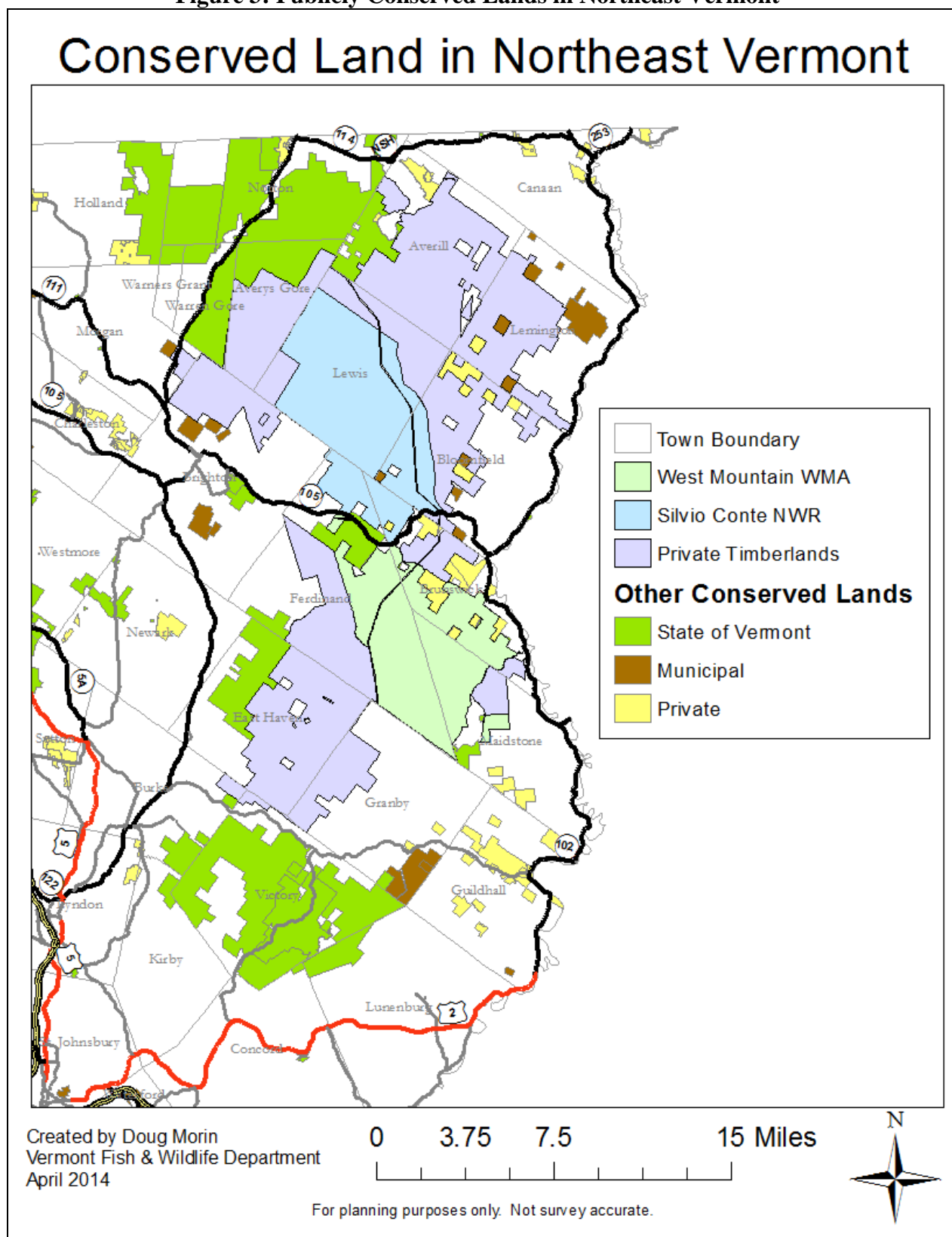
### **3. A Unique Opportunity**

Because of their large size, geographic position within a larger collection of conservation lands, and high natural resource values, the Kingdom Heritage Lands provide unusual opportunities for management of conservation lands at the landscape level. Additionally they provide a unique opportunity to passively manage a portion of the lands as an ecological core, an area where natural processes, rather than more active habitat management, will create a natural forest and wetland landscape. In the Core Area, a variety of natural community types, in a broad elevation range, will function under a regime of natural ecological processes, including natural disturbances, that will create a mosaic of vegetation types and ages and will provide habitat diversity from which many species will benefit.

The management of this large and ecologically important area will be advantageous for the whole Northern Forest. Species that benefit from large tracts of un-fragmented forest, from marten to neotropical migratory songbirds, will likely be able to maintain populations large enough to repopulate other less intact ecosystems in the surrounding areas. Furthermore, processes that help maintain ecosystems, and that shape the evolutionary forces to which all species continuously respond, will be able to operate at the large scales that they require for proper functioning.

Although there are large State forests in northern Vermont, no other State owned parcel possesses the size or physiography sufficient to permit a well-buffered ecological Core Area that includes such a wide diversity of natural communities and elevations, from mountain summit to valley bottom. The ecological core is surrounded by lands actively managed for timber, wildlife and public recreation, and together, the Core and those actively managed lands, will provide a diversity of resources and opportunities that society values. For the State of Vermont, this represents a big step toward the landscape-level management of conservation lands that scientists and policy-makers from around the globe have been promoting in recent decades.

Figure 3: Publicly Conserved Lands in Northeast Vermont





## C. Summary of the Regional Recreational Context

To make the best use of the resources on the Kingdom Heritage Lands, it is important to understand both the availability and demand for recreational opportunities in the surrounding region, and the opportunities the Kingdom Heritage Lands can provide that are found in few other places in Vermont. This provides an understanding of the special niche these lands may fill in the spectrum of recreational opportunities available in Vermont.

### 1. Key Aspects

Three aspects of these lands are particularly important to consider in planning for future uses and management:

Size of Protected Area: These lands, together with other surrounding state or public interest lands, form the largest block of public interest lands in Vermont other than the Green Mountain National Forest.<sup>11</sup>

Backcountry Character: This is one of the most sparsely populated and least developed areas in Vermont, with a relatively wild, rugged, “backcountry” character that is uncommon in the state.

Accessibility: Despite this seeming remoteness, this area is highly accessible to a large population via Interstates 91 and 93. Millions of people live within a day’s drive of the Kingdom Heritage Lands, including residents of Montreal, Boston, New York, and—Vermont’s fastest growing area—Burlington.

### 2. Regional Supply of Recreational Opportunities

Public Interest Lands: Vermont has nearly 900,000 acres<sup>12</sup> of public interest lands, including over 400,000 acres in Federal lands. There are approximately 255,000 acres of public interest lands in the Northeast Kingdom. The Kingdom Heritage Lands comprise more than half of these (132,000 acres).

Hunting and Trapping: The Northeast Kingdom is Vermont’s premier wildlife region in many ways. The Northeast Kingdom offers both some of the largest populations and best access to moose, grouse, bear, woodcock, snowshoe hare, and other game species.

Fishing: There are over 3,800 miles of fishable trout streams in Vermont. The Northeast Kingdom is Vermont’s top region for trout and salmon. On the Kingdom Heritage Lands, the

---

<sup>11</sup> Throughout this document, the term “public interest lands” is used to describe both lands owned in fee by federal, state or local government, and privately held lands upon which an easement has been placed that guarantees public access.

<sup>12</sup> This represents about 15% of the land area in Vermont (total land area of 9,249 square miles or 5.9 million acres).

North Branch of the Nulhegan River and the Moose River above Victory are both listed as “best bets” for brook trout (Fish Vermont, VT Fish and Wildlife Dept.).

There are 295 lakes and ponds in Vermont; over 80 of these are in the Northeast Kingdom, which account for two-thirds of the acreage of lakes and ponds in the State excluding Lake Champlain. Seven out of 13 walk-in only trout ponds in the state are located in the Northeast Kingdom, 4 being on the Kingdom Heritage Lands. Altogether, there are 13 lakes and ponds on the Kingdom Heritage Lands.

Snowmobiling: There are over 6,000 miles of snowmobile trails in Vermont; over 2,000 of these are in the Northeast Kingdom. Island Pond is the snowmobiling capital of Vermont. Trails from this area connect to trails in New Hampshire (and then to Maine) and Canada.

In accordance with this plan, VAST has been approved as snowmobile trail Corridor Manager for the Kingdom Heritage Lands, and manages that use on up to 150 miles of existing roads and trails on West Mountain WMA, the Private Timberlands, and USFWS Conte Refuge.<sup>14</sup>

Cross-country Skiing: There are over 1,000 cross-country ski trails in the State of Vermont offered at more than 150 sites. Chittenden, Lamoille, and Caledonia counties have the most cross-country skiing centers. In northern Vermont there are 13 major commercial cross-country ski centers with roughly 975 miles of groomed trails; 5 of these centers, including 345 miles of trails, are in the Northeast Kingdom. There are no established cross-country ski trails on the Kingdom Heritage Lands.

In northern New Hampshire there are hundreds of additional miles of cross-country ski trails available in 5 state parks, close to 500 miles of groomed trails at commercial ski resorts, and 225 miles of packed (not groomed) trails in the White Mountain National Forest.

Hiking: Vermont has thousands of miles of trails available to hikers. (There is no complete inventory of trails in the state.) There are approximately 700 miles of hiking trails within the Green Mountain National Forest in southern and central Vermont alone, including portions of the Long Trail and the Appalachian Trail. There are limited hiking trails in the Northeast Kingdom (less than 50 miles), located primarily in State Forests and Parks.

In New Hampshire, the White Mountain National Forest includes over 1,200 miles of trails, and over 60 peaks with elevations of 4,000 feet or more, the highest mountains in the Northeast. The Cohos Trail Association has been working to establish a new long-distance trail through New Hampshire’s North Country, beginning in the White Mountains near Crawford Notch, and extending 150 miles to the Canadian border.

---

<sup>14</sup> Under the terms of the agreement for the acquisition of the Kingdom Heritage Lands and Public Access Easement on the Private Timberlands, a maximum of 150 miles of the snowmobile trail network on these lands is to be open for use in any given year.

In accordance with this plan, Green Mountain Club, has been developing trails on the Private Timberlands, as hiking trail Corridor Manager for the Kingdom Heritage Lands. GMC has constructed 6 miles of trails to Bluff, Middle, and Gore Mountains, with approved plans for an additional 6 miles.

Horseback Riding: Horseback riding on public lands in most of Vermont is restricted to designated roads and trails. State Forest Highways and some trails in the Green Mountain National Forest are also available for horseback riding.

Horseback riding is allowed on all trails and gated roads in the White Mountain National Forest (WMNF) except the Appalachian Trail.

In accordance with this plan, the Vermont Horse Council (VHC) has been approved as equestrian trail Corridor Manager for the Kingdom Heritage Lands, and manages equestrian use on about 35 miles of existing roads on West Mountain WMA, the Private Timberlands, and the nearby Victory WMA and State Forest.

Mountain Biking: In Vermont, mountain biking is allowed on State Forests and Wildlife Management Areas roads and designed trails, and parts of the Green Mountain National Forest. Commercial four season resorts and ski centers are the primary providers of trails developed for mountain biking. In northern Vermont there are multiple commercial mountain biking centers offering over 100 miles of single-track trails.

In northern New Hampshire mountain biking is allowed on most trails in the White Mountain National Forest, excluding the Appalachian Trail and trails in the Wilderness areas. In addition, there are a number of ski resorts that have developed mountain bike trails, as well as several state park facilities with trails.

Roads as Trails: There is a considerable network of dirt roads and over 1500 miles of class 4 roads (unmaintained public rights of way) available for horseback riding and mountain biking in Vermont. In northern Vermont, there are 600 miles of these class 4 roads (375 miles in the Northeast Kingdom).

### **3. Existing Recreational Demand in Vermont and Northern New Hampshire<sup>15</sup>**

Information on existing levels of public participation in various recreational activities in Vermont and northern New Hampshire is presented below. Note that recent trends are not necessarily indicative of future levels of participation for certain activities.

Hunting: As of 2012, about 11% of Vermonters hunted (about 64,000 people). Nationally, and in New England, the number of hunters has been declining at least since the 1970's.

---

<sup>15</sup> This subsection summarizes existing recreational demand data for the broad region of Vermont and northern New Hampshire. For more specific information on current recreational use of the Kingdom Heritage Lands, see Parcel Description—Levels of Recreational Use.

From 2001 to 2011, the number of Vermont residents hunting declined by 5%. Vermont also draws almost 10,000 nonresident hunters each year to the state. At the same time there has been an increasing number of specialty hunting licenses (deer-archery; muzzleloader, and turkey), both for residents and non-residents. These specialty licenses do not represent additional hunters, but rather additional types of hunting.

Fishing: As of 2012, approximately 13% of Vermont residents fished (about 80,000 people). Fishing license sales, like hunting license sales, have also been declining in Vermont. The state brings in about 35,000 additional nonresident anglers each year, though the National Survey of Fishing, Hunting, and Wildlife Associated Recreation estimates residents accounted for the majority of fishing days in Vermont. About half of the total fishing effort by both residents and non-residents statewide is for trout or salmon.

Trapping: The number of licensed trappers also has been declining in the Northeast over recent decades. Trapping increased in Vermont during the 1970's and reached a peak in 1980 when 3,090 licenses were issued. Since 1995 the number has typically ranged between 400 and 500 licenses per year, but has recently been increasing—and exceeded 700 in 2012.

Snowmobiling: Snowmobiling participation peaked in Vermont in the early 2000s, and has declined significantly since, but remains a significant part of the state's winter recreation. Membership in the Vermont Association of Snow Travelers (VAST) increased from near 20,000 in the mid-1990s, to above 45,000 in 2003, only to drop again to near 24,000 in 2012. Almost a third of VAST memberships are from out-of-state. VAST membership is required in order to use the majority of trails in Vermont.

Cross-country skiing: Interest and participation in various types of cross-country skiing remains strong throughout the region. The 2011 Outdoor Recreation Demand Survey conducted by UVM found that nearly 12% of Vermonters participate in cross-country skiing. The highest levels of participation are at private ski areas that offer a variety of amenities, sometimes including lodging. At the same time, cross-country/back-country skiing is increasing in wilderness or remote areas in Vermont and New Hampshire, both on trails that are packed but not otherwise groomed and in locations without established trails. The magnitude of this demand is not known.

Hiking: Hiking is one of the nation's most popular outdoor activities, with 35 million participants each year. Hiking is also growing in popularity in the area: the White Mountain National Forest and Green Mountain National Forest both have seen increased use over recent decades. In the 2011 Outdoor Recreation Demand survey, hiking was the activity preferred by the most Vermonters: one in six rated it as their favorite outdoor recreation activity.

Mountain Biking: Mountain biking is a growing sport in the region. There has been a steadily increasing demand in mountain biking user-days in the White Mountain National Forest (where mountain biking is allowed on most trails) since the 1980's. About 20% of Vermonters take part in bicycling of some kind. In Vermont, however, limited opportunities for off-road biking and preferences for certain trail types (varied single track) lead most

mountain biking to occur on private lands with trail systems developed specially for such use.

Horseback Riding: About 3% of Vermonters take part in horseback riding. Vermont, however, is a popular state for horseback riding, attracting equestrian enthusiasts from the Northeast region to ride the many back roads and trails in Vermont.

Wildlife Observation: Approximately 370,000 Vermont residents, or 60% of the state's population, participated in wildlife observation activities in 2011. About 100,000 residents and 80,000 nonresidents spent time wildlife watching on special trips away from home.

#### **4. Special Recreational Opportunities of the Kingdom Heritage Lands**

Recreational opportunities available on the Kingdom Heritage Lands that are unusual in the spectrum of opportunities available in Vermont as a whole include:

- Hunting in a remote backcountry setting.
- Fishing in a remote stream or pond.
- Wildlife observation with excellent opportunities for seeing a diversity of species, including those that utilize large undeveloped areas.
- Snowmobiling in an expansive backcountry region.
- Cross-country walking, snowshoeing, and/or skiing in a remote setting (bushwhacking).

#### **D. Economic and Social Considerations**

The economic and social impacts associated with the Kingdom Heritage Lands Project have been an important consideration in planning for the future of these lands from the outset of negotiations for their purchase. Historically, the region has been subject to a “boom and bust” cycle that has corresponded to extensive harvesting when timber has matured. Most recently this cycle played itself out during the late 1980s and early 1990s when the land was heavily logged. In addition, numerous global forces have caused companies to sell large tracts of land throughout the northeastern United States. On many of these parcels, public access and the associated economic benefits from expenditures by hunters, anglers, and other recreation users have been put at risk.

Negotiations over the future of the Kingdom Heritage Lands during the acquisition process were concerned with both continuing the role these lands have played as a contributor to the local, regional and State economies, continuing the tradition of public access to and recreation on these lands, and protecting the lands' significant ecological resources. Further, the parties involved in the land transaction understood that these concerns were interrelated, as the contributions the Kingdom Heritage Lands made to the region's economy included not only supplying wood and jobs for the region's forest products industry, but also attracting recreationists who contribute to the region's economy.

This project hopes not only to continue these values but also enhance them by:

- Ensuring that 84,000 acres of the Kingdom Heritage Lands would forever be managed for quality sawlogs on a sustainable yield basis;
- Ensuring protection of the lands extraordinary natural resources to safeguard the area's ecological value and its attraction for recreationists; and
- Ensuring perpetual public access to the Kingdom Heritage Lands for hunting, fishing, trapping, and other compatible uses.

When the Vermont Legislature considered funding the Kingdom Heritage Lands project, discussion centered not only on the timber resource and related economic activity, but also on the significant roles the lands play in providing a site for a variety of recreational pursuits, including such activities as hunting, snowmobiling and wildlife observation. Obtaining perpetual access to the Kingdom Heritage Lands was seen as a critical measure if local traditions were to be maintained and the region's travel and tourism industry was going to thrive. With the land base secure, associated economic development could occur to the extent that it is compatible with individual and community desires.

Following the purchase of the property and in conjunction with the planning process for the Kingdom Heritage Lands, the Steering Committee and CAC participated in a number of discussions regarding possible community and economic impacts associated with management of these lands. Four formal meetings on the topic included personnel from the Departments of Economic Development and Forests, Parks and Recreation, people involved in economic development at the regional level, academics with relevant expertise, and representatives from many of the most directly affected communities. economic issues were discussed during several other open public meetings that were held during the planning process.

This planning process was a resource management and public access planning effort, not one aimed at economic development. With respect to the economic effects of the Plans, the Steering Committee considered economic implications in reaching management decisions, and encouraged local interests to come together to plan how best to capitalize on the economic opportunities created by the new ownership and management of these lands. The meetings hosted by the CAC that were focused on economic issues included consideration of how the communities could capitalize on these opportunities and avoid potential pitfalls, and acquainted local participants with organizations and resources that are available to assist them as they pursue local economic planning efforts.

In addition to holding public meetings to explore this issue and encouraging local efforts to capitalize on the opportunities the new ownerships present, the Steering Committee considered whether a statewide analysis of the fiscal benefits of the timber industry or other existing data could be used to reach any conclusions associated with the use and management of the Kingdom Heritage Lands. Unfortunately, the data for Vermont cannot be segregated for an ownership the size of the Kingdom Heritage Lands nor even Essex County as a whole with any expectation of statistical reliability. In addition, data associated with historic or anticipated harvest volumes

from the Kingdom Heritage Lands are unavailable because this information is proprietary and not publicly available.

While specific data are not available to evaluate precisely the economic impact of the changing ownership and management of the Kingdom Heritage Lands, including establishing an ecological core are of roughly 12,500 acres on the West Mountain WMA, ANR estimates that any economic losses to the local timber based economy that might arise from the establishment of a Core Area will not be large. Potential loss of wood production from the Core Area, were it to be managed sustainably, are estimated be on the order of 3,000 to 6,000 cords per year, which is roughly 10% of the production potential of the entirety of the Kingdom Heritage Lands. This potential loss due to the Core Area is likely to be more toward the low end of this range given that a substantial portion of the area is in steep slopes (West Mountain), or in wetland areas (Ferdinand Bog and others). Further, in the short term, losses will be minimal under any forest management scenario since there is little wood left to be harvested from the area due to the heavy cutting of this land by Champion prior to its sale.

Although there will be a net loss in timber production from the West Mountain WMA Core Area, over the longer term, wood will continue to be harvested from the actively managed portions of the WMA and the Conte Refuge lands to benefit wildlife habitat, and the 84,000 acres of the Private Timberlands will be managed primarily for high value sawlogs. This benefits the local economy in a number of ways. First, the forest resource is being managed sustainably, which produces a more even and reliable flow of timber from the land and a more stable economy; secondly, the value of the timber is higher as sawlogs than as pulpwood; and thirdly, there is potential for an even greater contribution to the local economy if the logs are sawed and possibly processed locally. Under the Champion ownership, pulpwood harvested from these lands was largely shipped to out of state mills.

Any potential losses to the local economy from the loss in timber production in the Core Area of the West Mountain WMA may be largely, if not entirely, offset by enhanced yields and values from timber harvests on the Private Timberlands, and the enhancement of the region's tourism and recreation sector. Recreationists are be attracted to the area for the opportunities for wildlife observation, natural history study, and backcountry activities created by the diversity of management approaches on the Kingdom Heritage Lands, including:

- an ecological Core Area in the WMA,
- Special Treatment Areas on all three parcels of the Kingdom Heritage Lands, active wildlife management areas in the West Mountain WMA and Conte Refuge lands, and
- a working forest on the Private Timberlands with public access for a variety of compatible recreational activities, and favorable habitat conditions for game species resulting from timber harvesting.

There is likely a combination of increased value of wood products from these lands, increased use of guide services in the area, patronage of local businesses, and other economic benefits. On balance, the management of the Kingdom Heritage Lands is expected to benefit, the local and regional economies.

The private aspects of the “camp culture” that has been a traditional part of this area will be phased out over a period of decades on the West Mountain WMA and on the federal lands as the private camp leases expire. However, camp leases on the Private Timberlands are continuing (at the discretion of the owner) as in the past, and some camps on the West Mountain WMA may be retained for public use. In addition, ANR believes that providing for permanent protection and guaranteed public access to and use of 132,000 acres of lands will maintain and enhance other cultural and social values important to a broader public of users, including local

A principal public value resulting from the changing ownership and management of the Kingdom Heritage Lands is the 12,500-acre Core Area on the West Mountain WMA. This ecological Core Area will re-establish an aspect of the landscape that was, until the last few decades, an essential part of the character of the north country of Vermont: an area which is largely inaccessible except by foot or canoe. The Core Area will enable Vermonters as well as others to experience recreation and utilization opportunities in a setting with, perhaps, fewer other users—all within a forest with characteristics determined by the forces of nature. Due to the size of the Core Area, the experience of remoteness will be relatively unique on a statewide level. Along with providing the types of recreational experiences normally available on State wildlife management areas, preserving opportunities to hunt, hike and otherwise enjoy the region’s “natural” forests and wetlands is also an important objective of the ANR, and is consistent with Vermont’s traditional outdoor heritage.

Establishing a Core Area that provides remote recreation opportunities in an environment with little human intrusion has not only significant recreational, but also social values. Having the opportunity to hunt, hike, and camp in a Core Area allows people to experience and better understand their relationship with nature, and to gain a valuable perspective on the ever-changing landscape that they live in. Another social value of having a Core Area is that it provides important educational opportunities. Visitors to the Core Area will be able to observe the physical characteristics of naturally functioning forests and wetlands, and to contrast those with other areas close by that are managed primarily for wildlife or as working forests. Research performed in the area will inform Vermonters about the ecology of the area, and visiting the area will enhance people’s understanding and perspective of our natural environment. These social values will be available to all Vermonters as well as visitors from distant areas.

The Active Management Areas of the Kingdom Heritage Lands will provide other cultural and social benefits. In particular, the actively managed portions of the State and Federal holdings within the Kingdom Heritage Lands, provide permanently guaranteed opportunities for multi-generational hunting, wildlife observation, and other backcountry activities in an area which is relatively easily accessible, rich with wildlife species selected for habitat enhancements, as well as opportunities to observe active wildlife management techniques. Also, the public access guaranteed on the Private Timberlands affords easily accessed opportunities to observe sustainable forestry operations, and opportunities to explore a vast undeveloped area by road, snowmobile trail, or bushwhacking. In short, there are significant social and cultural benefits from a diverse set of opportunities to enjoy the outdoors through a variety of activities, while gaining an appreciation of a range of land management approaches aimed at optimizing economic, recreational, and natural resource values in an extensive, undeveloped landscape.



## **F. Management Direction for the Kingdom Heritage Lands As a Whole**

Another important factor considered in planning for the future management of the West Mountain WMA and public access on the Private Timberlands is the broader management direction that was formulated for the Kingdom Heritage Lands as a whole. The management of these parcels should remain consistent with, and contribute to, the achievement of the broader management direction. Much of the overarching management direction was developed before the conveyance of the land from Champion by the public and non-profit partners who collaborated on the acquisition (*i.e.*, ANR, VHCB, VLT, TNC, USFWS, and The Conservation Fund), and this vision has been enriched by the public planning processes and ongoing collaborations of the partners.

### **1. Overall Vision**

Since early in the acquisition effort, the broad vision for the future of the Kingdom Heritage Lands has been the following (not in any particular order):

- Keep the area undeveloped;
- Produce a sustained flow of high-value timber;
- Exemplify environmentally sensitive forestry;
- Protect and enhance habitats for a diversity of native species;
- Protect environmentally sensitive areas;
- Conserve large, regionally significant northern forest ecosystems for their inherent value and as a place to study and observe the workings of ecosystems;
- Protect ecosystem function and natural ecological processes;
- Continue sustainable utilization of wildlife resources through hunting, fishing and trapping;
- Continue the tradition of open public access and compatible recreational use of the land;
- Continue the important role these lands have played in the culture and economy of the region.

This broad vision is to be accomplished through different but complementary management and use of the three ownerships that make up the Kingdom Heritage Lands. On the portion of the property now owned by Plum Creek (nearly 2/3 of the overall area), timber production through sustainable forestry and compatible public recreation are the dominant uses, with certain wildlife habitat benefits as ancillary values. West Mountain WMA, which represents approximately 1/6 of the overall area, is managed for a combination of ecosystem protection, traditional wildlife habitat management, and compatible public use, with timber management ancillary to those other purposes. The Conte Refuge, which covers the remaining 1/6 of the overall area also is managed for wildlife, ecological values and compatible public recreation.

### **2. Overall Theme for Management**

The following statement incorporates the broad vision outlined above and the important background considerations described earlier in this document into a single unifying theme for management of the Kingdom Heritage Lands:

*Manage the Kingdom Heritage Lands as a rugged, remote, and ecologically sustainable landscape, with diverse and complementary forms of land management designed to preserve and enhance environmental, social, and economic values, by providing for the production of forest products, conservation of rare and exemplary natural features and ecological processes at both a large and small scale, habitat for target wildlife species, and maintenance of the special opportunities for public use and recreation provided by this large, undeveloped landscape and primitive setting. This will require that the mix and relative dominance of management and uses will vary both among the three ownerships and within a single property.*

### **3. Goals and Objectives for the Management of All Three Parcels**

Within the broad bounds of the overall vision and management theme stated above, the following goals and objectives provide more specific direction for the management of the Kingdom Heritage Lands as a whole. Both the goals and objectives identify ends to be achieved through management, but the goals are more general, while the objectives are more explicit and measurable.

#### **d. Management Goals:**

- 1) Enhance and restore natural resource conditions (e.g., develop a structurally diverse and productive forest, restore in-stream habitats and riparian buffers, and enhance wildlife habitats) and improve the stewardship of natural resources in the future.*
- 2) Protect native biodiversity at the site, ecosystem, and landscape levels.*
- 3) Rebuild, diversify, and stabilize the contribution these lands make to the local and regional economy.*
- 4) Provide opportunities for continuation of the public uses that have taken place historically on these lands (e.g., hunting, fishing, trapping, and other dispersed pedestrian uses) and for other compatible recreational activities.*
- 5) Maintain the area's predominantly undeveloped, rugged, and remote character and the contribution it, the wildest part of the region's landscape, makes to local communities and the rural lifestyle of its residents.*

#### **e. Management Objectives:**

- 1) Protect or restore rare species and rare or exemplary natural communities*

- 2) *Protect and enhance wildlife habitats and provide both active and passive wildlife habitat management, as appropriate for designated target species, which addresses local, regional and national needs.* Wildlife habitat management will occur on all three parcels, but wildlife habitat benefits on the Private Timberlands will be ancillary to timber production. On the Conte Refuge and the West Mountain WMA, active wildlife management activities (including forest management) will be undertaken specifically to improve conditions for target species.
- 3) *Provide a large ecological Core Area or areas on the public lands where natural processes are allowed to proceed with minimal human management and which will provide a benchmark over time for comparison with more intensively managed landscapes.*
- 4) *Protect and restore aquatic ecosystems.* The terms of the easements for the Private Timberlands and West Mountain WMA call for measures such as riparian buffers aimed at protecting and, over time, restoring aquatic ecosystems. While not mandated by easements, the U.S. Fish and Wildlife Service will undertake such efforts on the Conte Refuge lands as well. Other more active restoration efforts also may be appropriate.
- 5) *Manage forest lands for a variety of benefits, including a sustainable flow of forest products and high-quality habitat for target wildlife species.* Note that not every stand will be managed for all uses. Most timber harvesting activity will take place on the Private Timberlands, where sustainable production of forest products is a primary objective (as called for in the Conservation Easement on that property). Timber harvesting for wildlife management purposes will take place both on the Conte Refuge and on the West Mountain WMA.
- 6) *Protect the predominantly wild, undeveloped, rugged character of the Kingdom Heritage Lands, with a minimum of developed recreational infrastructure*
- 7) *Continue compatible dispersed pedestrian utilization of the lands and their resources for such activities as hunting, fishing, snowshoeing, wildlife observation, and trapping in a “big woods” northern Vermont setting.*
- 8) *Provide for other forms of public use and recreation (e.g., trail-oriented activities such as snowmobiling and hiking) as compatible with the easements and agency policies and mission.*

## **IV. DESCRIPTION OF THE PROPERTY (With Emphasis on Public Access and Recreation)**

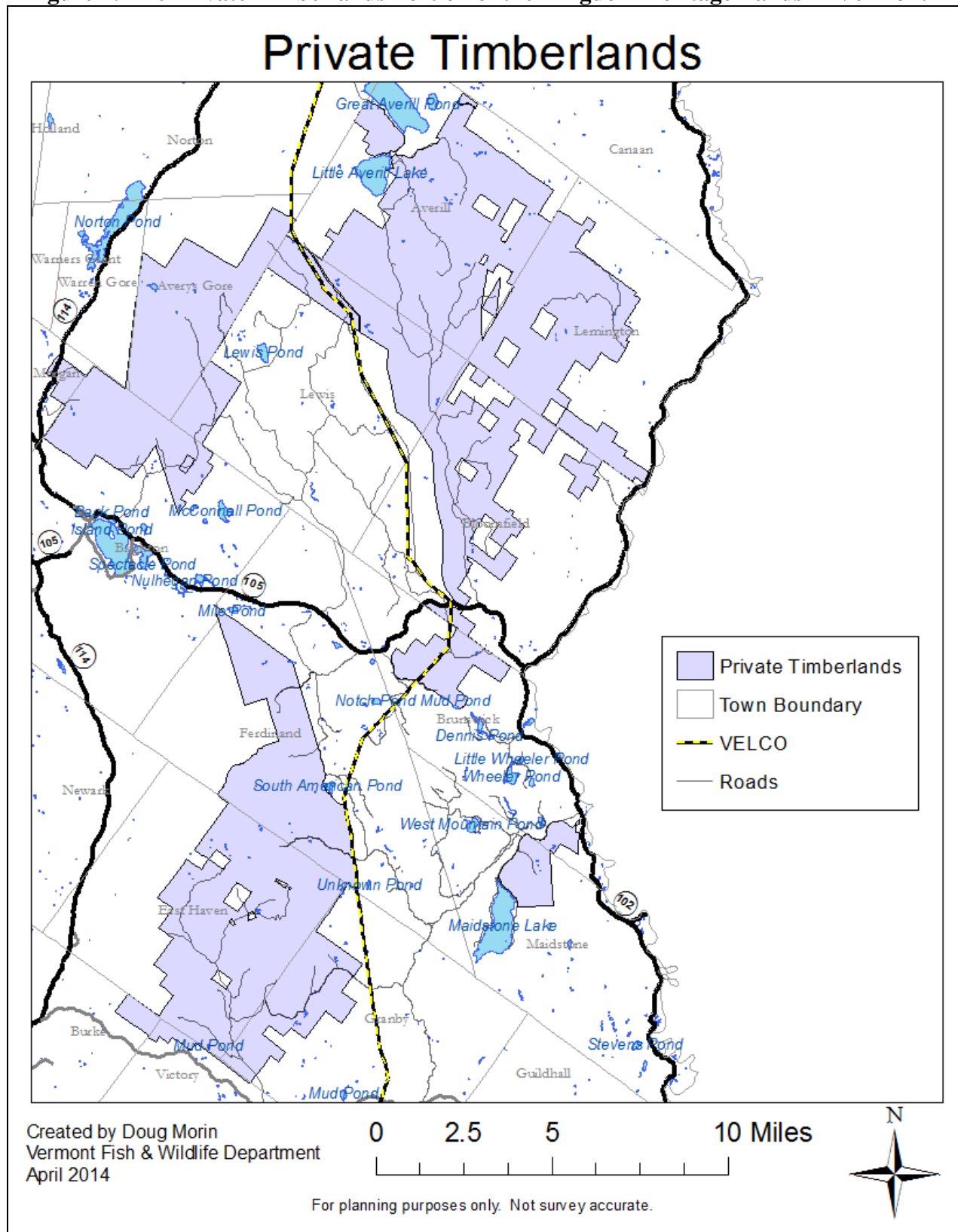
### **A. Overview of the Private Timberlands**

Location And General Description: The Private Timberlands portion of the Kingdom Heritage Lands (currently owned by Plum Creek Timber Company) encompass approximately 84,000 acres of land within the towns of Granby, East Haven, Burke, Victory, Maidstone, Ferdinand, Brunswick, Brighton, Morgan, Bloomfield, Lewis, Avery's Gore, Lemington, and Averill in northeastern Vermont (Figure 4). The lands range north 30 miles from the town of Victory almost to the Canadian border and west 20 miles from the Connecticut River Valley to VT RT 114. These lands are located amid more than 200,000 acres of conserved lands. This undeveloped expanse of forests, mountain peaks, ponds, and streams contributes greatly to the character of this region. In addition, these lands are important to the quality of life in the "Northeast Kingdom" and surrounding area. These lands have long contributed to the local forest-based economy, provided important fish and wildlife habitats, and been a place for public recreation.

Natural Resources Context: The Private Timberlands are situated within the Northeast Highlands Biophysical Region. This biophysical region is characterized by cold temperatures, heavy snowfalls, short growing seasons, and thin, acidic soils. The Private Timberlands encompass six ecologically significant areas, including areas of old growth forest, undisturbed wetland complexes, deer wintering areas, and relatively remote ponds. The lands include a wide variety of wildlife habitats, from ponds, streams, wetlands, and vernal pools to vast slopes of hardwood forest, softwood in lowland basins, and mixed-wood forests, of various age classes and at elevations ranging from 850 feet along the Connecticut River in Lunenburg to more than 3,000 feet on the upper slopes of East Mountain in East Haven. Approximately 60% of the lands are hardwood types, 20% softwoods and 20% mixed woods. Northern hardwoods dominate hardwood types with spruce and fir dominant in the softwoods.

The lands are home to over 200 different species of birds, mammals, reptiles, and amphibians. The boreal characteristics of the biophysical region reflect many of the species present. Noteworthy species include boreal chickadee, rusty blackbird, black-backed woodpecker, American marten, Canada lynx, mink frog, snowshoe hare, black bear, moose, and white-tailed deer.

**Figure 4: The Private Timberlands Portion of the Kingdom Heritage Lands in Vermont**



Historical Context: Historians postulate that these lands were first settled by Native Americans during the Paleo-Indian Period over ten thousand years ago. From the Paleo-Indian time period through the most recent Woodland and Contact Periods, the region offered important hunting and trapping territories, as well as an important travel and trade route between settlements in the St. Lawrence Valley and on the coast of Maine. Euro-American settlers started filtering into the region during the 1780s, setting up subsistence farms in the Connecticut River Valley. Soon after, small-scale industries such as gristmills and sawmills arose to support these early pioneer farms. Most of this settlement activity occurred at the periphery of the present-day Private Timberlands. It was not until the 1850s, during the time of the great log drives and the lumbering period, that these lands began to be used primarily as a source of raw materials for the forest products industry. Through the ownership history since that time, from George Van Dyke and the Connecticut Valley Lumber Company to the St. Regis Paper Company, Champion International, Essex, and the present owner, the Plum Creek, the lands have been owned by private timber/paper companies and managed for their timber resources and compatible public recreation use.

Tradition of Public Recreation Use: Each of the private owners of these lands has successively continued the tradition of allowing public access. Recreation on these lands largely mimics recreation on other large industrial forestlands across the Northern Forest. Public access has always been allowed for uses such as hunting, fishing, trapping, and bushwhacking. Today, snowmobiling is also a major activity.

The private industrial owners also have had a longstanding recreational camp lot-leasing program. Presently there are sixty-three camp lot leases on the Private Timberlands portion of the Kingdom Heritage Lands. Camp leases allow individuals or private associations to occupy and maintain privately owned camps for recreational purposes at a specified site for a period of time, consistent with the requirements of the Public Access and Conservation Easements.

Recreational Resources: The Private Timberlands are served by a 159-mile system of gravel roads, winter roads and skid trails. While these were developed for forest management, they also provide access to thousands of acres of land. Snowmobiles utilize 117 miles of the road system during the winter months.<sup>16</sup> These lands have also provided for hunting, fishing, berry picking, cross-country skiing, snowshoeing, and many other dispersed recreational activities. Notable recreation features include Sable Mountain, Madison Brook, East Branch of the Nulhegan River, and Unknown Pond in Averill. Existing recreation infrastructure (except snowmobile trails, and a small number of hiking trails) is scarce, informal, and primitive, and has largely been created and maintained by use.

## **B. Existing Roads**

Internal access on the Private Timberlands is provided by a 159.27-mile network of roads (Figure 5). The road density on the Private Timberlands is currently 1.19 miles of road per

---

<sup>16</sup> The location and mileage of snowmobile trails on the Private Timberlands may vary from year to year.

square mile. Gravel roads account for 87.6 miles of the road system. For management purposes, roads on the Timberlands are classified into three classes based on function and road condition:

Class A – Major Access Road – Gravel, all-purpose roads, generally open to public vehicular use<sup>17</sup> and suitable for frequent or continuous use except during winter and spring mud season, when closures are required. Drainage structures are permanent and road surfaces consist of aggregate fill.

Class B – Minor Access Road – Roads that typically dead end at log landings, may or may not have aggregate surfacing or drainage structures, and may or may not be open for public vehicular travel.

Class C – Unimproved Road/Winter Road – Roads that have little or no aggregate surface, and that have non-permanent drainage structures. These roads may be used for management activities (*e.g.*, logging operations) under winter/frozen ground conditions. These roads are not open to public use by motor vehicles, and will not be maintained for travel by the public.

This Plan deals only with roads that are open for public vehicular travel. Further, this Plan deals only with improvement, management, maintenance and closure issues on these roads, as no new roads for public vehicular use or relocation of roads already open to the public are anticipated.

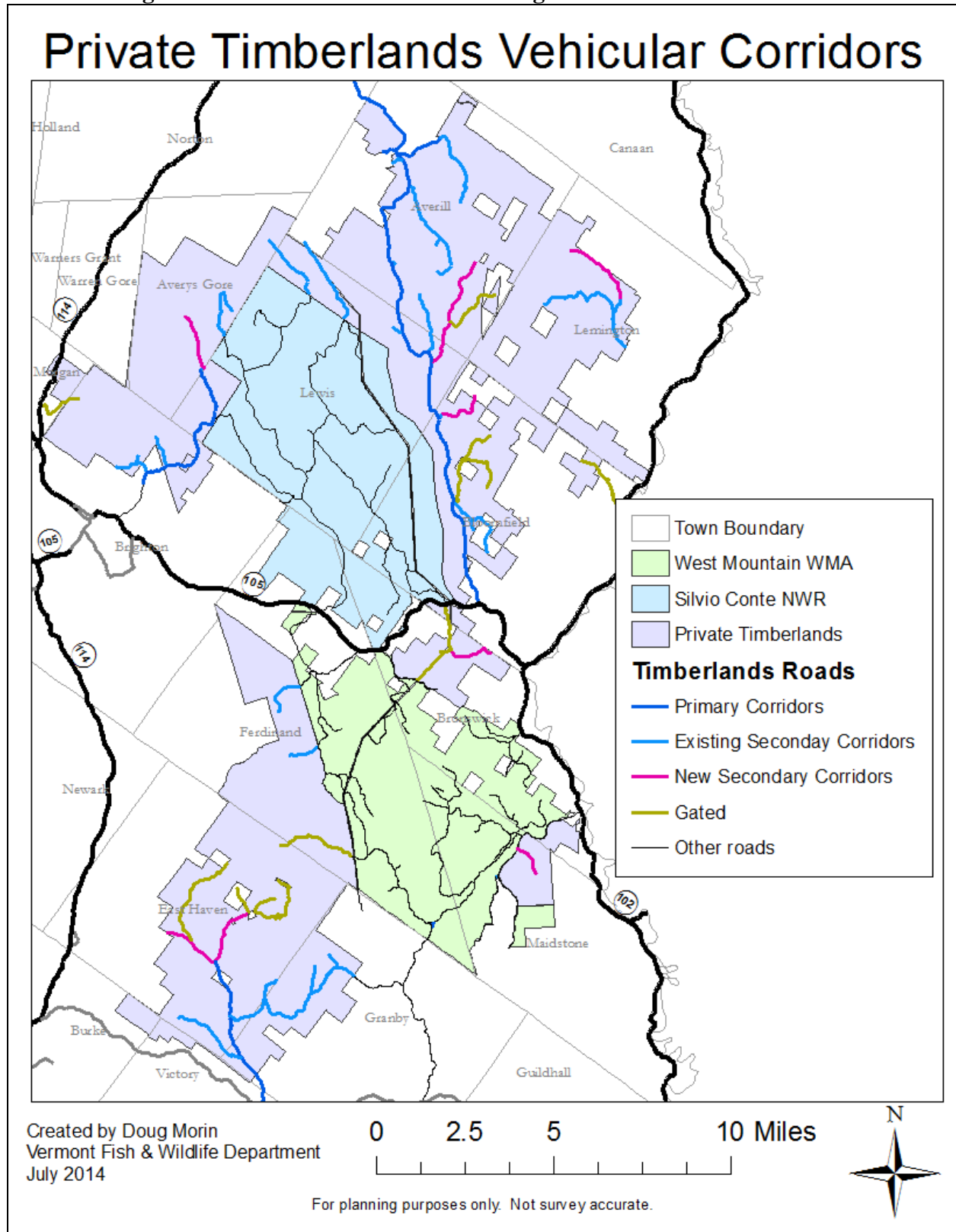
The Private Timberlands include five major access roads (28.75 miles, Class A). Major access roads include the John Irwin Road, Henshaw Road, East Branch Road, Sable Mountain Road, and the Willard Stream Road. These roads were built as main haul roads for the removal of timber. Since State acquisition of the Public Access Easement, many of these roads have received significant maintenance work.

The John Irwin Road provides access to the southwestern area of the Private Timberlands. It was dedicated to John W. Irwin, Sr. in 2001 in recognition of his long service as land-steward. The road begins in Gallup Mills at its junction with the Victory/Granby Road. From its departure at this junction, the road travels north, passes the Granby Town Hall in a short distance, and enters onto lands owned by the Irwin Family. The road passes onto the Private Timberlands at mile 1, and continues north traveling along the western side of the Moose River. This section of the road travels on the bed originally laid down for the Moose River Railroad. Remnants of this logging railroad, such as the turnstile, can still be seen today. At mile 1.5, the road forks with the left fork leading into East Haven and Mud Pond. At mile 2.7, the road intersects with a road leading off to the right that travels generally northeasterly and provides access over the height of land to Stony Brook, Fitch Brook and Granby Stream. The John Irwin Road ends as a Class A road open to vehicle travel at mile 4.5. Lands along Greer Brook and the West Branch of the Moose River can be accessed on foot from this junction.

---

<sup>17</sup> Public vehicular use of roads on the Private Timberlands is allowed if a road is designated as a Primary or Secondary Motor Vehicle Corridor..

Figure 5: Motor Vehicle Corridors Designated Under the Access Plan





The Henshaw Road provides access to the northwestern portion of the Private Timberlands. It can be accessed from VT RT 105, 1 mile east of the Village of Island Pond. This road runs 2.1 miles northeast along Town Highway 25 before crossing onto the Private Timberlands. However, at mile 1.6 a left turn also leads to the Private Timberlands along the southern slopes of Bluff Mountain, which includes the headwaters of Lightning and Tuffield Brooks. Just beyond the Private Timberlands boundary at mile 2.2, a second road to the left accesses the headwaters of Clay Hill Brook. The Henshaw Road continues northeasterly, crossing Clay Hill Brook at mile 2.5 and Whiskey Brook at mile 3.8. Just beyond Whiskey Brook, a road departs right from the Henshaw Road and heads east onto the Conte Refuge (this is one of two main entrances to the Refuge). The Henshaw Road ends as a Class A road at its intersection with the North Branch of the Nulhegan River (mile 6.3). From this junction (commonly known as “Gore Camp”) roads of varying condition access Unknown Pond, Tim Carrol Brook, and the northern portion of the Conte Refuge and Lewis Pond.

The East Branch Road provides through travel between VT RT 105 and VT RT 114. The East Branch Road runs north-south, following the East Branch of the Nulhegan River nearly its entire length. The southern entrance to the East Branch Road can be accessed via VT RT 105 2.5 miles west of the Village of Bloomfield, and 13.5 miles east of Island Pond. The northern entrance to the road is accessed 10 miles west of Cannan on VT RT 114. The road is flanked by Bloomfield Ridge and Sable Mountain to the east and by the Potash Mountains and Green Mountain to the west. The East Branch Road provides access to thousands of acres of land, many miles of streams including Mink Brook, Fisher Brook, Brouillard Brook, Murphy Brook, Spaulding Brook, and Lapoint Brook, and the Little Averill and Big Averill Lakes.

The Sable Mountain Road leaves the East Branch Road 4.1 miles south of its junction with VT RT 114. The Sable Mountain Road travels south 2.7 miles and provides access along the slopes of Sable Mountain. At its terminus, a Class C road continues east over the height of land to the West Branch of Willard Stream.

The Willard Stream Road leaves VT RT 102 at the Lemington Town Hall, which is located nine miles north of the Village of Bloomfield and 11.5 miles south of the Village of Canaan. The road crosses onto the Private Timberlands at mile 2.3 and runs northerly along the western bank of Willard Stream for 3.4 miles to where the road forks. The right fork ends as a Class A road .4 miles beyond the junction. It continues as a Class B road, gated and closed to public vehicular use, along the northwestern flank of Monadnock Mountain, then turns westerly as a Class C road over the height of land to the Sable Mountain Road. The left fork of the Willard Stream road continues 2.6 miles to its terminus along the northern edge of Meacham Swamp.

## **C. Existing Public Recreational Resources and Facilities**

### **1. Recreational Resources**

The primary natural features that provide recreational opportunities on the Private Timberlands include:

- Ponds
- Rivers and Streams
- Wetlands
- Forests
- Fish and Wildlife
- Mountains

These resources are obviously interrelated – for example, the forests and wetlands provide habitat for wildlife and clean water for surface waters and fish habitat. Thus, these resources are inseparable parts of an interacting system.

As the most widespread feature of the landscape, the forests described previously provide the setting for most recreation and the matrix which surrounds specific recreational resources.

The recreational resources of the Private Timberlands are unusual for the State of Vermont because of the area's relatively remote, rugged and undeveloped character and, related to this, the relatively low levels of use that these resources receive (see Section IV.D. for information on levels of use). The Private Timberlands and the surrounding landscape are a piece of the North Woods, which are more common in the Adirondacks and northern, eastern, and western Maine. This is a large forested area characterized by ecosystems dominated by northern hardwoods and spruce-fir forests, use for timber production, and low levels of development (existing development is comprised largely of primitive camps on lakes). The north woods character of the area distinguishes its recreational resources and uses from other regions in Vermont.

The following tables summarize information on specific recreational resources found on the Private Timberlands. These resources include three ponds; more than thirty named streams, brooks, and rivers, including a short segment of the Nulhegan River; a multitude of mountains and ridges; and numerous wetlands. Developed recreation facilities are limited to a system of snowmobile trails, a small number of hiking trails, roads designated for equestrian use, and four information kiosks. There are also a number of informal trails and access points to the ponds, rivers, and streams. The gravel roads within the Private Timberlands are also used for access for a variety of recreational activities.

Many of these resources connect with other Kingdom Heritage Lands ownerships and with neighboring private properties, including the extensive snowmobile network, equestrian trails, hiking trails, and the Nulhegan River.

**Table 1: Ponds On The Private Timberlands**

Waterbody	Town	Size <sup>1</sup>	Sport Fishery <sup>1,2</sup> s = stocked BKT = brook trout ATS = Atlantic Salmon	Access <sup>3</sup> F = foot or carry-in BT = boat trailer C = car top

<b>Ponds</b>				
Mud Pond	E. Haven	5 a.	unknown	F
Mud Pond	Brunswick	5 a.	unknown	F
Unknown Pond	Averys Gore	19 a.	Cold s-BKT	F

**Table 2: Rivers And Streams On The Private Timberlands**

<b>Waterbody</b>	<b>Town</b>	<b>Size<sup>1</sup></b>	<b>Sport Fishery<sup>2</sup></b> s=stocked, w=wild BKT= brook trout BNT=brown trout RBT=rainbow trout ATS=Atlantic salmon
<b>Rivers and Streams (named only)</b>			
Nulhegan River (mainstem)	Bloomfield	< 1 mi	s-ATS; w-BNT; s-BNT; w-RBT; w-BKT
E. Branch Nulhegan River (mainstem)	Lewis, Bloomfield, Averill	≅ 12 mi	w-BKT; s- BKT; s-ATS; w-RBT; w-BNT
North Branch Nulhegan River	Lewis, Averys Gore		w-BKT
Black Branch Nulhegan River	Lewis, Averys Gore		w-BKT
Moose River	E. Haven, Granby	≅ 8 mi	BKT; s-BKT; s-ATS
West Branch Moose River	East Haven		w-BKT; s-ATS
East Branch Moose River	East Haven		w-BKT ; s-ATS
Madison Brook	Ferdinand	≅ 3.5 mi.	w-BKT; s- BKT
Lightning Brook	Brighton		w-BKT
Tuffield Willey Brook	Brighton		w-BKT
Clay Hill Brook	Brighton		w-BKT
Whiskey Brook	Lewis		w-BKT
Tim Carroll Brook	Lewis, Averys Gore		w-BKT
Pine Brook	Averys Gore		w-BKT
La Pointe Brook	Averill		w-BKT
Spaulding Brook	Averill		w-BKT
West Branch Willard Stream	Averill		w-BKT
Alder Brook	Averill		w-BKT
The Inlet	Averill		w-BKT
Murphy Brook	Lewis		w-BKT
Fisher Brook	Lewis, Lemington		w-BKT
Mill Brook	Lemington		w-BKT
Blodgett Brook	Lemington		w-BKT
Clough Brook	Lemington		w-BKT
Mink Brook	Bloomfield		w-BKT
Hibbard Brook	Bloomfield		w-BKT
Notch Pond Brook	Brunswick		w-BKT
Murphy Brook	Ferdinand		w-BKT
North Branch – Paul Stream	Ferdinand		w-BKT
Greer Brook	East Haven		w-BKT
Lund Brook	Granby		w-BKT
Stony Brook	Granby		w-BKT

In addition to the ponds, rivers and streams listed above, a number of significant wetlands also occur on the Private Timberlands. Wetlands can offer important opportunities for nature study, wildlife observation, canoeing, hunting, and other activities. However, some of these wetlands are highly significant and sensitive resources which can be damaged by too much, or inappropriate, recreational use. Therefore, appropriately managing access to these areas, group activities, etc., is particularly important in achieving the goals and objectives for these lands.

**Table 3: Mountains And Ridges On The Private Timberlands**

NAME	TOWN	ELEVATION	TRAIL	NOTES
Bluff Mountain	Brighton	2,789	Trail to summit.	Summit forested.
Middle Mountain	Averys Gore	2,947	Trail to summit.	Summit forested.
Hill #1 southeast of Unknown Pond	Averys Gore	2,481	No trail.	Summit forested.
Hill #2 southeast of Unknown Pond	Averys Gore	2,546	No trail.	Summit forested.
Gore Mountain	Averys Gore	3,332	Trail to summit – trail is mostly off the Private Timberlands.	Summit forested.
Hill east of Round Mountain	Averys Gore	2,714	No trail.	Summit forested.
Green Mountain	Averill	2,660	No trail.	Summit forested.
Sable Mountain	Averill	2,734	No trail.	Summit forested.
Hill east of Green Mountain	Averill	1,885	No trail.	Summit forested.
Ridge between Lapointe & Spaulding Brook	Averill	2,044	No trail.	Summit forested.
Hill east of Little Averill Pond	Averill	2,233	No trail.	Summit forested.
Hill southeast of Great Averill Pond	Averill	2,222	No trail.	Summit forested.
Hill southeast of Forest Lake	Averill	2,257	No trail.	Summit forested.
Hill northeast of Sable Mountain	Averill	2,460	No trail.	Summit forested.
Hill east of Sable Mountain	Averill	2,570	No trail.	Summit forested.
Hill at head of Brouillard Brook	Averill	2,634	No trail.	Summit forested.
Hill on boundary of Averill and Lemington	Averill and Lemington	2,960	No trail.	Summit forested.
Hill northeast of Alder Brook	Averill	2,401	No trail.	Summit forested.
Hill #1 between the logger and East Branch	Lewis	2,023	No trail.	Summit forested.
Hill #2 between the logger and East Branch	Lewis	2,342	No trail.	Summit forested.
Hill #3 between the logger and East Branch	Lewis	1,926	No trail.	Summit forested.
Hill east of confluence of Fisher Brook and East Branch	Lewis	1,878	No trail.	Summit forested.
Hill at the head of Fisher Brook	Lemington	2,935	No trail.	Summit forested.
Hill east of Alder Brook	Lemington	2,481	No trail.	Summit forested.
Corr Hill	Lemington	2,155	No trail.	Summit forested.
Hill west of Corr Hill	Lemington	2,376	No trail.	Summit forested.

NAME	TOWN	ELEVATION	TRAIL	NOTES
Hill on Lemington/Bloomfield town line	Lemington	2,683	No trail.	Summit forested.
Hill in north corner of Bloomfield	Bloomfield	2,034	No trail.	Summit forested.
Hill along East Branch north of Mink Brook	Bloomfield	1,501	No trail.	Summit forested.
Hill along East Branch west of Mink Brook	Bloomfield	1,814	No trail.	Summit forested.
Potash Mountains (includes several ridges and hills on the shoulders)	Bloomfield	2,037	No trail.	Summit forested.
Little Potash Mountains	Bloomfield	1,748	No trail.	Summit forested.
Mountains south of Little Potash	Bloomfield	1,789	No trail.	Summit forested.
Bloomfield Ridge	Bloomfield	2,448	No trail.	Summit forested.
Hill north of Buzzel Hill	Bloomfield	2,078	No trail.	Summit forested.
Hill southwest of Confluence of Nulhegan and East Branch	Bloomfield	1,565	No trail.	Summit forested.
North Notch Mountain	Brunswick	2,188	No trail.	Summit forested.
Mountain between French and North Notch	Brunswick	1,981	No trail.	Summit forested.
Lake Mountain	Maidstone	1,893	No trail.	Summit forested.
Willard Mountain (North end of mountain)	Brunswick	1,733	No trail.	Summit forested.
Hill west of Stevens Brook	Ferdinand	2,480	No trail.	Summit forested.
Seneca Mountain (includes several ridges and hills on the shoulders)	Ferdinand	3,160	No trail.	Summit forested.
Bull Mountain	Ferdinand	2,640	No trail.	Summit forested.
East Mountain (includes several ridges and hills on the shoulders).*	East Haven	3,439	No public access.	Summit is not on the Private Timberlands.
East Haven Mountain	East Haven	3,060	No trail.	Summit forested.
Hill west of Mud Pond	East Haven	2,337	No trail.	Summit forested.
Hill east of Darling Forest	Burke	2,348	No trail.	Summit forested.
Little Roundtop **	Granby	2,040	No trail.	Summit forested.
Mitchell Mountain (includes ridges and hills on shoulders)	Granby	2,411	No trail.	Summit forested.
<p>* The top of East Mountain is not part of the Private Timberlands portion of the Kingdom Heritage Lands and is owned by a different party. It is occupied by a derelict communication facility.</p> <p>** The top of Little Roundtop is not part of the Private Timberlands portion of the Kingdom Heritage Lands and is owned by a different party.</p> <p>Sources: USGS topographic maps and the Vermont DeLorme Atlas.</p>				

Thus, the natural features that provide recreational opportunities on the Private Timberlands are varied and represent unusual opportunities for Vermont because of their relatively remote, rugged and undeveloped character, as well as their location within a large, undeveloped block of forest land.

## **2. Existing Public Recreation Facilities**

Previous owners of the Private Timberlands were paper companies interested in the area's wood resources and did not specifically develop recreation facilities for the general public. However, they did allow the building of over 200 camps now found on the Kingdom Heritage Lands – 63 of these are located on the Private Timberlands. These camps are leased for private use, consistent with the requirements of the Public Access and Conservation Easements

The past ownership is responsible for the unusual relatively remote, undeveloped character of these lands. Nonetheless, people did make use of the Kingdom Heritage Lands as a whole, and the Private Timberlands area particularly, for a variety of recreational activities. Previous landowners allowed certain recreational uses (largely hunting, fishing, trapping, and snowmobiling; dispersed boating, hiking, skiing, and snowshoeing were also allowed), but did not allow others (ATV use, camping, biking, and horseback riding). Use of this area over time has resulted in “informal” recreation sites. Examples of these informal recreational sites include old skid roads used not only for access to camps, but also for hiking; and sites used to access the shores of lakes, ponds and streams.

An exception to the general rule of informal recreational sites is that snowmobile trails have been formally planned, developed and marked to form a network connected to the larger network of trails Vermont-wide. Further, since the acquisition of these lands from Champion, information kiosks have been provided in a few key locations, hiking trails have been developed, equestrian corridors have been designated on existing roads, and a Connecticut River access point has been created. Thus, formally sanctioned existing public recreation facilities include snowmobile, hiking, and equestrian trails and a few information kiosks. The following table summarizes information on these recreation facilities. See also Figure 6.

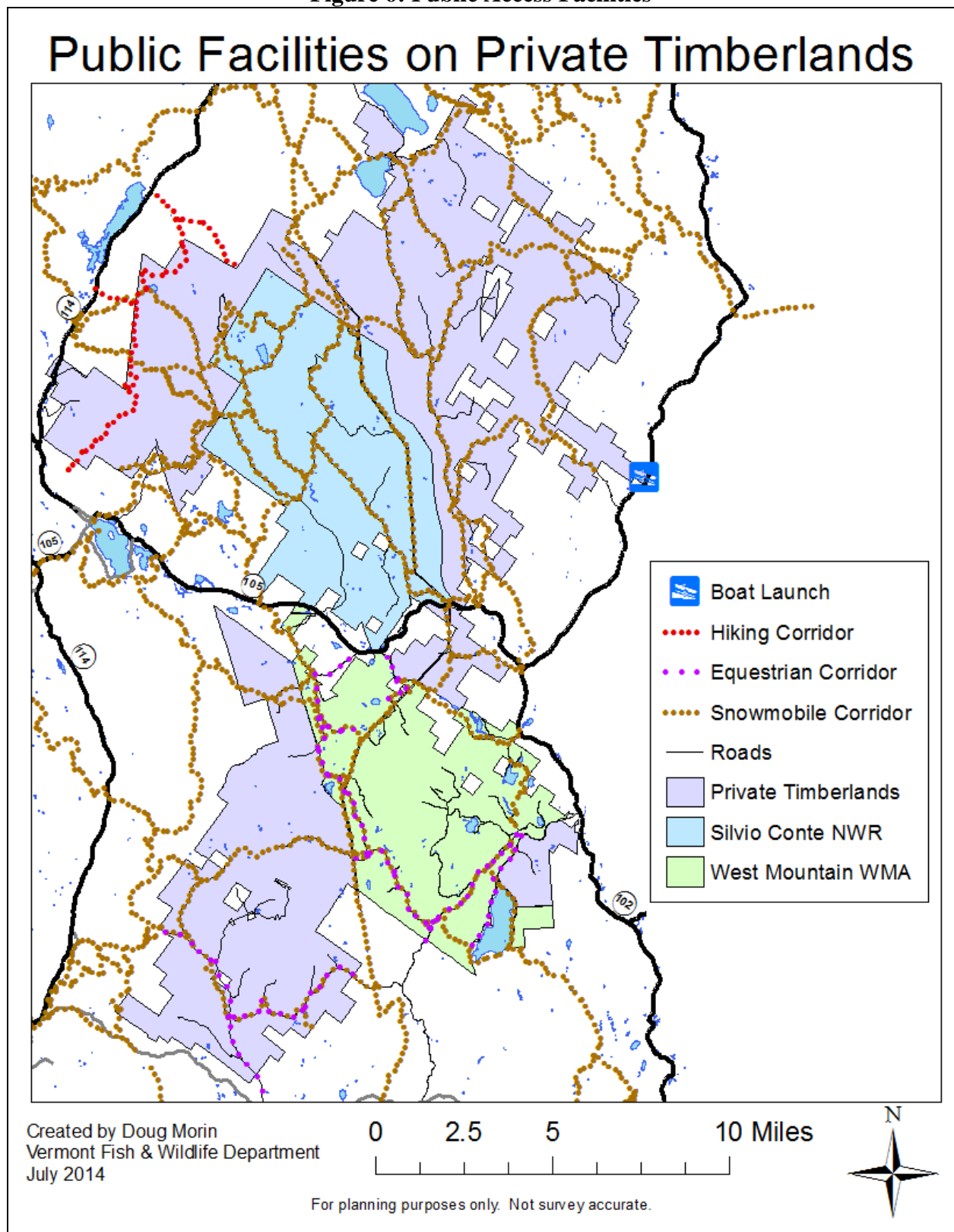
**Table 4: Public Recreation Facilities On The Private Timberlands**

<b>FACILITY</b>	<b>TOWN(S)</b>	<b>METRICS</b>	<b>DESCRIPTION AND USE</b>
Snowmobile Trails	All	About 100 miles across the Private Timberlands	Snowmobile corridors on roads and trails managed by VAST.
Hiking Trails	Brighton Warren Gore Avery's Gore	About 7 miles on Bluff, Middle, and Gore Mountains	Pedestrian hiking trails managed by GMC.
Equestrian Corridors	East Haven Granby Ferdinand Maidstone	About 35 miles on West Mountain WMA and Private Timberlands south of Route 105	Roads designated for equestrian use, managed by VHC.
Connecticut River access	Lemington	Single access area with parking	Driftboat access area on Connecticut River.
Information Kiosks at: East Branch (North) East Branch (South) John Irwin Road Henshaw Road	Averill Bloomfield Granby Brighton	One kiosk at each location.	Standard kiosk with information on area, management, and public use.

The area also has many shorter, informal trails to streams and brooks, largely for fishing access. The roads in the area are used for recreational purposes as well, but their primary purpose is to provide for access for management activities and they are described elsewhere in this plan (see Sections IV.B and VI.L).



Figure 6: Public Access Facilities



## **D. Levels of Recreational Use and Projected Trends in Use**

### **1. Current Uses and Levels of Use**

Present Uses: Present uses on the Private Timberlands portion of the Kingdom Heritage Lands (now owned by Plum Creek) include snowmobiling, hiking, horseback riding, hunting, training and using hunting dogs, fishing, trapping, bushwhacking, snowshoeing, cross-country skiing without groomed trails, nature walking/hiking, foraging for wild berries and antlers, wildlife observation, and photography.

Overview: Overall, the level of use on the Private Timberlands is light for most uses except snowmobiling and hunting. Furthermore, most use takes place within a relatively short distance (estimated as approximately ½-mile) from existing gravel access roads. This was the overall conclusion resulting from a series of focus meetings aimed at specific user-groups, held during 2000, and is consistent with ANR's experience over the last ten years. Present use is considered light enough to maintain a sense of remoteness. The fall and winter hunting seasons have a higher level of use than the spring and summer, and summer use was heavier than spring use.

User Characteristics: A survey of recreational users was conducted for the Conte Refuge in 2000 and 2001. User characteristics as determined from the Conte Refuge survey provide an indication of user characteristics on other Kingdom Heritage Lands (assuming that patterns of use on the Conte Refuge lands are similar to that on the Private Timberlands and the West Mountain WMA). On the Conte Refuge, the September through December period was dominated by hunting (over 90% of the respondents indicated they were at the Refuge for hunting during this period), and about half of the respondents were camp owners. All of the respondents during the winter season (January through March) indicated they participated in snowmobiling. Less than ten percent said they originated their snowmobile trip from a private camp. The most common vehicle was a truck with two occupants.

Fall Use: Based on data from motor vehicle counters, fall appears to be the season of second-highest visitation and use on the Private Timberlands, behind winter. Traffic counter data were collected at three points on the Private Timberlands (on East Branch Road - north, East Branch Road - south, and the John Irwin or Radar Road). The total vehicle count,<sup>19</sup> as measured by these machines for the period including the last week in August through the first week in December, was 4,553. Assuming that one-third of the weekend users are camp owners who stayed an average of 1.5 days per visit, and assuming a vehicle occupancy of 2.5 persons for camp users and 2.0 for day users, use for a portion of the Private Timberlands for the fall in the year 2000 is conservatively estimated as roughly 12,000 user-days.<sup>20</sup> Since the area accessed via the monitored roads comprises 50 to 60 % of the Private Timberlands and roughly the same

---

<sup>19</sup> Vehicle count was estimated as half the total count, assuming that vehicles exited the lands using the same point of entry (tripping the counter twice), or exited at a point that had another counter (thus being counted twice).

<sup>20</sup> This estimate is based on traffic counts at three access points; additional use in areas accessed by other roads is not included in this estimate, including lands in Maidstone, Brunswick, Bloomfield and Lemington via Route 102, Avery's Gore and Brighton via Route 114, and Ferdinand via the Wenlock Road

proportion of seasonal camps, it can be assumed that this represents 50 to 60% of the total fall use, which would be 20,000 to 24,000 user-days.

The pattern of use of the Private Timberlands is similar to that observed on the West Mountain WMA and Conte Refuge lands, with a higher level of use during weekends, and during the peak hunting season, October and November (based on patterns observed at the two counters on the East Branch Road). For the period August 22, 2000 through December 7, 2000, the average daily vehicle counts on weekends were generally on the order of double the average daily vehicle counts on weekdays; and average daily counts on both weekdays and weekends increased by 50 to 100% during the months of October and November, compared to August and September.

Winter Use: Based on data from snowmobile counters, winter appears to be the time of heaviest visitation and use on the Private Timberlands. To estimate the level of snowmobiling use, snowmobile counters were installed for the 2000-2001 season at five major trail locations. Use was monitored from the last week in December through the first week in April. For all stations combined, the heaviest use occurred in January and February (66%), and on weekends (50%). The total use is estimated to be in the range of 40,000 to 60,000 user-days for the entire area encompassed by the Kingdom Heritage Lands.<sup>21</sup> Approximately 75% of the use was monitored at three stations on lands north of the Nulhegan River: at the Henshaw Road near Island Pond (which accounts for half of the counts for all five stations), at the East Branch Road (a southern spur off the major east-west interstate trail crossing northern New Hampshire and Vermont, VT trail #105, near Little Averill Lake), and on trail # 96 in Lemington (an off-shoot of the interstate trail (VT trail #103) that connects to New Hampshire via the bridge at Colebrook or the bridge at Canaan).

Spring/Summer Use: Traffic counter data were collected at three points on the Private Timberlands (on East Branch Road - north, East Branch Road - south, and the John Irwin or Radar Road). The total vehicle count<sup>22</sup>, based on readings from these machines for the period including May 24, 2001 through August 12, 2001, is estimated at 2,650.<sup>23</sup> Assuming that one-half of the weekend users are camp owners who stayed an average of 2.0 days per visit, and assuming a vehicle occupancy of 2.5 persons for camp users and 2.0 for day users, use for a portion of the Private Timberlands for the spring/summer in the year 2001 is estimated as roughly 7,500 user-

---

<sup>21</sup> Calculated as half the snowmobile counts at the five stations (assuming that each counter was passed by a sled that had been previously counted once); and assuming that the five counter locations account for 50% to 75% of the total use.

<sup>22</sup> Vehicle count was estimated as half the total count, assuming that vehicles exited the lands using the same point of entry (tripping the counter twice), or exited at a point that had another counter (thus being counted twice).

<sup>23</sup> Due to irregularities in the counter data (a number of gaps when data were not recorded) and variable time intervals when the counters were in operation (for the John Irwin Road the counter was monitored for the period June 1 through August 2, while the East Branch Road was monitored from May 24 through August 12 at the northern station and from May 24 through July 6 for the southern station), data were analyzed for average daily use during each month and extrapolated to estimate the full month of use. In addition, data from late August, 2000 were used to estimate August daily use levels where needed.

days.<sup>24</sup> Since the area accessed via the monitored roads comprises 50 to 60% of the Private Timberlands and roughly the same proportion of seasonal camps, it can be assumed that this represents 50 to 60% of the total spring/summer use, which would be 12,000 to 15,000 user-days.

## **E. Management of Public Access Since 1998**

Since 1998 ANR, Plum Creek (and Essex Timber Company, before them), and VLT have conducted a variety of activities on the Private Timberlands to maintain and increase public access, while the Private Timberlands have been successfully operated as working forests.

As part of its duties as manager of the Public Access Easement on the Private Timberlands, the Agency of Natural Resources has committed to helping maintain public vehicular access throughout the ownership. Currently, about 70 miles of roads are open for public access across the Private Timberlands, and ANR shares the cost of maintaining these roads to ensure they remain open to the public. As part of these agreement, ANR's share of road maintenance costs for the 2013 alone exceeded \$40,000.

ANR also coordinates with three recreation corridor managers using Plum Creek land: the Green Mountain Club, which has created 7 miles of hiking trails (and plans to create at least 8 miles more) to Bluff, Middle, and Gore Mountains in Avery's Gore and Brighton, the Vermont Horse Council which has been approved to use 35 miles of roads on West Mountain and 10 miles on Plum Creek land, and VAST, which maintains up to 150 miles of trails across all three former Champion properties, including about 30 miles on West Mountain and 100 miles on the Private Timberlands.

ANR and Plum Creek have recently also taken on other projects. For example, a partnership with Trout Unlimited, The Northwoods Stewardship Center, and the Vermont River Conservancy led to a new driftboat access area on the Connecticut River in Lemington. Also, the state Fisheries Division is partnering with Plum Creek and Trout Unlimited on a study on the effectiveness of aquatic debris addition on branches of the Nulhegan River to enhance habitat for trout and other species. Finally, Plum Creek has also provided increased access to portions of their land during moose season and for trout stocking in remote beaver ponds.

---

<sup>24</sup> This estimate is based on traffic counts at three access points; additional use in areas accessed by other roads is not included in this estimate, including lands in Maidstone, Brunswick, Bloomfield and Lemington via Route 102, Avery's Gore and Brighton via Route 114, and Ferdinand via the Wenlock Road

## **V. PUBLIC INVOLVEMENT**

### **E. Summary of Public Involvement**

Public input has been a key factor in developing this Plan. The development of the original Plan (approved in 2002) saw an unprecedented effort to obtain public input and in the number of individuals and organizations who participated. This process included 35 public meetings, workshops, and comment sessions; multiple requests for written comments (yielding more than 550 letters, emails, and postcards); the inclusion of many interest groups; and a devoted website to inform the public about the process and ways to be involved. Details on the original public process and input can be found in Appendix B.

Generally, this original public process identified the unique value of the Kingdom Heritage Lands for conservation, public use, and local communities while expressing a range of feelings on a range of management strategies that would change some aspects of timber harvesting, road access, private camp leases, and other management on some parts of the land. The public identified the unique value of these lands as an anchor of the remote, undeveloped, contiguous forests in Northeast Vermont. Many participants expressed the concern that the area not be overly developed, and that pedestrian uses of the land remain a primary focus of management. Many also expressed interest in maintaining snowmobiling across the lands and considering new uses including trail hiking, horseback riding, and mountain biking. Participants voiced a variety of concerns over the Core Area, including its perceived negative impact on game species and ease of hunting access and perceived positive impact in state-wide conservation efforts and remote hunting opportunities. Comments also cited objections about the eventual elimination of privately-leased camps, as set forth by the Legislature. Comments also highlighted a concern for maintaining timber production and how future use and management of the Kingdom Heritage Lands would affect local communities.

The rigor of the original public process is believed to have paid off, because the first decade of management of these lands was very successful. Communication with many of the stakeholder groups and organizations has become a regular aspect of managing these lands, and has contributed substantially to identifying and improving management strategies.

The 2014 Plan update set out to use a similar, but less intensive, process to fine-tune the vision created in the extensive original public process. A summary of both the process and substance of this public involvement is presented below.

### **A. Public Involvement Process**

#### **1. Scoping Process**

Scoping for the plan updates began in the spring of 2013.

##### **a. Constituent Group Meetings**

In April, 2013, the Agency of Natural Resources began reaching out to groups and organizations that have been involved in the Kingdom Heritage Lands over the last 13 years, including all interests represented on the former Citizen's Advisory Council. In May and

June Agency representatives met with representatives of each of the following groups/organizations:

- The Town of Brunswick
- Unified Towns and Gores
- Vermont Assoc. of Snow Travelers
- Green Mountain Club
- Vermont Horse Council
- Audubon, Northeast Kingdom
- Vermont Forest Products Assoc.
- Vermont Natural Resources Council
- Sierra Club of Vermont
- Vermont Fish and Wildlife Conservation Group
- West Mountain Leaseholders
- Ruffed Grouse Society
- Vermont Sportsmen's Federation
- Hunters, Anglers, and Trappers Association of Vermont
- Vermont Bear Hounds Assoc
- Vermont Traditions Coalition
- Champion Lands Leaseholders & Traditional Interests Association

These small meetings used the same basic format as the public meetings (discussed below): ANR staff giving background on the ownership and management of West Mountain WMA and the Private Timberlands Public Access Easement, followed by extended discussion based on stakeholders interests. Comments were recorded during these discussions for incorporation in planning efforts.

Twelve other groups did not respond to invitations for scoping meetings:

- Northeastern Vermont Development Assoc.
- Island Pond Chamber of Commerce
- Associated Industries of Vermont
- Vermont Woodlands Association
- Kingdom Trails Association
- Nulhegan Gateway Association
- *Towns*: Maidstone, East Haven, Granby, Bloomfield, Lemmington, Brighton

b. Public Meetings

In June, 2013, the Agency of Natural Resources hosted two public forums to discuss the plan updates (June 11 at Brighton Elementary School and June 13 at Lyndon State College). Ninety-six people signed-in between the two meetings, though more were in attendance based on head-counts. Following a presentation about the history of the ownership, legal restrictions, and management practices on the WMA and Private Timberlands, participants visited five tables with different themes, where they spoke with staff about their experiences on the land and recorded their comments.

c. Public Comment Period

The public was encouraged to provide written comments by mail or email, beginning in July and ending August 15, 2013. Forty comments were received during this time.

**2. Draft Review Process**

On April 9, 2014, ANR released the draft plan updates for public review.

a. Public Meetings

The Agency of Natural Resources hosted three public forums to discuss the draft plan updates (April 29 11 at Brighton Elementary School, April 30 at Montpelier Highschool, and May 5 at Lyndon State College). Sixty members of the public signed-in between the three meetings. Again, participants visited tables with different themes, where they spoke with ANR staff about their experiences on the land and thoughts about the draft plans, and staff recorded their comments.

b. Public Comment Period

The public was encouraged to provide written comments by mail or email, beginning on April 9, 2014 and ending on June 11, 2014. Twenty comments were received during this time.

**A. Public Comments**

**1. Scoping Comments**

The essence of the themes that emerged from the 2013 scoping process were as follows.

*Unique character:* Many comments spoke to an underlying feeling that The Kingdom Heritage Lands have special value for Vermont because they are a large, contiguous, undeveloped, relatively remote area and because of their rugged, unrefined character.

*Long Term Access Plan:* The relatively small number of comments that focused on the LTAP tended to be quite specific, such as access to certain roads and gates, or locations of timber harvesting. Many of the other themes expressed, however, also apply broadly across the Kingdom Heritage Lands (e.g., the desire for a significant snowmobile network).

*Public use and recreation:* Broadly, public comments supported managing the land for a variety of uses. Numerous comments supported maintaining or increasing snowmobile, equestrian, hiking, mountain bike, and pedestrian uses of the property. A small number also asked that ATV connector trails also be considered. Concern was expressed, however, over the perceived incompatibility of mountain biking, snowmobiling, and ATV riding with wildlife and pedestrian use.

*Forest and habitat management:* Some comments desired a greater level of timber harvesting, to enhance habitat for game species, including grouse and deer. Others stated that harvesting should be based on holistic silviculture, rather than game species management. Still other comments stated that management on West Mountain WMA should consider landscape-scale connectivity and movement for wide-ranging species.

*West Mountain WMA 'Core Area':* As in the original process, the Core Area on West Mountain WMA generated numerous comments. Many commenters opposed establishing an ecological core, because some believed it wasn't part of the original public process, and others felt it would diminish game populations. In contrast, many other commenters stated that establishing an ecological core was important for a variety of reasons, including: protecting rare species, protecting natural communities, providing a place where natural processes would prevail, providing an area for scientific study, providing an area which would offer more remote recreational experiences than offered elsewhere, and maintaining consistency with the State Lands Easement.

*West Mountain WMA Road Access:* Roads at West Mountain WMA received by far the most comments. In general, one group of commenters felt that planned road closures should not be implemented to benefit hunting, habitat management, recreation, access for the disabled, and other purposes. Other comments stated that roads should be closed as planned, in order to support ecological restoration, scientific study, more remote hunting and fishing experiences, and to preserve one of the last large pieces of land that has few invasive species and little fragmenting development. Still other comments stated that some road closures would be acceptable, that roads should be closed farther in the future, that roads should be allowed to revegetate passively.

*Camps:* Relatively few comments were made about camps. Comments generally fell into three categories: 1) the desire to maintain camps on West Mountain WMA in private ownership permanently, 2) positive interest in the use of private camps for the public, after leases expire, and 3) support for removal of the camps within the Core Area.

*Other:* Some comments stated that the "wilderness" feel of the area should be maintained. Others stated concerns over the possible negative impacts of proposed large-scale wind power generation facilities in the area, and directed the State to actively oppose such development. Other comments stated that the State should purchase inholdings and adjacent properties, especially those owned by The Nature Conservancy, to consolidate the West Mountain WMA ownership.

*Access in the area:* A variety of user groups cited increasing difficulties in the use of private lands in the area and the resulting importance of the Kingdom Heritage Lands. Most commonly cited was the case of nearby landowners who have recently gated roads, preventing public vehicular access. Some comments wanted to see the State take an active role with its neighbors in ensuring vehicular access throughout the area.



Relatively uncommon in scoping discussions for the 2014 plan update were comment related to local *culture*, the local *economy*, and “*traditional uses*.”

## **2. Draft Review Comments**

Comments gathered in the draft review process were largely similar to those voiced in the scoping process. As a result, ANR believes the major balances struck in the draft updates are appropriate to maintain in these final plans. Numerous suggestions led to minor improvements in maps, explanations, and certain management strategies, but overall, the drafts have been adopted very close to their original states.

See Appendix E for a full list of public comments submitted in the draft review process, ANR’s response to each comment, and a list of all subsequent revisions made to the drafts.

## **VI. MANAGEMENT OF PUBLIC ACCESS**

### **A. Introduction**

As mentioned previously, this Long Term Access Plan focuses solely on issues related to the management of public access and recreation on the Private Timberlands portion of the Kingdom Heritage Lands (currently owned by Plum Creek Timber Company). Other aspects of the management of these lands are beyond the purview of this document.

Public access and recreation on these lands must occur and be managed in accordance with the provisions of the Public Access Easement and relevant laws and regulations, and must be consistent with the provisions of the Conservation Easement. In particular, Section I of the Public Access Easement establishes the requirement that "...public recreational access shall be implemented and managed in a manner which minimizes interference with use of the Property by the [Land]owner for economically sustainable production of forest resources." Section III.C.(8) of the Public Access Easement establishes that the Landowner's use of roads for forest management shall have primacy over recreational use.

With those considerations in mind, the following parts of this section articulate goals and objectives for the management of public access on the Private Timberlands, identify specific management responsibilities and provisions for various types of public access, and address other considerations related to implementation.

In an effort to be concise, relevant provisions of the Public Access Easement have been summarized in this Plan. In the event of any conflict between this Plan and the Easement, the terms and conditions of the Easement shall control.

### **B. Goals and Objectives for Public Access Management on the Private Timberlands**

The following goals and objectives for the management of public access on the Private Timberlands identify, in broad terms, the ends to be achieved through management over the lifetime of this Plan. In addition to their direct relevance for the Private Timberlands, achievement of these goals and objectives will contribute to fulfilling the overall management direction for the Kingdom Heritage Lands as a whole, presented in Section III.F of this Plan.

#### **1. Public Access Management Goal**

Provide for public access to the Private Timberlands consistent with the terms of the easements, applicable laws and regulations, and the management direction articulated for the Kingdom Heritage Lands.

#### **2. Public Access Management Objectives**

- a. Manage dispersed pedestrian access in accordance with existing laws and regulations (*e.g.*, state regulations governing hunting, fishing, and trapping) and the easements so as to minimize or avoid adverse impacts on natural and cultural resources, the Landowner's forestry operations, and other users.
- b. Identify recreation corridors for motorized, mechanized, equestrian, and/or pedestrian use which:
  - Are consistent with the Conservation and Public Access Easements for the Private Timberlands, applicable laws, regulations, and policies, and the overall goals and objectives for management of the Kingdom Heritage Lands as a whole;
  - Limit conflicts with timber management and other land management activities;
  - Limit adverse impacts on natural and cultural resources (*e.g.*, erosion; disturbance of sensitive plant or wildlife habitats or archeological sites);
  - Limit conflicts with other uses of the area (*e.g.*, hunting, fishing, trapping, and bushwacking);
  - Emphasize the use of existing roads and trails rather than the creation of new ones;
  - Emphasize multiple use of recreational corridors where feasible by encouraging compatible uses on single corridors rather than creating separate corridors for each use;
  - Emphasize loop trails and connections with nearby trail networks; and
  - Are acceptable to the Landowner, ANR, and VHCB.
- c. Identify corridor managers that will manage and maintain designated recreational corridors in accordance with the relevant principles outlined in 2b above.
- d. Manage group use (*e.g.*, commercial guiding, not-for-profit educational or recreational outings) by requiring special use permits from the ANR that will minimize or prevent adverse impacts by groups on natural and cultural resources, other users, and resource management activities.
- e. Allow the harvest of wild game, fish, and other edibles at ecologically sustainable levels in accordance with applicable regulations.
- f. Maintain the existing character of the area to the greatest extent possible in planning and developing any recreational facilities.

## **C. Overall Responsibilities and Authorities for Managing Public Access**

In accordance with Section II.D of the Public Access Easement and Section V.A of the Stewardship MOU, the Vermont Agency of Natural Resources has overall responsibility for managing public access on the Private Timberlands in a manner consistent with the purposes and provisions of the Public Access Easement and the Conservation Easement. Furthermore, ANR will be the responsible entity available to the Landowner with regard to all management issues associated with public access on the property. ANR will retain this underlying authority and responsibility even in situations in which it has approved another organization to serve as

“Corridor Manager” or “Group Manager” for a particular activity, as described under Section VI.E. and Section VI.G. below.

Pursuant to Section V.A of the Stewardship MOU, the Vermont Housing and Conservation Board has delegated its management and stewardship responsibilities under the Public Access Easement to ANR. As specified in Section V.C of the Stewardship MOU, however, VHCB retains the following authorities:

- a. Approval of any management agreement or other contract proposed by ANR to define the rights and responsibilities of Corridor Managers, prior to the final designation of such Corridor Managers by ANR;
- b. Approval of this Long Term Access Plan and any proposed amendments or revisions to it;
- c. Approval of any proposed action by ANR in response to any unanticipated use of the property not permitted by the LTAP.

In general, the Landowner is not affirmatively required to address issues related to the management of public access; this is the responsibility of ANR. As discussed further under Sections VI.E.3.e, VI.J, and VI.L.5 below, the Landowner has the right pursuant to the Public Access Easement to preclude public access in certain instances, such as the temporary exclusion of the public from areas where active forestry operations are underway and the temporary closure of all roads to motorized, mechanized and equestrian use during seasonally adverse conditions (*e.g.*, mud season).

Successful implementation of the Public Access Easement and this Plan will require frequent communication among all parties involved in the management of public access, including ANR, the Landowner, and designated Corridor Managers and Group Managers. Specific provisions related to communication and coordination among these parties are described in Section VI.T of this document.

## **D. Management of Dispersed Pedestrian Access**

### **1. Permitted Dispersed Pedestrian Activities**

Section III.A of the Public Access Easement requires that the Private Timberlands will remain open year-round, subject to the limitations described under Section VI.D.2 below, for the following *dispersed, pedestrian* uses:

- Hunting, including training and using hunting dogs;
- Trapping;
- Fishing;
- Walking;
- Skiing;

- Snowshoeing;
- Boating;
- Swimming; and
- Wildlife observation.

Also, Section III.B.(1) of the Public Access Easement outlines a process through which additional dispersed, low-impact, pedestrian uses may be permitted through mutual approval by ANR and the Landowner. In accordance with that provision, and as per this document, ANR and Plum Creek have approved the following activities:

- Picnicking;
- Photography; and
- Gathering of wild edibles for personal consumption of renewable and abundant species (*e.g.*, berries).

Permitting of any other dispersed, pedestrian uses during the lifetime of this Plan will be subject to the provisions of Section III.B.(1) of the Public Access Easement.

## **2. Limitations on Dispersed Pedestrian Access**

As provided in Section III.A of the Public Access Easement, the general right of access for the uses listed above is subject to the following limitations:

- All such use must be in compliance with applicable state laws and regulations (such as fish and game regulations).
- Overnight camping and campfires are allowed only with prior consent from the Landowner. At the present time, Plum Creek does not anticipate allowing overnight camping for any purpose.
- The public is excluded from a one-acre zone around each of the private camps located on leased lots on the property. This exclusion does not apply to the banks, shores, or surfaces of ponds or streams, nor to Recreation Corridors designated in Section VI.E.2 of this Plan or through its subsequent amendment as provided in Section VII.
- The public may be excluded from areas where active timber harvesting operations are underway, as described more fully in Section VI.J of this Plan.
- Access is permitted for commercial dispersed pedestrian use (such as commercial guide services), subject to the provisions of Section VI.G of this Plan.
- ANR may restrict or limit public use and access in the interest of public safety or to assure compliance with the Public Access Easement and the Conservation Easement, including protecting unique or important natural communities or sites and minimizing interference with the Landowner's use of the property for economically sustainable production of forest products.

## **E. Designation and Management of Recreation Corridors**

### **1. Overview**

The Public Access Easement allows motorized, mechanized, and equestrian access on the Private Timberlands, provided that such access is confined to approved corridors and an organization or individual is identified that will assume responsibility for the management of each corridor (the “Corridor Manager”).<sup>26</sup> Each corridor is to be classified according to the specific use(s) that is allowed to occur on it, whether motor vehicle (car, truck, and motorcycle) access, snowmobile access, bicycle access, equestrian access, and/or access for disabled persons.<sup>27</sup> Each corridor also is to be assigned either “Primary” or “Secondary” status. According to the Public Access Easement, Primary Corridors are to be only those that are “essential to continuous, meaningful recreational use of the Property, or effective connection to public recreation corridors or opportunities on adjacent properties” and are limited to portions of the existing road network; all other corridors are Secondary Corridors. The Public Access Easement establishes different provisions for the closure of Primary and Secondary Corridors; these are described in Section VI.E.3.e below.

The Public Access Easement also includes separate but related provisions for the establishment of long distance pedestrian trails (hiking trails). As with other corridors, a Corridor Manager must be identified for any such trail, and its location, designation and management requires prior written approval by ANR and the Landowner. Because of the time, labor and financial investments that may be required to establish long distance hiking trails (especially if they are not situated on existing roads), the easement calls for ANR and the Landowner to negotiate in good faith to determine a separate status for such trails that would be more restrictive with respect to closures than Secondary Corridor designation but not as limiting as Primary Corridor designation.<sup>28</sup>

Use of any Recreation Corridor is at the risk of the user. Corridors may be used only for the use(s) for which they are classified.

### **2. Corridor Locations and Designations**

#### **a. Motor Vehicle and Motorized Disabled Access Corridors**

---

<sup>26</sup> ANR may serve as Corridor Manager.

<sup>27</sup> Although not explicitly mentioned in the Public Access Easement, other uses typically confined to established trails (such as dog sledding and skiing/snowshoeing on groomed or ungroomed trails) also would be restricted to designated corridors and could occur only if an organization assumed responsibility to serve as Corridor Manager for each such use, received the necessary approval from ANR, VHCB, and the Landowner, and entered into a formal management agreement with ANR.

<sup>28</sup> Note that these provisions apply to hiking *trails*. As described earlier, dispersed hiking and walking (*i.e.*, “bushwhacking”) is generally permitted on the property pursuant to the Public Access Easement.

The roads designated as Primary and Secondary Corridors for motor vehicle (car, truck, and motorcycle) access are listed below and shown in Figure 5.<sup>29</sup> These also are designated corridors for motorized access by those with disabilities.<sup>30</sup>

*Primary Corridors:* The following Class A roads will be designated as Primary Corridors:

- 1) John Irwin Road (#84-00-0): From the boundary of the Private Timberlands north to the gate at the junction with the private road to the summit of East Mountain.
- 2) East Branch Road (#54-00-0): Its entire length on the Private Timberlands.
- 3) Henshaw Road (#63-00-0): From the boundary of the Private Timberlands to the gate at Gore Camp.
- 4) Little Averill Lake Road (#54-16-0): From the East Branch Road to the dam at the outlet of Little Averill Lake.
- 5) Fish Hatchery Road (#54-19-0): From the East Branch Road until it becomes Dale Potter Road

❖ *Other Roads:*

- Maidstone Lake Road. Maidstone Lake Road was a Primary Corridor owned by the State under the original Public Access Plan. In 2011, however, it became a Class III town road for Maidstone, and in 2013 the West Shore Road was similarly transferred to the Town. These roads are still open for public access to the WMA and Timberlands, but are no longer under the scope of this document for management.
- South America Pond Road and Notch Pond Road. Portions of two other principal access roads – South America Pond Road and Notch Pond Road – abut the Private Timberlands but are actually located on the West Mountain WMA. These roads are designated as motor vehicle corridors in the West Mountain WMA Management Plan

*Secondary Corridors:* All other ungated gravel surface (Class B) roads.

*Increasing Public Vehicular Access:*

In response to public comment on the importance of vehicular access to the present users of the Kingdom Heritage Lands, this plan will open additional gated road mileage on the Private Timberlands for public access.

---

<sup>29</sup> All motor vehicles must meet applicable Vermont laws and standards for on-road operation (registration, inspection, etc.)

<sup>30</sup> In accordance with Section III.C.(7) of the Public Access Easement, ANR may permit the use of motor-driven wheelchairs or all-terrain vehicles (ATVs) for access to designated corridors by those with disabilities. Also, pursuant to Section III.(9) of the Conservation Easement, the Landowner may allow ATV access to seasonal recreation camps by persons with disabilities.

ANR and Plum Creek have identified a total of 8 roads, covering 15 miles, which may be appropriate for public access based on their physical condition, sensitivity to use, and ability to be maintained. Presently, these gated roads are used only for forest management by the landowner. These roads will be designated as Secondary Corridors as per this plan and the ANR-Plum Creek Road Crossing and Maintenance Agreement.

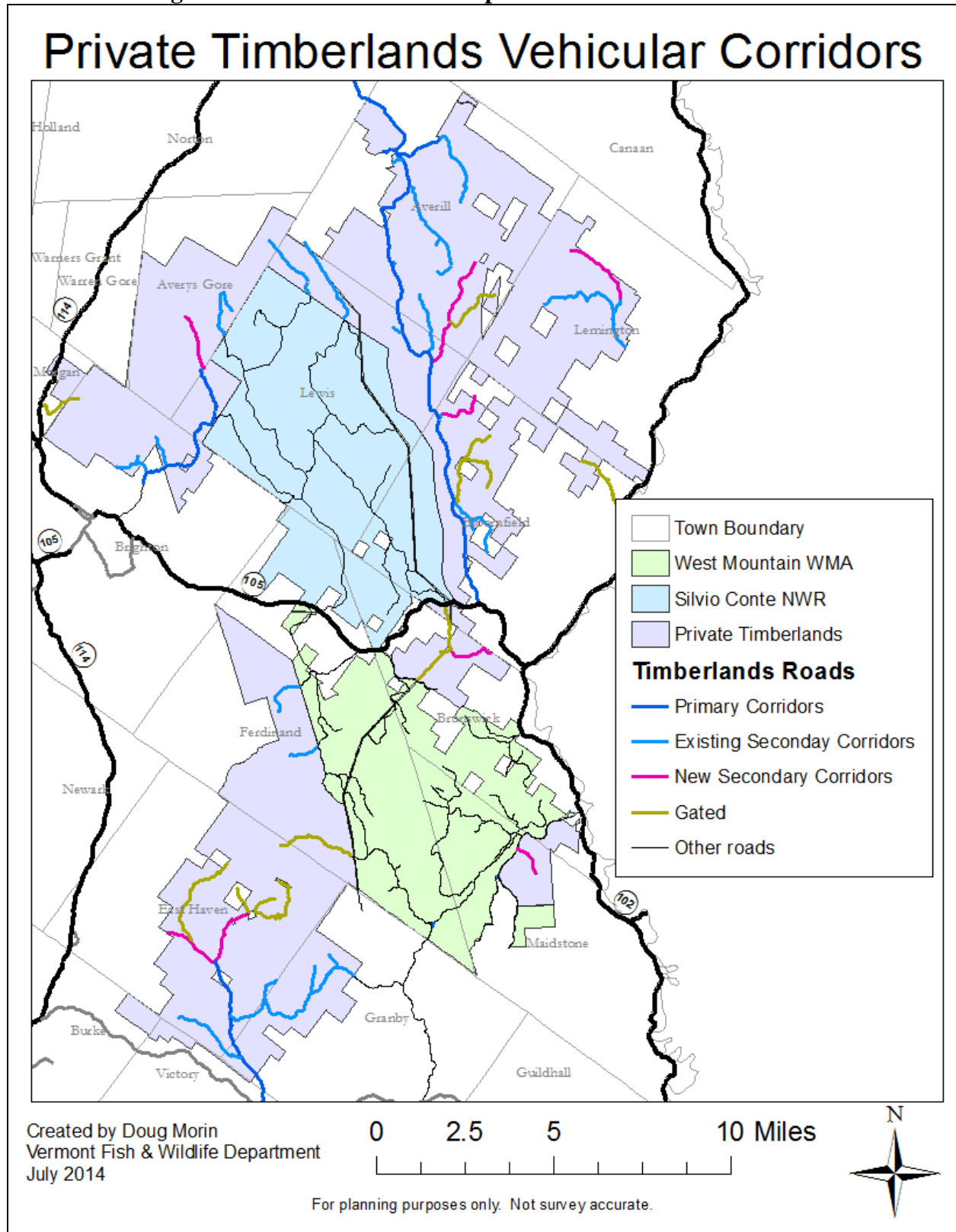
Much of this mileage is presently suitable to be open to the public, while other sections will require upgrades (for example, road surface material and new gates to protect winter roads). For this reason, each road will be made available as is appropriate given its specific circumstances. In addition, these roads, like all roads on the Private Timberlands, will remain available based on the current conditions of natural resources, infrastructure, public safety, and maintenance funding.

This will add an additional financial burden for ANR. Newly opened roads will be subject to cost sharing between ANR and Plum Creek under the Road Crossing and Maintenance Agreement, as part of the Public Access Easement. While specific road maintenance expenses are difficult to generalize because each road is unique and unpredictable events (such as storms) can cause very expensive repercussions, comparable roads on West Mountain WMA have cost ANR as much as \$1,000-\$1,500 per road mile per year over the last decade.

In addition, ANR will continue discussions with the Town of Granby and the adjacent landowner to the south of West Mountain WMA, to create an agreement to ensure public access across the Granby Stream Road and Stony Brook Road. While these roads cross private land not subject to the Public Access Easement or Plan, they are important connections between the WMA, the Private Timberlands, and public roads to the south.



Figure 7: Additional Roads to Open on the Private Timberlands



b. Snowmobile Corridors

The Public Access Easement requires that each year, on or before October 15<sup>th</sup>, the Landowner, ANR, and USFWS will jointly identify snowmobile trails across the entire Kingdom Heritage Lands that will be designated as Secondary Corridors for the coming winter (the “Snowmobile Network”). The aggregate length of trails in the Snowmobile Network each year will not exceed the documented, historical annual average that prevailed during Champion’s ownership (approximately 150 miles). The specific trails included in the Snowmobile Network may change from year-to-year in response to annual changes in the management needs of the Landowner, ANR, and/or USFWS, but the generally approved snowmobile Corridors under VAST’s Corridor Manager Agreement are shown in Figure 8.

Plum Creek is actively working with VAST and the local snowmobile clubs to identify and designate snowmobile trails that avoid main logging roads. The roads that provide primary access to the Private Timberlands are plowed during the majority of winters to facilitate timber harvesting and hauling, making them incompatible with snowmobile use. In addition, once the annual Snowmobile Network has been identified, the Landowner has the right to change the location of snowmobile corridors on the Private Timberlands during winter timber harvesting if market or operating conditions change (provided that the aggregate length of the Snowmobile Network is not reduced).

c. Hiking Corridors

Since adoption of the first Public Access Plan, the Green Mountain Club (GMC) has become Corridor Manager for hiking corridors, and the Vermont Horse Council (VHC) has become Corridor Manager for equestrian corridors.

In 2009 GMC was designated as the Corridor Manager for hiking trails and work began on a trail to connect the existing Gore Mountain trail to Middle Mountain with the eventual goal of connecting to the Bluff Mountain trail to the south. Development of the trail has involved significant coordination between GMC, ANR, and Plum Creek including regular site visits to review proposed segments and reconnaissance of alternate and new segments.

d. Equestrian Corridors

In 2003, the Vermont Horse Council was designated as Corridor Manager for equestrian trails across the Kingdom Heritage Lands. VHC has made use of 35 miles of gravel roads across the West Mountain WMA and Private Timberlands, and has cooperated in the creation of two camping areas for use by riders and the general public, at West Mountain WMA.

e. Other Corridor-Based Uses

No other corridors exist or are being contemplated at this time.

In soliciting and considering Corridor Manager proposals, ANR the following considerations have been used as guidance:

- Consistent with the management direction stated earlier, to maintain the existing rugged, undeveloped character of the area, the number of new trails allowed off existing roads is expected to be quite limited. This is an area where maintaining peaks and ridges without trails is an intended outcome of management designed to maintain existing opportunities for self-directed bushwhacking, orienteering, hunting, and trapping without trails.
- Corridors should be located on existing gravel roads, winter roads to the greatest extent possible (recognizing that this may be less desirable or appropriate for some uses, such as hiking trails or when seeking to create connections for loop corridors, but should be pursued even in those situations where feasible).
- Corridors should be classified and used for multiple activities to the greatest extent possible while not creating safety problems or conflicts with other uses.
- Any corridors proposed by the organizations that are not located entirely on existing gravel roads will require additional discussion and field work with ANR and Plum Creek to determine if an acceptable route can be identified on the ground.
- Areas should be avoided where there is a high likelihood of conflict with other uses (such as seasonal camps and incompatible recreational activities).
- Corridors should take advantage wherever possible of opportunities to provide recreational links to adjacent or nearby publicly owned lands and private lands with guaranteed public access and to existing corridor systems traversing those lands.
- Corridors should avoid areas of high ecological significance and sensitivity (wetlands, steep slopes prone to erosion, deer yards, etc.) and high archeological significance and sensitivity.
- Corridor proposals must consider the various constraints on current or future recreational use of these lands, including timber management, provisions of the Conservation Easement and Public Access Easement, relevant state and federal regulations and policies, and other legal rights and restrictions on both the Private Timberlands and the West Mountain WMA.
- Corridor Managers should be mindful of the potential for misuse of a corridor, and the associated enforcement burden for the Corridor Manager and law enforcement authorities. Continued misuse may necessitate temporary or permanent closure of the corridor in question.

With those considerations in mind, ANR and Plum Creek will continue to work with the recreational groups to further evaluate the existing corridor network and the feasibility and desirability of establishing any additional proposed corridors.

ANR and/or the prospective Corridor Manager will provide public notice and hold a public meeting to discuss any new proposed corridors prior to a final decision being made.

More broadly, Section VII of this Plan outlines a process for the consideration and possible designation of additional corridors for all corridor-based uses during this Plan's 10-year lifetime. In essence, any proposal for such corridors will require public discussion of the issues involved with the proposed corridors; the approval of a Corridor Manager for the use involved if none already exists; and approval of the corridors by ANR and the Landowner.

### **3. Corridor Management**

#### **a. Designation of Corridor Managers**

- 1) *Motor Vehicle and Motorized Disabled Access Corridors:* The Vermont Agency of Natural Resources will continue to serve as Corridor Manager for these corridors. ANR will play the same role on the West Mountain WMA.
- 2) *Other Corridor-Based Uses:* The following organizations have been given approval by ANR to serve as Corridor Manager for the respective uses, as per the adoption of a formal management agreement between each organization and ANR, and ANR's written notice to Plum Creek with the information specified in Section II.D.(1) of the Public Access Easement (regarding each organization's qualifications, contact information, compliance with insurance and indemnification requirements, etc.):

*Snowmobile Corridors:* Vermont Association of Snow Travelers.

*Equestrian Corridors:* Vermont Horse Council.

*Hiking Corridors:* Green Mountain Club.

No other organization has submitted a proposal to become Corridor Manager for these or other uses on either the Private Timberlands or West Mountain WMA.

#### **b. Responsibilities and Authorities of Corridor Managers**

- 1) *Corridor Management and Maintenance:* Corridor Managers will have primary responsibility for the management of public use and maintenance of the Recreation Corridor(s) for which they assume responsibility. However, as described in subsection VI.E.3 below, ANR will retain ultimate authority and responsibility for managing public use, including, but not limited to making determinations related to use by persons with disabilities (See Section H) and any corridor management decisions that may have the potential to negatively impact resources or be

inconsistent with the Public Access and Conservation Easements. Corridor Managers must manage and maintain the corridor(s) for which they are responsible in accordance with all terms, conditions, and provisions of the Public Access Easement, the Conservation Easement, a written Corridor Manager Agreement with ANR, and this Plan. Corridor Managers also will be responsible for communicating to their users where their particular use is allowed on the Private Timberlands and where it is not. Additional specific requirements for corridor management and maintenance are described in subsection V.I.E.3.d below.

- 2) *Management and Enforcement Costs:* Corridor Managers will be expected to cover the costs of establishing, maintaining, and/or managing public use of the corridors for which they are responsible. Corridor managers will be responsible for constructing or modifying facilities needed for those activities for which they are responsible to take place safely (*e.g.*, protective surfaces on bridge decking to prevent damage from use or to allow safe passage over them), and any such facilities or modifications must be constructed and maintained without damaging existing facilities or natural resources. For any improvements to corridors that provide benefits shared by other parties (*e.g.*, a bridge repair that facilitates the transportation of wood products as well as recreation), the Corridor Manager will be expected to pay an appropriate proportion of the cost, as determined through negotiation with the other beneficiary(ies).

ANR will not provide funding from its operating budget directly to any organization(s) approved to serve as Corridor Manager(s). However, state and/or federal funding for corridor management may be available on a competitive basis through new or existing grants programs, such as the Vermont Recreation Trails Grant program administered by ANR. Applications for such grants from Corridor Managers will not be given any greater or lesser priority than those received from other applicants.

- 3) *User Fees:* Provided written approval is obtained from ANR, Corridor Managers may require membership fees or charge the public reasonable use costs as a condition of access to snowmobile, bicycle, or equestrian corridors, but not for pedestrian access. Such use fees must be reasonably necessary to support the Corridor Manager's maintenance and/or management of the Recreation Corridor(s) for which they are responsible, and shall not be based on place of residency.
- 4) *Corridor Relocation:* If a corridor needs to be relocated due to problems arising from the use of the corridor (for instance, excessive erosion or safety hazards from conflicts with other uses), the Corridor Manager will be responsible for carrying out the relocation in consultation with, and upon approval from, ANR and the Landowner, and for restoring the original corridor to a condition satisfactory to ANR and the Landowner. This stipulation will not apply to any relocation of designated Primary Corridors necessitated by the Landowner's forestry operations – in accordance with Section IV of the Public Access Easement, the Landowner is responsible for such relocation. For any necessary relocation of designated Secondary

Corridors due to the Landowner's forestry operations, ANR will work with the Corridor Manager(s) to achieve an acceptable solution.

- 5) *Corridor Evaluation:* Corridor Managers will be expected to collaborate with ANR and the Landowner on at least an annual basis to evaluate whether the corridor(s) for which they are responsible are achieving identified objectives.
- 6) *Communication and Reporting:* In carrying out the responsibilities described above, Corridor Managers will be expected to maintain frequent communication with ANR and the Landowner about any existing or potential issues related to the corridors for which they are responsible. This will include regular meetings (at least annually and more frequently if necessary) between the Corridor Manager, ANR, and the Landowner. In addition, Corridor Managers will be required to submit written annual reports to the relevant parties summarizing noteworthy management issues, an assessment of the extent to which objectives for the corridor(s) are being met, funding obtained and expended for corridor management, work performed during the previous year and additional work planned for the coming year, etc. Additional provisions related to communication and coordination among those organizations involved in public access management on the Private Timberlands are presented in Section VI.T of this Plan.
- 7) *Sub-contracting:* Corridor Managers shall not subcontract any of their responsibilities for management of the specified corridor(s) to another organization or individual without written permission from ANR and the Landowner.
- 8) *Liability Insurance, Indemnification, and Legal Defense:* The prospective Corridor Manager must commit, to the satisfaction of ANR and the Landowner, to provide liability insurance, indemnification and legal defense against potential actions resulting from use of the specified corridor(s).
- 9) *Corridor Management Agreements:* Each Corridor Manager will be required to enter into a written agreement with ANR and the Landowner specifying the terms and conditions for the management of the identified corridor(s) as outlined in this subsection. Such agreement will constitute the formal approval of the Corridor Manager. Each agreement will be for a ten-year term, provided the Corridor Manager has continued to fulfill the provisions of the agreement and provides evidence satisfactory to ANR and the Landowner of continued liability insurance, indemnification, and legal defense. At the end of each term, the agreement will be renewable for another ten years with the mutual consent of the parties.
- 10) *Default:* If a Corridor Manager defaults in the responsibilities and obligations specified in this Plan and subsequently in its corridor management agreement, ANR or the Landowner shall have the right to unilaterally close the corridor(s) for which the Corridor Manager is responsible until the default is remedied to ANR's or the Landowner's satisfaction.

- 11) *Non-renewal of Agreement*: If a Corridor Manager decides not to renew its management agreement, it must provide ANR and the Landowner with written notification of such decision not less than 90 days before the termination of the agreement. If no other organization is willing to assume responsibility for management of the corridor(s) in question, the Corridor Manager will be responsible for taking any steps necessary to preclude public use of the corridor(s) (*e.g.*, removal of signs) and to restore the corridor(s) (*e.g.*, bridge removal, erosion control) to a condition satisfactory to ANR and the Landowner.
- 12) *Bonding*: To protect themselves against incurring substantial expense in the event of default or non-renewal of a management agreement, ANR and the Landowner may require a Corridor Manager to post a bond for any major structures (*e.g.*, bridges) it plans to establish. (As stated earlier, any physical improvements would require prior approval from ANR and the Landowner.) Bonds will not be required for normal corridor establishment and/or maintenance (*i.e.*, not involving any major new structures).

c. Management Obligations Retained by ANR

Notwithstanding its approval of one or more Corridor Managers for the Private Timberlands, ANR shall retain ultimate responsibility for the management of public access on the property, including compliance with the terms, conditions, and limitations of the Public Access Easement, the Conservation Easement, and this Plan. ANR also shall remain the available, primary contact for the Landowner concerning public use and management of designated corridors on the property.

As part of these overall responsibilities, ANR will be the permitting authority for special use permits or licenses required for organized events on designated corridors on the Private Timberlands, even if Corridor Managers have been approved for those corridors. Special use permits or licenses will be required both for organized groups participating in the activity for which the corridor was designated (*e.g.*, a group snowmobile outing that is publicized and organized by a local snowmobiling club and planned for a designated trail in the Snowmobile Network), and for any type of organized group activity other than the designated corridor use (*e.g.*, an organized group of dog sledders wishing to use a designated snowmobiling trail). In either case, the group organizer would be expected to coordinate closely with the Corridor Manager as well as with ANR, but ANR would have authority over issuance of the required permit. See Section VI.G of this Plan for additional information on uses requiring special use permits or licenses.

d. Management Considerations for Designated Corridors

The following management rights and restrictions shall apply to each of the Recreation Corridors designated in Section VI.E.2 of this Plan:

- 1) *Location:* The location of designated Corridors will be fixed on the ground by mutual agreement of ANR and the Landowner, and identified through blazing or signs. Corridors may be moved by mutual consent of ANR and the Landowner.
- 2) *Maintenance:* ANR and other approved Corridor Managers may establish and maintain Corridors, and no general maintenance obligation is imposed on the Landowner. Corridors are generally limited to a width of sixteen (16) feet, although designated Motor Vehicle Corridors may be maintained to a wider width with prior consent of the Landowner. ANR is required to provide the Landowner with at least two (2) weeks' written notice prior to any major clearing, repair or maintenance work, but not routine maintenance or repair.

ANR or the Landowner may invest in maintaining or improving roads designated as Primary or Secondary Corridors, provided that any such work is consistent with the provisions of the Conservation Easement and the Public Access Easement. The Landowner is responsible for repairing any damage to roads designated as Primary or Secondary Corridors caused by its activities or its employees, contractors, lessees, or guests. ANR is responsible for repairing any damage to roads designated as Primary or Secondary Corridors caused by the public or ANR's employees, contractors, licensees, or guests.

- 3) *Vegetation Management:* Within the specified Corridor width, ANR and other approved Corridor Managers may clear vegetation as required to afford safe, effective access. Herbicides, pesticides or other chemicals may not be used except, with the Landowner's prior consent, to control exotic species.
- 4) *Signs and Barriers:* ANR is required to erect and maintain signs at points of entry onto the Private Timberlands informing the public of Corridor use limitations and requesting the public to respect the Landowner's private property rights. ANR and other approved Corridor Managers may establish signs, blazing or other markings within or adjacent to Corridors to inform the public of Corridor location or other related features. (See Section VI.F.3 of this Plan for further information on signage.) ANR and other approved Corridor Managers also may erect and maintain fencing and other barriers to prevent motor vehicle access to designated hiking Corridors. The Landowner may not erect barriers or signs that impede access to Corridors from designated access points, except during closures for active forestry operations or seasonally adverse conditions (*e.g.*, mud season).
- 5) *Use of Motor Vehicles:* ANR may use motorized vehicles and equipment, including all-terrain vehicles (ATVs) and snowmobiles, to establish, maintain, and patrol Corridors and for medical emergencies. No other Corridor Manager may use ATVs without ANR's consent. The Landowner may use motorized vehicles in Corridors for forest management purposes provided that those Corridors are situated on existing or future roads or skid roads.



- 6) *Transportation of Wood Products:* Log trucks and timber harvesting machinery will continue to have priority right-of-way over recreational users on roads designated as Corridors. During active forestry operations, roads designated as Corridors may be closed in accordance with the closure provisions described in Section IV of the Public Access Easement and Sections VI.E.3. and VI..J of this Plan.
- 7) *Conservation Easement Purposes:* ANR and other approved Corridor Managers must manage public access to the Corridors in a manner that minimizes interference with the purposes of the Conservation Easement, which include establishing and maintaining productive forestry resources on the property and conserving its biological and ecological values. This may entail managing the volume of access and use of Corridors if problems arise.

e. Closure of Recreation Corridors

- 8) *Weather-Related Closure:* In accordance with Section III.C.(9) of the Public Access Easement, the Landowner may temporarily close all roads, including both Primary and Secondary Corridors, to non-pedestrian use during seasonally adverse conditions (*i.e.*, mud season). The Landowner is required to notify ANR within one (1) week of such closure.

In general, all roads will be closed to non-pedestrian traffic on or around March 15 during mud season. With the exception of any roads closed due to active forestry operations (see below), roads designated as Primary or Secondary Corridors will be reopened no later than May 30, as long as conditions allow.

- 2) *Winter Closure:* All unplowed roads will be closed to motor vehicles on or around December 15, based on conditions, in order to avoid conflicts between snowmobiles and motor vehicles.
- 3) *Forestry Operation Closures:* To minimize risks to public safety and interference with forestry operations, the Landowner reserves the right under Section IV of the Public Access Easement to preclude public access to designated Recreation Corridors in areas of active forestry operations subject to the following limitations:

*Primary Corridors* are subject to closure only with prior written consent of ANR. The Landowner must request such closure on or before September 1 for Corridors used for winter recreation, and on or before March 1 for Corridors used for non-winter recreation. If a Primary Corridor is closed, the Landowner must designate and establish an effective alternate Primary Corridor during the period of closure, and obtain prior approval of that alternate from ANR.

*Secondary Corridors* may be closed at the Landowner's discretion, provided ANR is notified on or before October 15 for Corridors used for winter recreation and at least three (3) months in advance for Corridors used for non-winter recreation. ANR may relocate closed Secondary Corridors at its expense.

In the event of forestry-related closure of a Corridor, the Landowner is responsible for erecting sufficient signs and barriers to warn the public of the closure. In addition, no Corridor shall be closed by the Landowner to accommodate another landowner's interest in use of roads on the Private Timberlands for forestry purposes without prior written consent from ANR.

- 4) *Other Closures:* ANR may close selected Corridors to public use in response to safety concerns, impacts of public use on road conditions, and/or impacts of public access on conservation values including wildlife habitats, wildlife movement or migration, and surface water quality. In addition, ANR and the Landowner may mutually agree to temporarily close any road designated as a Primary or Secondary Corridor that has been damaged by the activities of the Landowner or the public until such time as the necessary repairs are completed, at the expense of the responsible party. Also, ANR or the Landowner may close any road designated as a Secondary Corridor that provides access to an undesignated road that has been damaged by unauthorized public motorized recreational use.
- 5) The public will be notified of all Corridor closures through periodically updated announcements on the Kingdom Heritage Lands roads website ([http://www.vtfishandwildlife.com/wildlife\\_WestMtnWMARoads.cfm](http://www.vtfishandwildlife.com/wildlife_WestMtnWMARoads.cfm)), and may find additional information by calling the St Johnsbury District ANR office.

## **F. Management of Existing and Proposed Public Recreation Facilities and Signs**

### **1. Management of Existing Public Recreation Facilities**

Existing recreation facilities include snowmobile trails, hiking trails, equestrian corridors, wooden bridges, gates, and information kiosks. (See Section IV. C for a description of these existing recreation facilities.) Management of this infrastructure will be coordinated by ANR, Plum Creek, and Corridor Manager, and specific activities will be laid out in ANR district Annual Stewardship Plans.

An additional public recreational resource that crosses part of the Private Timberlands and that may merit some management attention over time is the Northern Forest Canoe Trail (NFCT). A section of the route uses the mainstem of the Nulhegan River communication between ANR, Plum Creek, and the local NFCT committee should be established to discuss relevant issues.

### **2. New Facilities**

As discussed earlier in Section VI.E, the Green Mountain Club and the Vermont Horse Council have expressed interest in using the existing gravel roads, GMC has developed a small number of new trails since becoming hiking Corridor Manager, and VHC has helped develop two camping

sites on West Mountain WMA. These requests have been in accordance with the Public Access Easement for the Private Timberlands portion of the Kingdom Heritage Lands. The Easement specifies that these uses are allowed but that a qualified organization must agree to serve as Corridor Manager for the activity in question, must indemnify the Landowner, etc. The original corridors proposed by GMC and VHC must be updated with new Corridor Manager Agreements (see Section VI.E.) before any additional facilities are created.

In the longer term GMC, VHC, VAST, or other organizations may come forward with proposals for additional trails. These will be considered on their merits and judged for their consistency with the goals and objectives of the Public Access and Conservation Easements and this plan at the time when they are submitted. Approval of any new corridors would require amending this Plan; the process for such amendment is discussed in Section VII. Consistent with the management direction stated earlier to maintain the existing rugged, undeveloped character of the area, the number of new trails allowed off existing roads is expected to be quite limited. Maintaining peaks and ridges without trails is an intended outcome of management to maintain existing opportunities for self-directed bushwhacking, orienteering, hunting, and trapping without trails.

No other new facilities are planned for the Private Timberlands at this time.

### **3. Signs**

First and foremost, signs that are unnecessary or not consistent with the management direction specified herein will not be installed.

Consistent with the management direction specified for the Private Timberlands, as well as the Kingdom Heritage Lands as a whole, signs in the interior of the property will be minimized and made as unobtrusive as possible while serving their intended purpose. Further, whenever possible, signs that are legally required or otherwise considered to be necessary will be located on the periphery of the Private Timberlands and at road intersections leading to the Private Timberlands. The rationale behind this approach is to view the sign program as a part of the conscious effort to maintain the character of the area and the special recreational opportunities that it provides. In fact, an important part of this character results from not having internal directional signs, thus allowing recreationists to use their map reading and orienteering skills in finding their way to their intended destinations. This approach both provides a different recreational opportunity than generally available elsewhere and should help reduce crowding and the resulting stress on resources. (See Section V.S. for more on the topic of social, physical and ecological carrying capacities.)

Consistent with these purposes and approaches the design and locational standards for signs on the Private Timberlands are as follows:

#### Design standards

Signs on the Private Timberlands will be designed to be consistent with signs on the other portions of the Kingdom Heritage Lands. In general this means:

1. Entrance signs at major access points (as on wildlife management areas).
2. Boundary signs (as on wildlife management areas).<sup>32</sup>
3. Safety warning signs (as needed and appropriate and as on wildlife management areas).
4. Signs identifying entrances to recreation corridors (as on wildlife management areas).

#### Locational standards

Signs warning of danger, needed for safety, or to prevent damage to fragile features will be located close to the feature in question and in a location where they will not be overlooked by the target audience. Trails approved as recreation corridors will be blazed as specified in ANR standards. Signs directing recreationists to specific recreational resources or facilities will not be provided in the interior portions of the property.

Beyond the measures specified above, as management of public access on the Private Timberlands is implemented pursuant to this Plan, mechanisms will be developed for providing the public with accurate information on the recreational opportunities present on these lands, limitations on public use, etc. These mechanisms will be designed to be effective without compromising the goals of maintaining the quality of existing recreational opportunities, some of which are dependent on uncrowded conditions, and not promoting increased use of these and other parts of the Kingdom Heritage Lands. Mechanisms that could be used to accomplish this objective could include additional kiosks at major access points, directional signs at these same and other locations, maps and pamphlets for distribution to the public on site, posters with safety warnings or informing the public about permitted and prohibited uses, and others.

#### **4. Maintenance of Recreation Facilities and Signs**

Recreation facilities and signs will be maintained to keep them in good and serviceable condition and avoid adverse environmental impacts. Consistent with the management direction stated earlier, maintenance will be aimed at maintaining the existing primitive character of the area and recreation facilities. The maintenance planned for each facility is summarized below.

**Table 5: Maintenance Guidelines for Recreational Facilities and Signs**

<b>FACILITY</b>	<b>MAINTENANCE</b>	<b>FREQUENCY</b>	<b>RESPONSIBLE PARTY</b>
Snowmobile Corridors	Comply with corridor management agreement regarding maintenance. This includes but is not limited to inspecting and repairing/ stabilizing any damages as needed.	Annually	VAST

---

<sup>32</sup> Boundary signs are envisioned at applicable locations on roads and designated recreation corridors, but are not likely to be placed around the entire perimeter of the Private Timberlands.

Hiking Corridors	Comply with corridor management agreement regarding maintenance. This includes but is not limited to inspecting and repairing/ stabilizing any damages as needed.	Annually	GMC
Equestrian corridors	Comply with corridor management agreement regarding maintenance. This includes but is not limited to inspecting and repairing/ stabilizing any damages as needed.	Annually	VHC
KIOSKS	Inspect and repair any damages as needed.	Annually	ANR
SIGNS	Inspect and repair any damages as needed.	Annually	ANR

Informal public use sites will also be inspected annually for environmental impacts and appropriate action will be taken to prevent or mitigate any such damage.

## **G. Uses Requiring Advance Written Authorization**

### **1. Overview**

Neither the dispersed pedestrian public uses permitted in Section VI.D.1 of this Plan nor public use of Recreation Corridors designated in Section VI.E.2 require formal, written authorization from ANR or the Landowner. However, certain other types of recreational activities will be permitted only if specific requirements are met and advance written authorization is obtained from ANR. These activities include the following:

- Pedestrian recreation conducted by groups of more than 10 people in concentrated areas;
- Dispersed pedestrian recreation conducted by commercial enterprises such as guiding services<sup>33</sup>;
- Any activity that is organized or publicized, requires participants to pay a fee, involves potential alteration to a site or removal of vegetation or mineral resources, or may conflict with established uses such as hunting, bushwhacking, and dispersed cross-country skiing.

---

<sup>33</sup> In accordance with ANR policy, commercially guided hunting parties do not require advance written authorization.

ANR will provide written authorization for the types of uses listed above only if the following requirements are met:

- a. The proposed activity is consistent with the Purposes of the Public Access Easement and the Conservation Easement.
- b. The Landowner's risk of liability will not be increased;
- c. A "Group Manager" is identified that meets the same requirements as those specified in Section VI.E.3.b. for Corridor Managers;<sup>34</sup> and
- d. After receiving written notification of the approved Group Manager from ANR, the Landowner provides written consent.

Written authorization from ANR will be in the form of a special use permit or license, depending on the nature of the activity (see below). Applicants may be required to pay a fee, and must demonstrate proof of insurance, indemnification, and legal defense to protect Landowner and State interests from liability that could be incurred. Each authorization will spell out the duration of the allowed use, responsibilities for any necessary maintenance and repair, and a statement to the effect that the authorization is not an exemption from other local, state and federal rules, laws, permits or licenses.

## **2. Short-Term Uses - Special Use Permits**

ANR may grant special use permits for applicable uses on the Private Timberlands that are short term and low-impact, requiring little or no development and no permanent structures. Examples would include one-time use of the property by a commercial guide service<sup>35</sup> or by an organization planning a publicized group outing. Requests for special use permits will be considered on a case-by-case basis by the St. Johnsby District Office. The term for each special use permit will be one year or less, and during that period the permitted activity shall not dominate or exclude all other public uses of the land..

## **3. Longer-Term Uses without Transfer of Rights - Licenses**

A license from ANR generally is necessary for applicable activities that are longer-term and do not involve the transfer of any contractual, vested, or property rights to a business or individual.

---

<sup>34</sup> ANR may serve as a Group Manager. Even if it approves another entity to serve as Group Manager for a particular activity on the Private Timberlands, ANR will retain ultimate responsibility for the management of all public access on the property, including compliance with the terms, conditions, and limitations of the Public Access Easement, the Conservation Easement, and this Plan. ANR also will remain the primary contact for the Landowner concerning public use on the property. ANR may permit an approved Group Manager to charge fees for snowmobile, bicycle, equestrian and some motor vehicle uses pursuant to Section II.D.2 of the Public Access Easement, provided such fees are reasonably necessary to support the Group Manager's obligations on the property and are not based on place of residency.

<sup>35</sup> In accordance with ANR policy, commercially guided hunting parties do not require advance written authorization.

Examples would include a commercial guiding service<sup>36</sup> that wishes to use the Private Timberlands on a continuing basis, or an organization that wishes to conduct regular organized outings on the property. License agreements will be prepared by the ANR District Office in St. Johnsbury, and approved by the Commissioner. Such agreements will include specific dates for review and renewal. As with uses allowed under special use permits, licensed uses must not dominate or exclude all other public uses of the land.

#### **4. Overnight Camping and Campfires**

Overnight camping and campfires are allowed only with prior approval from the Landowner or pursuant to a written agreement between the Landowner and ANR. At the present time, Plum Creek does not anticipate allowing overnight camping for any purpose.

### **H. Access for Persons with Disabilities**

Access for persons with mobility impairments on the Private Timberlands is addressed in the Public Access Easement and the Conservation Easement. Pursuant to Section III.C.(7) of the Public Access Easement, ANR may permit persons with mobility impairments to access designated recreation corridors by ATV or motorized wheelchairs. Requests for such permission should be directed to the St. Johnsbury District Office.

In addition, the Landowner may permit ATV access to seasonal recreation camps by persons with disabilities pursuant to Section III.9 of the Conservation Easement. Application for permission for such access must be submitted to the Landowner.

Going forward, the Agency will work with Plum Creek to periodically review, and if necessary, to revise its procedures to comply with federal laws, regulations, and rules regarding access by persons with disabilities.

### **I. Public Access Near Private Camps**

There are sixty-three privately owned camps located on the Private Timberlands on lots leased from the Landowner. About half of these are concentrated along the East Branch Road and Henshaw Road; the balance are scattered throughout the rest of the property. In accordance with Section III.A.(4) of the Public Access Easement and Section III.9 of the Conservation Easement, the public is excluded from a one-acre zone around each of these camps. This exclusion does not apply to the banks, shores, or surfaces of ponds or streams, nor to Recreation Corridors designated in Section VI.E.2. of this Plan or through subsequent amendment as provided in Section VII.

---

<sup>36</sup> In accordance with ANR policy, commercially guided hunting parties do not require advance written authorization.

## **J. Forestry Operation Closure Zones**

To minimize risks to public safety and interference with forestry operations, the Landowner has the right under Section IV of the Public Access Easement to exclude the public from all areas on the property where active forestry operations are underway. This will include both the areas where timber harvest actually is occurring, and certain roadways used to transport equipment, logs, or personnel to and from those areas. Such closures will be limited to periods of active forestry operations, and will not exceed twelve (12) months unless the Landowner and ANR agree to a longer duration. Also, closure zones will be limited in spatial extent to that area needed to assure public safety and prevent recreational use from impeding the Landowner's forestry operations.

It is important to note that in addition to designated closure zones, log trucks and forest management equipment may be encountered at any time and any place on the Private Timberlands, and that public users of the Private Timberlands must maintain a safe distance from all forest management activity.

Forestry operation closures apply to both dispersed pedestrian access and access to Recreation Corridors designated in Section VI.E.2. of this Plan. However, as described in greater detail in Section VI.E.3.e of this Plan, different provisions apply to the closure of Primary and Secondary Recreation Corridors. In short, the Landowner may close Primary Corridors only with prior written consent of ANR, and the Landowner must establish an effective alternate Primary Corridor for the duration of the closure that is acceptable to ANR. The Landowner may close Secondary Corridors at its discretion, provided it gives ANR the required advance notification.

In the event of a closure of a designated Recreation Corridor, the Landowner will erect signs to warn of the closure, and may also erect barriers to prevent access to the Corridor. In such event, the Landowner will notify ANR and/or any affected Corridor Manager. It is the Corridor Manager's responsibility to warn its users of such closure. ANR will announce all forestry closures and describe the locations on the roads website for the Kingdom Heritage Lands ([http://www.vtfishandwildlife.com/wildlife\\_WestMtnWMARoads.cfm](http://www.vtfishandwildlife.com/wildlife_WestMtnWMARoads.cfm)), and may be reached directly by calling the St Johnsbury District ANR office.

## **K. Other Restrictions of Public Access and Use**

In addition to the limitations on public access and use of the Private Timberlands described in other subsections of Section VI of this Plan, the following restrictions will apply:

1. All-terrain vehicles (ATVs) are prohibited except in the following circumstances:
  - The Landowner may use ATVs for forest management purposes, including on designated Recreation Corridors that are located on existing or future roads or skid roads.



- ANR may use ATVs to establish, maintain, and patrol Recreation Corridors and for medical emergencies. No other Corridor Manager may use ATVs without prior consent from ANR.

ANR may permit the use of ATVs (or other power driven mobility devices) for access to designated corridors by those with disabilities. See Section H for more information.

- The Landowner may permit ATV access to seasonal recreation camps by persons with disabilities pursuant to Section III.9 of the Conservation Easement. Application for a license for such access must be submitted to the Landowner.
2. Harvesting or removal of any vegetation or removal of any other property is prohibited without prior consent from the Landowner.
  3. At its sole discretion, ANR may restrict or limit public use and access to the property in the interest of public safety or to assure compliance with the purposes and limitations of the Public Access Easement and the Conservation Easement, including the protection of unique or important natural communities or sites and minimizing interference with the Landowner's use of the property for economically sustainable production of forest resources.
  4. The Landowner may close portions of the property other than Primary Recreation Corridors in order to protect wildlife habitat, natural areas, and surface water quality, provided that prior written approval is obtained from ANR. ANR may withhold that approval in its sole discretion if it determines such a closure would be inconsistent with the Purposes of the Public Access Easement.

## **L. Management of Roads**

### **1. Background**

Champion and its predecessors developed a comprehensive road network on these lands when the use of trucks became common for the transportation of forest products. Even prior to the use of trucks for hauling logs to market, many sled trails and rail beds were developed to move logs and pulp to the main water courses for movement downstream or to connecting railroads. In addition, saw mills were established, in some cases on site, with a corresponding network of roads and skid trails to move material to the mill site. As would be expected for ease of construction and to minimize grades, much of the transportation network was built to follow the natural drainage patterns. Thus, many roads are very close to rivers and streams, increasing the potential for impacts on water quality and riparian habitat.

The impacts of these roads and their locations on water quality were largely ignored until the last few decades. Over the last 20-30 years efforts have been made to minimize the impact of roads and ditches on water quality. Improved bridge crossings with better abutments and stabilized banks have reduced the amount of sediment entering streams. Increased frequency and sizing of culverts has helped to reduce culvert failure and the resulting siltation. In addition, more attention has been given to maintaining and stabilizing ditches, which are also critical to

reducing siltation. Crushed gravel has replaced native material road surfaces, thereby reducing the amount of erosion by maintaining a more stable road surface and eliminating rutting from heavy traffic. These improvements have greatly reduced the impact of roads on water quality within the Private Timberlands. Likewise as sections of roads have been relocated, or new roads built, they are now located further away from rivers, streams, lakes, and ponds to reduce their impacts on sensitive and high value riparian wildlife habitats. This trend of reducing the unintended impacts of the road network on aquatic and terrestrial habitats is expected to continue.

Roads on the Private Timberlands have been placed into three classes based largely on road conditions. (See Section IV.B.) Currently only classes A and B are in a condition suitable for motor vehicle travel. Class C roads may have been used by some motor vehicles in the past, but they are not open to public vehicular travel and will not be maintained for such use.

Currently there are about twenty-nine miles of Class A roads and forty-one miles of Class B roads open for public vehicular travel on Private Timberlands. This Plan deals only with these roads that are open to the public; the remainder of the roads on the Private Timberlands are the sole responsibility of the Landowner (currently Plum Creek Timber Company). Further, this Plan deals only with improvement, management, maintenance and closure issues on these roads, as no new roads for public vehicular use or relocation of roads already open to public traffic are known to be needed at this time.

## **2. Improvements in Road Conditions**

Despite the adequacy of the present road network to meet the current and projected demands, some improvements and modifications will be needed. All such improvements and modifications must be consistent with the provisions of the Public Access Easement and the Conservation Easement, and will be reviewed in accordance with the provisions of the Stewardship MOU.

Potential improvements include the creation of safe parking areas at trailheads associated with new recreational corridors that may be approved. (See Section VI.E of this plan for information on the status of recreational corridor proposals.) Such parking areas should be designed not only to provide a safe parking site, but also to maintain the rugged, undeveloped character of the area. Parking areas may also be needed at informal recreation sites that receive heavy use. To avoid safety problems and congestion, temporary parking areas may also be needed for snowmobile trailer parking where roads plowed in the winter intersect snowmobile trails. Congestion at such sites has already proved to be a problem in some areas on the Kingdom Heritage Lands. Parking areas shall be maintained by ANR or appropriate Corridor Manager(s).

In addition, if the level of vehicular use increases certain sections of road may require increased clearing of vegetation on corners and at intersections to maintain safe conditions.

Other improvements to road conditions (*e.g.*, finer gravel to accommodate passenger car use, improved decking on bridges, and improved armoring at certain culverts) are also planned; these are described more fully in the discussion on road maintenance in Section VI.L.4.

Many members of the public have spoken out at public meetings and in written comments objecting to the installation of directional signs on these lands. However some type of directional information is needed to allow people to find recreational features and to prevent uses from occurring where they are not appropriate. To fill this need, ANR has and will continue to install informational kiosks at main entry points to these lands (see Section VI.F.3). Proposals from Corridor Managers will be required to identify the signs necessary for their uses and address how to make sure that signs for these uses have been limited to be consistent with the minimalist policy on signs articulated elsewhere in this Plan (see Section VI.F.3).

### **3. Road Management Issues**

Plowing roads to perform management activities in the winter can create safety problems. Whenever roads are plowed from a town or State highway for the removal of forest products, some of the general public will use the road for other purposes. This raises the possibility of collisions between cars and logging vehicles because these winter roads are generally very icy, narrow, and have poor visibility.

It is ANR's intention to allow public access on plowed roads whenever possible to facilitate access by hunters and other recreationists; therefore, Plum Creek will be encouraged to leave its plowed roads open for public access. However, general public use on plowed roads that inhibits a logging contractor's ability to carry out his or her tasks may require these plowed roads to be gated and restricted to logging use only. Posting safety signs to warn motorists that they may encounter logging vehicles is an obligation of ANR, and will be a standard practice on roads that Plum Creek plows.

Snowmobile trails will need to be rerouted in most cases when the roads they normally follow are plowed for winter use. In some cases it is expected that rerouting cannot be reasonably accomplished and in these cases appropriate precautions will be taken to minimize the risk of accidents. The annual meeting between the Landowner, ANR, USFWS, and VAST to designate snowmobile trails for the upcoming winter will provide the opportunity to identify where these conflicts will occur and what remedial action may be needed to minimize safety problems.

Recreation corridors will create impacts specific to each use. Horses, for example, can create site damage in wet areas, as can mountain bikes. Most Class C roads (designed only for winter use with a frozen surface) will not be available for these uses. Although both horses and bicycles currently share public highways with motor vehicles, this situation is not ideal either from the standpoint of safety or the quality of the recreation experience. This may be of particular importance when horses encounter logging trucks or when young children on horses or bicycles encounter vehicles. Safety issues related to horses and bikes using roadways need to be addressed by the respective Corridor Managers in a manner acceptable to ANR and the Landowner.

### **4. Maintenance, Responsibilities and Funding**

#### **a. Road Maintenance**

1) *Road Maintenance Criteria:* ANR plans to maintain roads open to general public use on the Private Timberlands to a standard that would permit travel by a typical pleasure car at slow speeds. In addition:

- Road widths will be maintained at present levels unless safety issues necessitate widening;
- Visibility will be maintained or improved at problem areas by mowing roadside vegetation;
- All drainage structures will be maintained and/or improved to minimize erosion and rutting;
- Road surfaces will be maintained at an appropriate quality for their intended use; and
- Bridges and major drainage structures will be evaluated for safety and performance, and repairs or upgrades will be made as needed. All drainage structures will be designed to minimize fragmentation of fish communities.

*Road Maintenance Needs and Schedules:* Road maintenance needs are substantial over the next 10 years. Plans for future maintenance include using finer gravel and accelerated efforts to regravell many of the Class A and B roads open to public vehicular use on the Private Timberlands.

Bridges and culverts are consistently of concern. Maintaining the safety and environmental impacts of these structures is an ongoing maintenance task. Most ditches and associated cross-drainage devices are in good shape. Old, damaged or undersized culverts will be replaced as they are identified. Ditches are currently in stable condition. Cleaned ditches will be seeded and mulched where necessary to minimize erosion.

Roadsides need to be mowed every 3-5 years to maintain road widths, facilitate ditch maintenance, and allow for adequate visibility.

Road maintenance and stream crossings will be handled in accordance with Vermont's AMPs, Stream Alteration Permit requirements, Wetland Rules, and other applicable policies and regulations.

b. Shared Responsibilities and Funding

In addition to overseeing public use, ANR will bear the responsibility for conducting and paying for maintenance activities on the Class A and Class B roads on the Private Timberlands. ANR receives road construction and maintenance funds annually through its budget, which is approved by the Vermont Legislature. These funds are distributed to

the five Agency regional offices based on mileage of road to be maintained within each district and a review of annual work plans. In addition, Plum Creek will contribute an appropriate amount of funding towards the maintenance costs of these roads. It is expected that some funding also will become available for road maintenance from the Vermont Electric Transmission Company (VETCO), which owns the power line corridor that runs through parts of the property, and from recreation Corridor Managers. VAST has contributed funds and manpower in the past to accomplish projects such as roadside mowing and bridge repair, and has indicated that it intends to continue to help fund road maintenance costs.

In addition to the roads open to the public, other Class A and B roads exist on the Private Timberlands that are gated and unavailable for public vehicular use. These roads will be maintained by the owner of the Private Timberlands.

As directed by by Section III.C(10) of the Public Access Easement, ANR and the Landowner are renewing a "Road Agreement" that further outlines the responsibilities of the owners and holders regarding road use and maintenance. It is expected that this agreement will be completed in the near future.

## **5. Road Closures**

There are a number of situations in which roads on the Private Timberlands that are normally open to public will be closed temporarily. These include the following:

- a) Prior to complete snowmelt each year, roads will be closed to all use with the exception of dispersed pedestrian use. Such closure generally will begin on or around March 15 and last until mid to late May. This closure is to protect road and trail surfaces during the annual spring mud season.
- b) Roads that are designated as snowmobile corridors will be closed to auto and truck traffic on or around December 15 each year, subject to weather conditions. This is to prevent the possibility of collisions between snowmobiles and motor vehicles.
- c) Roads may also be closed temporarily for maintenance and repair. These closures may occur for a variety of maintenance operations, but most likely will occur when safety becomes a problem, *e.g.*, a bridge becomes unsafe. Any such closure will be for the minimum time necessary while repairs are being made.
- d) Roads may be closed when timber harvest operations are underway and it is determined that a significant conflict could occur between logging equipment and public vehicular use. In the case of primary access roads, an alternative route will be located prior to closure to minimize impact on public access.

Whenever roads are temporarily closed or reopened under the conditions described above, the roads website for the Kingdom Heritage Lands will be updated to reflect the change

([http://www.vtfishandwildlife.com/wildlife\\_WestMtnWMARoads.cfm](http://www.vtfishandwildlife.com/wildlife_WestMtnWMARoads.cfm)). The public is encouraged to use this website for updated information before they visit these lands.

## **M. Summary of Closures**

As described in several of the preceding parts of Section VI, there are a number of instances in which public access on the Private Timberlands will be curtailed to protect public safety, facilities, resources, or the privacy of camp leaseholders. These closures, which affect public access to roads, private camps, and areas active logging operations, are listed below. Readers should refer to the specified sections for a complete discussion of each category of closure.

- Closures for public safety and compliance with the Public Access Easement and the Conservation Easement (Sections VI.D.2 and VI.K);
- Closure of recreation corridors (Section VI.E.3.e);
- Exclusion zones around private seasonal recreation camps (Section VI.I).
- Forestry operation closures (Section VI.J); and
- Temporary road closures (Section VI.L.5).

## **N. Linkages with Recreational Opportunities on Nearby Lands**

The Private Timberlands offer significant opportunities for both dispersed and corridor-based back-country recreational activities. These opportunities are enhanced by the fact that the Private Timberlands are part of a larger, undeveloped forested area with road and trail linkages to the surrounding lands.

Because the large block of lands available for public use includes and surrounds the Private Timberlands, the Private Timberlands and the rest of the Kingdom Heritage Lands provide unusual opportunities for dispersed uses (not dependent on trails) such as hunting, bushwhacking, foraging, nature walking, and wildlife observation in a backcountry environment. For example, certain types of hunting activities require or benefit from being connected to other public lands. While the area included within the Private Timberlands is substantial, game species travel across the boundaries of these lands onto other properties. Hunting activities, such as hunting with hounds and certain forms of deer hunting ( *e.g.*, tracking) can take place over miles of terrain. A hunt that starts on the Private Timberlands may lead onto other properties or vice versa. Hence, large undeveloped contiguous forested areas are important for these sorts of back-country hunting activities.

Activities that make use of roads and trails, such as snowmobiling and hiking, also benefit by being part of a large block of land with interconnecting road and trail corridors. The Private Timberlands provide important linkages to recreational corridors located on adjacent public lands, and in the case of snowmobile trails, connections across the borders into New Hampshire and Canada. Without recreational access, these lands would interrupt existing recreational corridors such as the snowmobile trail network, and would prevent other recreation trail linkages from becoming established. For example, there is the potential to connect trails for various uses

passing through these lands with trail systems in the White Mountain National Forest, other Vermont and New Hampshire State lands and existing private land trail systems. It is also conceivable that a regional corridor network could link these lands to other lands in Vermont, (e.g., the Green Mountain National Forest, existing rail/trail corridors such as the Cross Vermont Trail and St. Johnsbury and Lamoille Valley Railroad, the Catamount Trail, and the Long Trail), and perhaps west to the Adirondack region of New York.

Recreational corridor linkages for various activities are summarized below. Also, see Figure 8.

a. Motor Vehicle Road Linkages

A number of motor vehicle access linkages currently exist with adjacent lands, mostly in the form of gravel roads that connect to nearby town and State roads (e.g., Vermont Routes 102, 105, and 114). These linkages provide opportunities to access both nearby and more distant recreational lands in all directions, including across the borders into New Hampshire and Canada.

b. Snowmobiling Linkages

The VAST network of trails relies on linkages between the Private Timberlands and other properties to the north, south, east and west for continuity in the VAST system. The Island Pond area generally and the Kingdom Heritage Lands more specifically are seen as important hubs and connectors in the regional network of snowmobile trails.

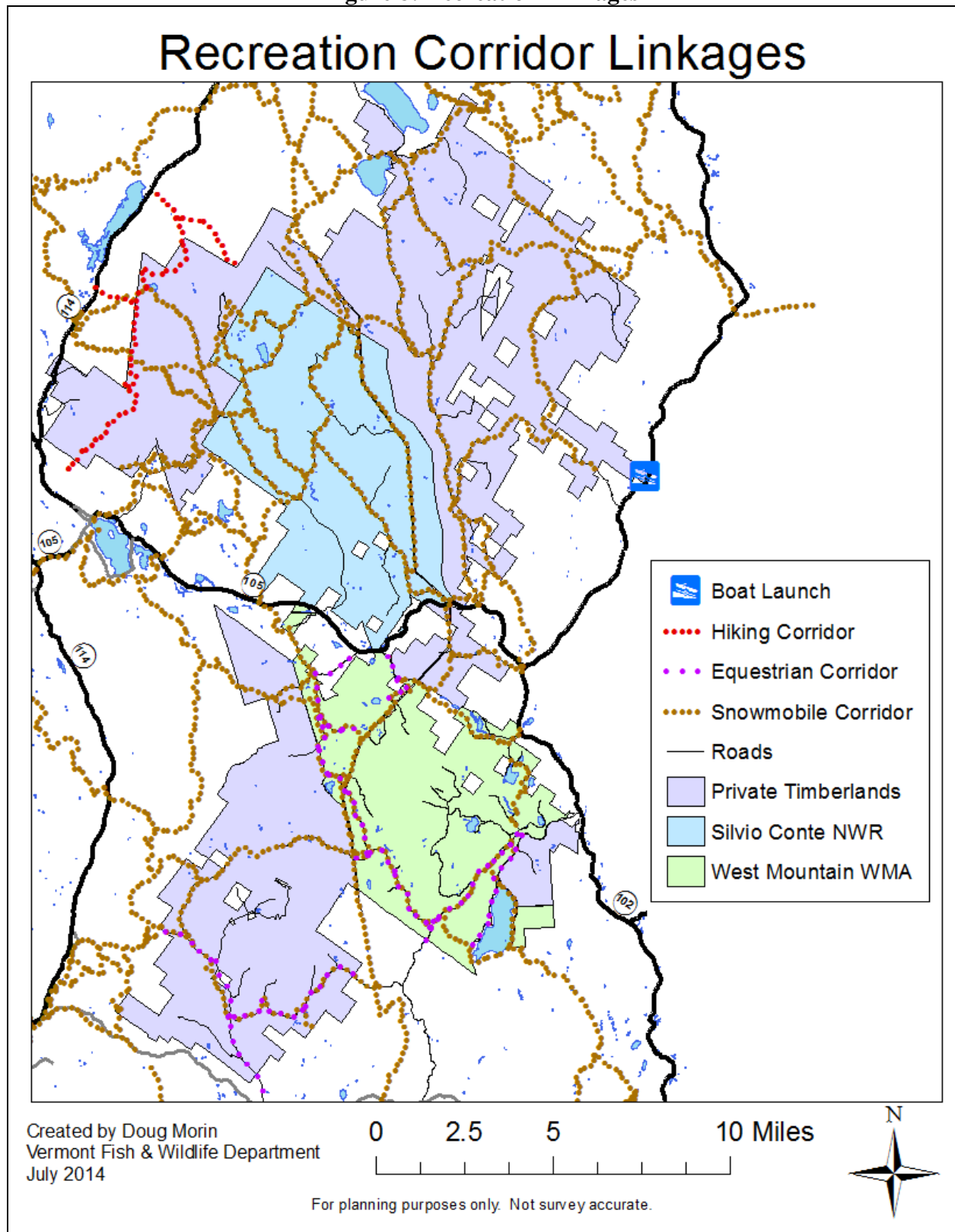
c. Hiking trail linkages

The potential exists for hiking trails interconnecting with other trails on surrounding lands. However, no specific proposal has been submitted for long-distance, “through” trails, or connecting trails yet.

d. Equestrian trail linkages

The equestrian trails on the Private Timberlands currently rely on linkages to and from the Victory State Forest/Wildlife Management Area and West Mountain Wildlife Management Area.

Figure 8: Recreation Linkages





## O. Public Information, Education and Outreach

The citizens of Vermont have a right to accurate information about their public lands and easements that the State and other organizations hold for their benefit. Therefore, information on the public's right to access the Private Timberlands portion of the Kingdom Heritage Lands will be included in State publications on the nature and character of public recreational opportunities, and shown on maps prepared by the State for these same purposes. Further, agency personnel will, of course, have a responsibility to characterize the opportunities on these lands accurately and will, in response to inquiries, provide such information for Private Timberlands.<sup>37</sup>

However, it is important to remember that in addition to providing public access, the Private Timberlands will be managed for sustainable timber harvesting and the protection of certain sensitive resources within their boundaries. Further, the management direction established for the Kingdom Heritage Lands as a whole is intended to maintain their relatively remote, rugged and undeveloped character and the special recreation opportunities that are available because of this character, *e.g.*, hunting and bushwhacking in a big woods setting. Therefore, information provided regarding the Private Timberlands as well as the Kingdom Heritage Lands as a whole, while accurate, will not be directed at promoting and increasing the level of use; rather, it will be aimed at disseminating factually correct information and informing people about the area's intended management and the sensitivities of its resources. This is a subtle but important distinction and is part of a conscious strategy to maintain the area's character and not to exceed the capacity of its resources to accommodate use.

Educational efforts about access to the Private Timberlands as well as the Kingdom Heritage Lands as a whole are to be aimed at informing the public on these same topics—that is, informing people about the intended management of the area, the importance of protecting sensitive resources, carrying capacity issues, and the need to manage public access on these lands to provide a diversity of recreational opportunities. In this latter regard information will describe the niche that the Private Timberlands occupy in the continuum of developed to undeveloped lands and the spectrum of recreation opportunities available.

On and offsite educational use will be aimed at serving these same purposes. For example, onsite group use and size will be carefully reviewed to assure that carrying capacities (social, physical and ecological) are not exceeded, *e.g.*, it would be inappropriate to schedule onsite field trips by school groups during moose or deer hunting season. Further, because the mere presence of a large number of people could impact wet, mucky sites and sensitive biota (*e.g.*, breeding birds), it would not be appropriate to have large numbers of people guided into the middle of sensitive bog areas except during the winter. (In this regard, use by groups larger than ten people and all

---

<sup>37</sup> Public information about access on the Private Timberlands and other aspects of the management of the Kingdom Heritage Lands will be available in large print, Braille format and audio cassette upon request from ANR at 1-802-241-3659. Also, the Vermont Telecommunications Relay Service has trained people who will relay messages between hard-of-hearing, speech-impaired or deaf people who have a telecommunications device for the deaf (TDD) and people who can hear. This service may be used to call the Vermont Agency of Natural Resources. If you have a TDD and wish to call a hearing person without a TDD, dial 1-800-253-0191.

commercially guided activities require advance written authorization from ANR. See Section VI.G. for more information on this topic.)

Relationships with a number of institutions or organizations will be established to encourage appropriate use of the area, including Lyndon State College, the Northwoods Stewardship Center, the Vermont Outdoor Guides Association, and Audubon Vermont.

## **P. Enforcement**

Enforcement of state laws and regulations on the Private Timberlands is performed primarily by Vermont Fish and Wildlife Department Game Wardens and Vermont State Police officers.

In general, State Game Wardens are empowered to enforce all state laws. The focus of their enforcement is civil crimes, usually pertaining to fish, wildlife, and plant violations and motor vehicle violations (*e.g.*, snowmobiling, all-terrain vehicles). Wardens are stationed throughout the region, report to a Lieutenant warden stationed in St. Johnsbury, and enforce such regulations by providing frequent patrol from a four-wheel drive vehicle, boat, snowmobile, and on foot.

In addition to the above, Game Wardens perform enforcement of laws pertaining to destruction of state property on wildlife management areas, search and rescue, and fire warden duties, and assist with all emergency incidents that may occur.

Vermont State Police officers primarily enforce criminal laws (*e.g.*, personal property, bodily harm), as well as snowmobile violations. In addition, State Police provide search and rescue and emergency assistance. State police officers patrol out of their St. Johnsbury and Derby police barracks.

State Police officers and State Game Wardens coordinate their activities, particularly regarding investigations and usually at the field level. Both State Game Wardens and State Police officers are dispatched through a single dispatcher at the St. Johnsbury police barracks.

## **Q. Emergency Response**

Emergency response falls into two distinct categories: accidents and medical emergencies; and search and rescue. With a projected increase in both dispersed pedestrian uses and corridor-based activities such as motor vehicle travel and snowmobiling, a corresponding increase in the need for emergency services can be expected. Different protocols exist for each of the two categories of emergency response, as described below.

### **1. Accidents and Medical Emergencies**

All medical emergencies and accidents should be referred to the closest provider by dialing 9-1-1. Depending on where the assistance is needed, different units will respond. It is expected that Colebrook, Brighton, Lyndon, Stratford and Groveton may be asked at one time or another

to respond to an emergency. These providers will be supplied with information to aid in locating victims. The Maidstone Lake Association and Plum Creek are in the final stages of establishing a designated Landing Zone for DHART helicopters on Plum Creek property in Maidstone. This LZ, as well as other sites on the Private Timberlands, will provide important EMS access for medical emergencies and accidents associated with recreational use and forest management.

## **2. Search and Rescue**

All search and rescue activities in Vermont are coordinated by the Vermont State Police.<sup>38</sup> All requests for this activity on the Private Timberlands should be directed to the State Police barracks in Derby, Vermont. The Derby barracks will request pertinent information from the caller. Based on information received for each incident, the Derby barracks will determine what action needs to be taken. The Vermont State Police advise that individuals not organize or begin searches prior to instructions from them. At the request of the Vermont State Police, ANR will make resources available to aid in search and rescue efforts, including maps, gate combinations, and personnel knowledgeable of the terrain where the search is occurring. State Game Wardens will be involved with search and rescue efforts in cooperation with State Police.

## **R. Monitoring and Evaluation**

### **1. Monitoring Concerns**

Levels of recreational use have implications for natural resources, the types of recreational activities occurring on a given piece of property, and the quality of recreational experiences. With regard to natural resources, recreational use can have direct or indirect ecological effects. For example, indirect effects can result when recreational vehicle or foot traffic results in compaction and erosion of soils. In turn this can have adverse effects on root systems and plants. Recreation can also have ecological affects directly. For example, recreational use can disrupt nesting birds or alter habitat use by other animals. Levels of recreational use can also impact the types of recreational use taking place on an area and the quality of recreational experiences. For instance, certain activities, such as hunting, require low levels of other recreational uses in order for the activity to be safe and productive. Further, interactions among recreational users can degrade the quality of recreational experiences for those activities or users that are dependent upon or seeking a certain level of solitude.

On properties where levels of recreational use are not controlled, it is important to monitor recreational use as part of an adaptive management program to maintain the nature and quality of resources and insure that recreational experiences are not adversely impacted.

Regarding the Kingdom Heritage Lands, based on extensive interactions with the public and the experiences of ANR and Plum Creek as on-the-ground managers, levels of recreational use are

---

<sup>38</sup> The State Police are part of the Vermont Department of Public Safety, and have the central role of coordinating and implementing the Department's search and rescue responsibilities.

not believed to be a problem at this time. Field surveys identified a few spots with soil compaction and erosion, but these are relatively minor and can be easily mitigated, and locations where water crossing structures need improvement, which is an ongoing process. (See Section IV.D. for information on levels of recreational use and Section IV.C for information on recreational sites.)

Furthermore, the strategy of maintaining the area's relatively remote, rugged and undeveloped character, as articulated in the goals and objectives for these lands, should avoid, or at least reduce, the problem of overcrowding in the future. This consideration was a conscious part of the decision to adopt this approach to management.

Despite these facts and the desire to maintain the character and condition of the area for the future, levels of recreational use could become a problem either for specific areas or on a more widespread basis. Therefore, recreational use should be monitored as part of an adaptive management program aimed at insuring that resources are not stressed or that existing recreational uses are displaced or adversely impacted.

Effects of recreational use can take several forms. Those that are most significant, and that should be the focus of the monitoring strategy, are:

- a. Physical Capacity: Physical capacity refers to the capability of these lands to physically accommodate recreation and other forms of public use. Can existing facilities or infrastructure such as roads, snowmobile trails, and hiking trails handle the amount of use that is currently taking place and that can be anticipated to occur in the future? Are parking areas able to accommodate the number of vehicles that may be present at any one time? Are snowmobile staging areas adequate to meet demand? Physical capacity effects are usually localized – on a specific snowmobile staging area at the terminus of a popular trail, a road providing access to popular leaf-viewing areas, or a narrow bridge that will not accommodate two-way traffic. These effects are also time sensitive – a snowmobile parking area may fill on a weekend but may be nearly empty the rest of the week, or a road providing access for leaf-viewing might be crowded during leaf season and virtually empty during other times.
- b. Social Effects: Social effects refer to the extent to which the enjoyment of a recreational activity is affected by increased numbers of users or interactions with those participating in other recreational activities in the same vicinity. To what extent is the enjoyment of remote hunting, including but not limited to the productivity of the hunt, diminished by coming across other recreational users or even other hunters? What are the effects of horses on hikers, or hunters? What is the effect of vehicular traffic on those seeking solitude? Social effects are often difficult to quantify. One person's perception of desirable levels of social interaction, or of over-crowding, will differ from that of another. Perceptions may also differ from one time to another even for a single person. A person who, for example, wishes to escape a hectic day at work by observing wildlife at twilight may have a different expectation than the same person visiting the same area on a family picnic or snowmobile outing.

- c. Ecological Effects: Ecological effects include the extent to which public use is compatible with maintaining the ecological integrity of the environment. For instance, does hiking, snowmobiling, or horseback riding damage sensitive plant communities? Do these or other recreational activities disrupt mammal or bird populations? Do activities that occur near streams or ponds negatively affect water quality?
- d. Effects on Public Safety: Effects on public safety includes situations where increases in the numbers of recreational users, introduction of new types of recreational use, or concentrating uses in certain areas may increase the potential for recreational users or others in the area to experience physical harm. What is the possibility for collisions between automobiles and snowmobiles where trails meet public roads? What is the possibility for harm to children and other walkers by vehicles driving near popular recreation areas? An evaluation of public safety must use as a departure point the fact that there is an inherent danger in participating in any outdoor recreation activity. The question that needs to be addressed, then, is whether management decisions – to add new uses, to relocate uses, or to otherwise facilitate increased public use – might increase the potential for accidents to happen, and whether or not risks are tolerable and/or can be mitigated.
- e. Conflicts with Other Non-Recreational Uses: Recreational activities have the potential to cause conflicts with other legitimate uses of these lands. Other uses include timber management, among others. Particularly on the Private Timberlands, but also to some extent on State managed lands as well, a major concern is the potential for conflict between recreational use and forest management. Might pleasure driving cause damage to roadways used for accessing harvest areas? Is there potential for conflict between logging trucks and recreationists? What is the possibility that forestry equipment might be damaged or stolen as a result of allowing public access near areas where forest management is underway? What is the possibility that some members of the public may decide to dismantle or drive around road barriers and illegally access areas that are not open to public vehicular use? What effect might this have on road conditions, other private property, or safety?

## **2. Monitoring Strategy**

An effective monitoring program starts with establishing baseline conditions. For natural resources this involves inspecting and documenting conditions in the field at selected sites where significant recreational use occurs. (See Section IV.C. for more on known recreational sites.) This effort to establish baseline conditions should involve evaluating:

- Soil compaction, if any;
- Erosion, if any;
- Damage to vegetation, if any;
- Disturbance to wildlife, if any;
- Degradation of water quality, if any;
- Introduction of non-native invasive species.

Even if none of these conditions are present, it is important to document the condition of the resources because these problems could arise in the future. The results of this field work should be documented through a combination of photographic records and a natural resource inventory and evaluation. The natural resource evaluation should address soil conditions and the condition of vegetation in the overstory, understory and ground cover.

Following these inventory efforts managers can develop resource quality thresholds to establish when impacts to natural resources would become unacceptable. It is best to set these thresholds conservatively so that adverse impacts can be detected early rather than when they have reached substantial proportions.

If, as is the case of the Kingdom Heritage Lands, one of the objectives of management is to maintain *existing* recreational opportunities, establishing a baseline of information about recreational uses involves interviewing and surveying recreational users to document specific recreational activities, levels of use, and the quality of the recreational experiences available on the property. This work should also involve assessing the tolerance of recreational users to changes in the experience before the quality of that experience is felt to be unacceptably reduced, or the use in question is displaced to another area.

Establishing such baseline information and thresholds, at which point further change is unacceptable, is fundamentally important because managers need to be able to track trends and document changes in conditions and identify the point at which additional management action is needed. In this regard, it is important to recognize that this is not just a matter of documenting average user satisfaction at any point in time. For, as in this case, if an objective of management is to maintain *existing* uses, managers need to understand what makes the area attractive for these uses and make sure that those uses are not being displaced over time.

To identify trends in resource conditions, recreational uses, or the quality of recreational opportunities, baseline information needs to be supplemented with information from periodic monitoring of the same parameters assessed in establishing baseline conditions. The time period between monitoring activities depends on the resources and uses involved. In this case reevaluation every five to ten years should be sufficient. When monitoring is conducted the same information should be collected at the same locations to compare resource conditions and recreational conditions over time, and to determine if thresholds have either been exceeded or are in danger of being exceeded. In such cases, this information and adaptive management would lead to corrective action to insure that the goals and objectives for the management of the Kingdom Heritage Lands are achieved.

To summarize:

This Plan does not define specific actions that will be taken to monitor recreational use. Rather, it offers a five-point strategy for developing a monitoring plan once management is underway. The five aspects of recreational use described above – physical capacity, social capacity, ecological capacity, public safety, and conflicts with other uses – should be monitored. The strategy involves the following elements:

- A benchmark should be established for each aspect of recreational use that represents the status quo. Using ecological capacity as an example, the question that needs to be addressed is: What is the existing situation regarding the effects of recreational use on the various aspects of the physical and biological environment?
- An additional threshold should be established for each of the five components of recreational use that defines a theoretical condition that represents the maximum amount of adverse effect that will be tolerated. This might be lower than, equal to, or higher than the condition at present.
- Near-term corrective action plans should be established for all instances where the threshold is lower than or equal to the present situation.
- A timetable and strategy should be developed for periodically and methodically monitoring the ongoing effects of recreational use covering all five aspects of use identified as important. This monitoring should involve site inspections, user surveys, analysis of records (*e.g.*, information on levels of use, accidents reported, etc.) and other methods. This also should include close communication with the managers of the other portions of the Kingdom Heritage Lands to develop collective strategies for addressing issues that transcend land ownership boundaries.
- To assist in monitoring changes and/or increases in recreational use over time, a program should be established for assessing both the quantity and quality of recreational use at strategic locations and times. The purpose is to identify trends regarding the amount and type of use that is occurring and to differentiate between use during different seasons and peak vs. non-peak times of the week.

## **S. Communication, Coordination, and Resolution of Disputes Between Landowner and Easement Holders**

The development of this Long Term Access Plan has involved all of the owners (ANR, Plum Creek, and USFWS) and easement holders (VHCB, TNC and VLT) of the Kingdom Heritage Lands. Communication among the parties and coordination of planning efforts has been key to determining the management strategies for this plan. As a practical matter, staff of all the entities named above are in regular contact by phone, e-mail and in person.

In addition, formal communication on an annual basis is addressed in the Public Access Easement, the Conservation Easement, and the Stewardship Memorandum Of Understanding among and between ANR, VLT, TNC and VHCB. Although USFWS is not a party to the Stewardship MOU, it executed a “*Conservation Partnership Agreement for the Nulhegan Basin and Paul Stream Areas*” with ANR on January 28, 1999. This agreement states that: “*Both government entities intend to work collaboratively to conserve and manage the outstanding ecological, cultural and economic, and recreational values of the Nulhegan Basin – Paul Stream Area ...*”

The following subsections provide a brief summary of the communication and coordination requirements contained in the easements and the Stewardship MOU.

## **1. Public Access Easement Requirements**

### **a. Snowmobile Corridors**

Section III.C.(6) of the Public Access Easement requires ANR, Plum Creek, and USFWS to jointly identify snowmobile corridors each year that will be included in the “Snowmobile Network” for the entire Kingdom Heritage Lands. ANR may designate these routes as Secondary Corridors. (See Section VI.E.2.b of this Plan for further discussion.)

### **b. Road Issues**

Section III.C.(10) of the Public Access Easement requires ANR, Plum Creek, and USFWS to meet annually to develop:

- 1) An annual work plan for road maintenance;
- 2) An annual budget for road maintenance;
- 3) An annual list of priorities for repair, reconstruction and maintenance of roads; and
- 4) Coordination of projects and potential sharing of equipment.

(See Section VI.L of this Plan for additional information on road issues.)

### **c. Compliance with the Easement and Dispute Resolution**

Section V of the Public Access Easement includes specific provisions related to compliance with the requirements of the Easement and the resolution of disputes between the Landowner and the Easement holders (*i.e.*, ANR and VHCB). Among other provisions, Section V specifies that in the event of non-compliance with the Easement, the parties will submit their dispute to binding arbitration. The types of disputes to be submitted to binding arbitrary include:

- 1) Issues with respect to the location or classification of Primary and Secondary Recreation Corridors;
- 2) A refusal by the Landowner to approve the Long Term Access Plan or either party’s refusal to approve an amendment to any such plan;
- 3) Issues with respect to Secondary Recreation Corridor closure by the Landowner and/or the response by the Easement holders;
- 4) Public misuse of Primary or Secondary Recreation Corridors; and
- 5) Any other event or circumstance of non-compliance with the Easement that is not corrected voluntarily.



## **2. Conservation Easement Requirements**

Section V.5 of the Conservation Easement requires an annual conference between VLT and the Landowner to review proposed annual work plans. To the extent that any such proposed work plan may require public access limitations pursuant to the forestry operation closure provisions of Section IV of the Public Access Easement, ANR would be a party to this annual conference.

## **3. Stewardship Memorandum of Understanding Requirements**

The following provisions of the Stewardship MOU related to communication and coordination are derived from and elaborate upon the requirements of the Public Access Easement and the Conservation Easement.

Section II.D of the Stewardship MOU calls for VLT to conduct an annual conference with the Landowner and the Landowner's professional forester. (Although Plum Creek is not a signatory to the Stewardship MOU, it is obligated to hold such a meeting annually with VLT under the terms of the Conservation Easement.) In accordance with the MOU, the annual conference will address the following:

- a. Review proposed annual work plans and review forestry activities completed in the previous year;
- b. Review the Landowner's report of annual harvest volume targets, and the preceding year's actual harvest volume;
- c. With a representative of ANR, review any forestry operation closure needs of the Landowner and any other public access management issues or concerns of Landowner, ANR or any recreation corridor manager;
- d. Review any plans of the Landowner for the application of herbicides and pesticides, consistent with the limitations of paragraph II (6) of the Conservation Easement; and
- e. Review the location, silvicultural objectives, and estimated timing of forestry activities planned for the coming year.

Section V.A.(5) of the MOU requires ANR and VHCB to involve VLT on public access issues that may impact the Private Timberlands or their stewardship. Pursuant to Section V.A.(6) of the MOU, ANR is required to convene an annual meeting with VHCB to report on issues which have been raised by TNC and VLT and to report on any decisions made pursuant to Section V.C (delegation of approvals to ANR).

ANR is further obligated, pursuant to Section V.B(6) of the Stewardship MOU, to meet periodically with recreation Corridor Managers and, on an annual basis, meet with the Landowner of the Private Timberlands to address any issues that may arise related to public access, the Landowner's reserved rights, forestry operation closures, activities of designated Corridor Managers and issues concerning road, bridge and culvert maintenance and repair.

Also, Section D.3 of the Stewardship MOU requires ANR and VHCB to concur on any request for binding arbitration by the Landowner and to work in consort during the course of any arbitration proceeding.

## **VII. PROCESS FOR REVIEWING AND AMENDING THE LONG TERM ACCESS PLAN**

As provided in Section II.C of the Public Access Easement on the Private Timberlands, “once adopted, the Long-term Access Plan shall be reviewed by [the Land]Owner and [the Easement] Holders [*i.e.*, ANR and VHCB] not less than once each ten (10) years, or earlier at the request of either Owner or Holders. At the time of such review, Owner and Holders shall consider reasonable amendments to the Plan with regard to Recreation Corridor location, classification and management. Owner and Holders shall approve each such amendment, which approval shall not be unreasonably withheld or conditioned, provided the amendment is consistent with the Purposes of this Easement.”

This Plan may be amended at any point up until it is updated as outlined above. Either minor or major amendments are possible. Minor amendments are those that do not change the fundamental direction of management, approaches to management issues, or public uses, but rather modify details of the Plan. Examples of minor amendments include rerouting a recreation corridor in the same general vicinity, and other similar changes. Major changes include changes in the fundamental direction outlined in the Plan. Examples include substantively changing the goals and objectives of the Plan, changing the major approach(es) to achieving the goals and objectives, adding or eliminating significant uses, adding or eliminating recreation corridors, and other similar changes.

The process for considering adoption of a minor amendment includes an opportunity for public comment as follows:

- Posting the proposed amendment on ANR’s website;
- Notifying parties known to be interested in the issue; and
- Allowing 30 days for written or electronic public comment before a final decision by ANR in collaboration with the easement holders.

The process for a major amendment includes all of the above, and:

- Publishing a legal notice consistent with the requirements of State law;
- Conducting a public meeting on the proposed amendment; and
- Posting on the website, and in writing to those that request it, the decision on the amendment and reasons therefore, a summary of the public comments received, and an explanation of how they were considered in the decision-making process.

To be approved, amendments must be judged to be consistent with the terms of the easements on the property. Other factors to be considered include whether or not:

- The change is needed to achieve ANR's mission and its goals for public access on the Private Timberlands; and/or
- Changed circumstances render the Plan's existing provisions ineffective or counterproductive in achieving their intended purposes; and/or
- New knowledge or information indicates that the approaches specified in the Plan are ill-considered or that more effective means are available for achieving objectives.

As required by the Public Access Easement, amendments will require approval by ANR, VHCB, and the owner of the Private Timberlands before being adopted.

## **VIII. APPENDICES**

- A. Summary of easements and other important legal and policy factors affecting future use of the Kingdom Heritage Lands**
- B. Summary of public involvement during the original (2002) planning process**
- C. List of supplemental studies and references developed to support the plan**
- D. Data sources for maps**

## A. Summary of Easements and other Important Legal and Policy Factors Affecting Use of the Kingdom Heritage Lands

	Private Timberlands	West Mountain WMA	Conte Fish & Wildlife Refuge (Nulhegan Basin Division)
<b>Area (approximate)</b>	84,000 acres	22,000 acres	26,000 acres
<b>Easements</b>	1) Conservation and working forestry 2) Public access	1) Conservation and public access	None
<b>Purposes</b>	<p>Conservation Easement:</p> <p>1. Principal objective: Establish &amp; maintain productive forestry resources &amp; facilitate economically sustainable forest management while minimizing negative impacts on conservation &amp; recreation values</p> <p>2. Secondary objective: Conserve biological diversity, soil productivity, native flora &amp; fauna, and ecological processes</p> <p>Access Easement:</p> <p>1. Provide perpetual public access for traditional and/or compatible recreational uses (including fishing, hunting—including training and using dogs, trapping, equestrian uses, birdwatching, hiking, biking, snowmobiling, cross-country skiing, and snowshoeing) while limiting negative impacts of access on landowner's forestry use.</p> <p>2. Provide dispersed pedestrian access to whole property while confining motorized, mechanized and equestrian uses to defined corridors.</p> <p>3. Provide recreational links to adjacent public lands and trails.</p> <p>4. Effectively manage access consistent with purposes and limitations of Conservation Easement.</p>	<p>Conservation &amp; Access Easement:</p> <p>1. Primary purposes:</p> <p>a. Conserve and protect biological diversity, wildlife habitat, natural communities, native flora and fauna, and ecological processes.</p> <p>b. Foster compatible pedestrian recreational use.</p> <p>2. Secondary purposes:</p> <p>a. Provide non-commercial recreational uses with more intensive uses (motorized, mechanized, equestrian) confined to defined corridors, provided any negative impacts of those intensive uses on natural values are minimized.</p> <p>b. Conduct sustainable wildlife management and utilization</p> <p>c. Conduct sustainable forest management</p> <p>d. Protect remote, undeveloped, and scenic open space resources</p>	<p>Legislated purposes:</p> <p>1. To conserve, protect and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants fish and wildlife;</p> <p>2. To conserve, protect and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge;</p> <p>3. To protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 as amended (16 U.S. 1531 et seq.);</p> <p>4. To restore and maintain the chemical, physical and biological integrity of wetland and other waters within the refuge;</p> <p>5. To fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands; and</p> <p>6. To provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section when they don't interfere with or detract from the mission of the National Wildlife Refuge System or the</p>

			purposes for which the Refuge was established
<b>Primary Uses</b>	<ul style="list-style-type: none"> <li>· forestry</li> <li>· open space</li> <li>· non-commercial recreation</li> <li>· education</li> </ul>	<ul style="list-style-type: none"> <li>· wildlife habitat conservation and management</li> <li>· natural areas</li> <li>· non-commercial recreation</li> <li>· forestry</li> <li>· open space</li> </ul>	<ul style="list-style-type: none"> <li>· wildlife and habitat conservation and management</li> <li>· public uses where appropriate and compatible with wildlife values</li> </ul>
<b>Residential Activities</b>	Generally prohibited	Generally prohibited	Generally prohibited
<b>Commercial Activities</b>	Generally prohibited	Generally prohibited	May be allowed subject to Special Use Permit
<b>Industrial Activities</b>	Generally prohibited	Generally prohibited	Generally prohibited
<b>Mining / surface disturbance</b>	<p>Generally prohibited</p> <p>Sand and gravel extraction permitted for maintaining roads and driveways on site</p>	<p>Generally prohibited</p> <p>Sand and gravel extraction permitted for maintaining roads and driveways on site or on adjacent state lands</p>	Generally prohibited
<b>Rights-of-way, driveways, etc</b>	<p>Construction, development or maintenance generally prohibited without written permission from Vermont Land Trust (VLT)</p> <p>Maintenance of driveways to existing seasonal recreation camps permitted</p>	<p>Construction, development or maintenance generally prohibited without written permission from The Nature Conservancy (TNC)</p>	<p>Establishment of new ROWs generally prohibited.</p> <p>Access to existing camps administered via Special Use Permit. Deed allows for access across several refuge roads for timber management purposes on adjacent lands.</p>
<b>Roads</b>	<p>Landowner and ANR will maintain existing road system in coordination with USF&amp;WS</p> <p>Landowner permitted to maintain existing forestry roads, and to construct new forestry roads with VLT's approval</p> <p>Other road construction or maintenance generally prohibited without written permission from VLT</p> <p>Landowner must repair damage caused by its activities; ANR must repair damage caused by public use</p> <p>Landowner and ANR may close roads to</p>	<p>ANR permitted to maintain and replace existing roads and construct new roads if consistent with easement purposes and permitted by Management Plans</p> <p>ANR permitted to construct and maintain roads necessary for sustainable forest and wildlife management if in accordance with forest management plan</p> <p>Other road construction or maintenance generally prohibited without written permission from The Nature Conservancy (TNC)</p>	<p>USF&amp;WS may maintain and replace existing roads, close roads, and construct new roads based on wildlife considerations, management needs, or public safety</p>

	<p>protect public safety or roads' integrity</p> <p>Landowner permitted to close all roads during mud season</p>		
<b>Pesticides and nonnative species</b>	Generally prohibited (except for specific forestry purposes with written permission from VLT)	Prohibited without prior consultation with TNC	Authorized use permitted subject to specific environmental, regulatory, and policy safeguards
<b>Firewood harvest by users for on-site use</b>	<p>Permitted for Landowner</p> <p>Camp leaseholders may collect designated wood for personal use with a written permit from Landowner</p>	<p>No live vegetation may be cut without a written permit from ANR</p> <p>No live vegetation may be cut in the Core Area</p> <p>Dead down wood may be collected for primitive camping fires</p>	<p>Firewood collection authorized for Camp leaseholders only</p> <p>No live vegetation may be cut</p> <p>Dead and down wood may be collected within vicinity of lease lots or in or along gravel roadways</p>
<b>Forest management and timber harvest</b>	<p>Permitted for Landowner, subject to: Forest Management Plan approved by VLT, supervision by a professional forester, adherence to Vermont's "Acceptable Management Practices" (AMPs)</p> <p>Emphasis: long rotations, sustainable harvest, forest health/diversity</p>	<p>"Sustainable forest and wildlife management" by ANR permitted if in accordance with a forest management plan developed collaboratively with TNC</p> <p>Emphasis: natural ecological processes, ecosystem integrity; wildlife habitat management</p>	Conducted for the purpose of enhancement of priority wildlife species' habitat; subject to approved comprehensive conservation plan and habitat management plan
<b>Special Treatment Areas</b>	<p>Special management restrictions apply to the following areas:</p> <ul style="list-style-type: none"> <li>• Ferdinand Bog and South America Pond watershed STA</li> <li>• Mud Pond STA</li> <li>• East Mtn. Old Growth STA</li> <li>• Willard Mtn. Old Growth STA</li> <li>• Unknown Pond STA</li> <li>• Winter Deer Habitat STA</li> <li>• all surface water bodies (wetlands, streams, rivers and ponds)</li> </ul>	<p>Special management restrictions apply to the following areas:</p> <ul style="list-style-type: none"> <li>• Core Special Treatment Area</li> <li>• Portions of the Ferdinand Bog and South America Pond Watersheds which are outside the Core STA</li> </ul>	Establishment of special management areas and the management regimes applicable to those areas yet to be determined pending development of comprehensive conservation plan and step-down habitat management plan
<b>Closure zones</b>	Landowner may exclude the public from areas of active forestry operations, subject to specific conditions	Not addressed in easement	As needed based on public safety, wildlife, or habitat concerns
<b>New forestry structures</b>	Landowner permitted to build one permanent wood processing mill, one log concentration yard, and up to three forestry housing camps on site	Not addressed in easement	Generally prohibited
<b>Wildlife management</b>	Wildlife considerations must be addressed in Forest Management Plan	Same as provisions for forest management described above	Based on specific approved plans and consistent with refuge purposes; targeting

	(continued on next page)  Forest management in Winter Deer Habitat STA must be consistent with Vermont's deeryard management guidelines		priority species
<b>Hiking/walking (dispersed)</b>	Permitted (subject to forestry closures and ANR's discretion)	Permitted	Permitted
<b>Cross-country skiing (dispersed)</b>	Permitted (subject to forestry closures and ANR's discretion)	Permitted	Permitted; except on snowmobile trails
<b>Snowshoeing (dispersed)</b>	Permitted (subject to forestry closures and ANR's discretion)	Permitted	Permitted; except on snowmobile trails
<b>Hunting (including training and using dogs)</b>	Permitted (subject to forestry closures, ANR's discretion, and applicable state laws and regulations)	Permitted (subject to applicable state laws and regulations)	Permitted; subject to applicable state laws and refuge-specific regulations
<b>Trapping</b>	Permitted (subject to forestry closures, ANR's discretion, and applicable state laws and regulations)	Permitted (subject to applicable state laws and regulations)	Permitted; subject to applicable state laws and refuge-specific regulations  Special Use Permit required
<b>Fishing</b>	Permitted (subject to forestry closures, ANR's discretion, and applicable state laws and regulations)	Permitted (subject to applicable state laws and regulations)	Permitted; subject to applicable state laws and regulations
<b>Boating</b>	Permitted (subject to forestry closures, ANR's discretion, and applicable state laws and regulations)	Permitted (subject to applicable state laws and regulations)  Motors prohibited (except slow-speed electric trolling motors)	Permitted; applicable state laws and regulations  5 mph speed limit on Lewis Pond
<b>Swimming</b>	Permitted (subject to forestry closures and ANR's discretion)	Permitted	Prohibited
<b>Wildlife observation</b>	Permitted (subject to forestry closures and ANR's discretion)	Permitted	Permitted
<b>Other dispersed pedestrian uses</b>	May be permitted through Special Use Permit from ANR under specific conditions	Permitted consistent with easement	Generally permitted
<b>Automobile use</b>	Permitted in identified Corridors, provided a Corridor Manager is designated	Permitted at ANR's discretion in identified corridors	Permitted on designated roads  Subject to applicable state laws and Refuge-specific regulations
<b>Snowmobiling</b>	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	Permitted  Subject to applicable state laws and



		Generally prohibited on water bodies	regulations  Travel on approved trails only  Special Use Permit required
<b>Bicycling</b>	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	On-road bicycling will be considered in pending comprehensive conservation plan, subject to appropriateness and compatibility
<b>Horseback riding</b>	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	Riding on roads will be considered in pending comprehensive conservation plan, subject to appropriateness and compatibility
<b>Hiking trails</b>	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	Permitted in identified Recreation Corridors, provided a Corridor Manager is designated	New trails may be constructed pursuant to NEPA compliance, appropriateness, compatibility, and approved management plan
<b>All-terrain vehicles</b>	Generally prohibited except for emergency or management purposes	Generally prohibited except for emergency or management purposes	Generally prohibited except for emergency or management purposes
<b>Special access for disabled persons</b>	Permitted in identified corridors and with a permit from ANR  May include use of motorized wheelchairs or all-terrain vehicles	Permitted in identified corridors and with a permit from ANR  May include use of motorized wheelchairs or all-terrain vehicles	Permitted with a Special Use Permit  May include use of motorized wheelchairs or all-terrain vehicles
<b>Pedestrian recreation in groups</b>	May be permitted through Special Use Permit from ANR subject to specific conditions	Not addressed in easement  Permitted by groups over 10 in size, with Special Use Permit, by this Plan	Generally permitted; Special Use Permit required for groups of more than 20
<b>Commercial recreation (including guide services)</b>	May be permitted through Special Use Permit from ANR subject to specific conditions	Generally prohibited  Commercial guide services allowed if a license is obtained from ANR (guided hunting does not require a license as per ANR policy)	Commercial guiding to be considered in pending comprehensive conservation plan; may be administered via fee-based Special Use Permit
<b>Camping</b>	Permitted only with prior consent from Landowner or pursuant to written agreement between Landowner and ANR; provision of such consent or agreement is at Landowner's sole discretion	ANR permitted to establish dispersed tent sites and concentrated camping areas after consultation with TNC  Dispersed camping subject to ANR's statewide rules for primitive camping on state lands	Generally prohibited
<b>Campfires</b>	Permitted only with prior consent from Landowner or pursuant to written agreement between Landowner and ANR; provision of such consent or agreement is at Landowner's sole discretion	Permitted at designated primitive camping areas, using only dead and down wood	Generally prohibited

<b>Existing camps</b>	<p>Existing leases shall continue for lifetime of current leaseholder plus 20 years, provided Landowner is able to secure commercially reasonable lease terms</p> <p>Landowner permitted to use, lease, maintain, demolish, replace, but not to expand the existing camps, subject to specific conditions</p> <p>Public may be excluded from 1-acre area around each camp</p>	<p>Existing leases continue for lifetime of current leaseholder, plus 20 years if transferred to immediate family member(s), or expire in 2078 if additional family members are added to lease, or 2056 if lease is sold/transferred</p> <p>ANR permitted to occupy, lease, use, maintain, replace, &amp; demolish existing camps, subject to specific conditions</p> <p>Upon expiration/termination of leases, ANR permitted to allow noncommercial use of camps for recreation, education, management or research</p>	<p>Existing leases continue for lifetime of current leaseholder or 2049, whichever is less</p> <p>Current leaseholder cannot sell structure/lease to outside party</p> <p>Pending availability of funding USF&amp;WS will acquire camps outright or via term use from willing sellers based on a fair market value appraisal</p> <p>Substantial improvement or additional buildings not permitted; routine maintenance allowable</p>
<b>Trail construction and maintenance</b>	<p>Landowner and ANR permitted to construct and maintain trails for non-commercial activities</p>	<p>ANR permitted to construct, maintain, replace and close recreational trails if consistent with easement purposes and permitted by Management Plans</p>	<p>If need exists, USF&amp;WS may construct new trails following NEPA requirements, and appropriateness/compatibility policies.</p> <p>Trail maintenance is included as part of on-going operations.</p>
<b>Fees for public use</b>	<p>Fees may be charged by ANR or Corridor Managers (but not by Landowner) to offset management and maintenance costs, although not for dispersed pedestrian activities and related motor vehicle access</p>	<p>Fees may be charged by ANR (or any organization it designates to manage recreation) to offset management and maintenance costs, although not for dispersed pedestrian activities and related motor vehicle access</p>	<p>Fees may be charged by USFWS. This would most likely apply to commercial uses managed pursuant to a Special Use Permits</p>

## **B. Summary of public involvement during the original (2002) planning process**

This Long Term Access Plan for the Private Timberlands portion of the Kingdom Heritage Lands was developed with an unprecedented level of public involvement for a project involving VANR, both in terms of the amount of effort invested in obtaining public input and the number of people and organizations who participated through various means. Two complementary processes provided for this involvement: an extensive effort by the Kingdom Heritage Lands Steering Committee to provide for public involvement through numerous public meetings, requests for written comments, and inclusion of representatives of interest groups on its Cultural and Recreational Resources Subcommittee; and a separate but coordinated effort by the Champion Land Transaction Citizen Advisory Council, which was legislatively established to ensure public involvement. In addition, the web site developed by VANR for the West Mountain Wildlife Management Area was used to inform interested citizens about the public involvement process for all of the Kingdom Heritage Lands, and to make the various planning documents prepared for these lands available to the public.

The Steering Committee coordinated the public involvement process to serve the development both of this Plan and the Management Plan for the West Mountain WMA, as well as the U.S. Fish and Wildlife Service's Nulhegan Basin Division Visitor Services Plan. The following description covers all aspects of this public involvement process, including some that may not be directly related to the Long Term Access Plan, in order to provide the full context of this effort and the public concerns gathered through it.

### **1. Steering Committee Public Involvement Process**

The Steering Committee undertook an ambitious and broad effort to involve the public in the planning process. This effort was designed to inform interested citizens and organizations of the process and schedule for development of the respective plans; to explain the requirements for future management imposed as part of the acquisition of these lands; to share research findings, analyses, and other important documents developed as part of the planning process; to solicit input on issues, problems, and opportunities to address in the plans; to solicit participants' concerns, hopes, and vision for the future of the Kingdom Heritage Lands; to solicit input on management policies for these lands being considered by the Steering Committee; and ultimately, to solicit public comments on the draft plans when they were released on October 9, 2001.

#### **a. Public Meetings Held During the Development of the Draft Plans**

As part of this process, the Steering Committee held sixteen public meetings *prior* to the completion of the draft plans. These meetings, which took place from May 2000 through June of 2001, were aimed at three distinctly different purposes:

- *scoping*: identifying issues of concern that should be addressed in the plans;
- *information gathering*: soliciting information and detailed input on specific issues identified in the scoping process; and
- *information sharing and development of preliminary management concepts*: sharing research results, and soliciting input on preliminary management concepts being considered by the Steering Committee.

Extensive reports were prepared describing the meetings that were held during each of these three phases. These documents, which are listed in Appendix C, are available on request from VANR.

### 1) *Scoping Meetings*

*Workshops*: The process began with a series of four separate workshops held May 23, 2000 at Lyndonville, Vermont, to solicit specific information from the public and representatives of organizations known to have an interest in the management of these lands. These workshops were organized around the following topics:

- Environmental Conservation, Ecology, and Open Space Protection
- Recreation (specifically those activities that have not been prevalent historically on these lands, such as bicycling and horseback riding)
- Community and Economic Issues
- Traditional Uses (such as hunting, fishing, trapping and snowmobiling)

*Public Scoping Meeting*: The workshops were followed by a public meeting held on July 20, 2000, at the American Legion Hall in Island Pond, attended by 92 people. The agenda included presentations to explain some of the important considerations and issues identified by the planning process up to that point, including conditions imposed on the future management of the properties by easements put in place at the time of the acquisition from Champion; issues identified during the scoping workshops; and information to be collected. It also provided an opportunity for the attendees to make comments on the materials presented, or to offer additional thoughts on important issues related to management of the Kingdom Heritage Lands, including but not limited to information needs.

- 2) *Focused Issue Meetings*: Between September 25 and December 11, 2000, nine meetings were held in Essex County, Vermont to answer people's questions and to solicit specific information on particular activities or issues. The purposes of the meetings were to explain the planning process for the Kingdom Heritage Lands; provide information on the constraints affecting future use and management of these lands; solicit participant's concerns, hopes and vision for the future of the Kingdom Heritage Lands; solicit participant's perceptions of problems and opportunities for use and management of these lands, including existing and potential conflicts

between recreational activities or between recreation and resource management; and collect specific information on levels of recreational use.

The specific meetings held were as follows:

<b>Commercial Guiding</b>	September 25, 2000
Brighton Elementary School,	15 participants signed in
Brighton, VT	(all participants may not have signed in)

<b>Hunting, Fishing and Trapping</b>	September 26, 2000
American Legion Hall,	49 participants signed in
Island Pond, VT	

<b>Boating</b>	October 10, 2000
Brighton Town Hall,	13 participants signed in
Brighton, VT	

<b>Non-Motorized Trails</b>	October 10, 2000
Town Hall (Old School House),	36 participants signed in
Bloomfield, VT	

<b>Cultural and Economic Issues</b>	October 11, 2000
Town Hall (Old School House),	Hosted by the Citizen Advisory Council
Bloomfield, VT	

<b>Organized Group Activities</b>	November 1, 2000
Brighton Elementary School,	13 participants signed in
Brighton, VT	

<b>Snowmobiling</b>	November 2, 2000
Town Hall (Old School House),	33 participants signed in
Bloomfield, VT	

<b>Hunting</b>	November 16, 2000
American Legion Hall,	67 participants signed in
Island Pond, VT	

<b>Economic Issues</b>	December 11, 2000
Town Hall (Old School House),	Hosted by the Citizen Advisory Council
Bloomfield, VT	

- 3) *Public Meetings on Preliminary Management Direction:* Two public meetings were held in late June, 2001 to share information on the progress in planning for the future of these lands and solicit input on key topics, including the management direction being considered for the lands overall and for each of the three individual ownerships. The meetings were held:

June 21, 2001 at Island Pond, VT (over 100 people attended)

June 26, 2001 at Montpelier, VT (over 150 people attended)

The purposes of the two public meetings held in June were to provide an opportunity for the public to review and comment on: 1) the Steering Committee's preliminary proposals for overall goals and objectives for management of the West Mountain WMA and access provisions for the Private Timberlands, options for defining an ecological "Core Area" and an "Active Management Area" on the West Mountain WMA, and proposed allowed and prohibited uses for these areas; and 2) preliminary recreation corridor proposals by the Green Mountain Club (for hiking trails) and the Kingdom Trails Association (for bicycling and backcountry skiing/snowshoeing).

b. Written Comments Submitted During the Development of the Draft Plans

In addition to input received at these public meetings, the Steering Committee also solicited written comments during the process of developing the draft plans. Altogether, approximately 540 letters, postcards and emails were received prior to the completion of the official drafts, along with petitions signed by nearly 500 individuals. Most of these comments were submitted soon after the meetings held in June, 2001 to review the preliminary management direction, and most focused on issues related to the Draft Management Plan for the West Mountain WMA.

c. Public Comment Period on the Draft Plans

Upon release of the draft plans on October 9, 2001, VANR initiated a six-week formal public comment period on the Draft Long Term Access Plan for the Private Timberlands and the Draft Management Plan for the West Mountain WMA. Also, USFWS opened a concurrent comment period for its Draft Visitor Services Plan for the Nulhegan Basin Division of the Conte Refuge. Halfway through the comment period, VANR held six well-publicized public "listening sessions" at the following locations around Vermont to solicit oral feedback from interested citizens on the draft plans:

October 29, 2001 – Brighton Elementary School, Island Pond  
October 30, 2001 – Lyndon State College, Lyndonville  
October 31, 2001 – Agency of Natural Resources, Waterbury  
November 1, 2001 – Springfield High School Library, Springfield  
November 5, 2001 – Howe Center, Rutland  
November 6, 2001 – Essex Middle School, Essex

These sessions also served as public hearings for the USFWS plan and associated documents. Attendance at these meetings ranged from roughly 75 to 200 people, and approximately 400 comments were recorded over the course of the six sessions.

In addition to those oral comments, VANR received a tremendous volume of written opinions from interested citizens and organizations during the formal comment period. Altogether, 6,280 people shared their views through one written mechanism or another. This included 551 personalized letters and emails from individuals and organizations, along with 5,729 pre-printed postcards, petition signatures and other standardized written submissions from members of several organizations (National Rifle Association, Vermont Federation of Sportsmen's Clubs, Forest Watch, and Northern Forest Alliance). The vast majority of public input, both in writing and at the listening sessions, addressed issues relevant to the Draft Management Plan for the West Mountain WMA. Only a relative handful of comments were focused on the Draft LTAP.

## **2. Citizen Advisory Council Public Process**

The Champion Land Transaction Citizen Advisory Council was established by the Vermont Legislature to provide a public forum for discussing and attempting to resolve concerns regarding ongoing use and management of the West Mountain WMA, collaboration with the US Fish and Wildlife Service, and public access to both the publicly and privately held portions of the Kingdom Heritage Lands. The Council is composed of representatives of the logging industry, private business, local hunting and fishing groups, the Vermont Sportsmen Federation, snowmobilers, camp leaseholders, municipal governments, The Nature Conservancy, Plum Creek Timber Company, the Vermont Agency of Natural Resources, and the US Fish and Wildlife Service. The CAC held a total of 13 meetings over the course of the planning process, from its initial meeting on November 8, 1999, to a meeting on the release date of the draft plans, October 9, 2001.

## **3. Summary of Public Input**

### **a. Scoping Workshops (May 23, 2000)**

The following summarizes the comments and concerns voiced at the four workshops held on May 23, 2000. The four workshops were centered around the following topics: (1) Environment/ Conservation/Open Space Concerns; (2) Recreation Management; (3) Economic and Community Issues; and (4) Traditional Uses. The comments and concerns, taken as a whole, clustered into five themes, which are summarized below:

*Natural Resources Management:* Some participants supported managing the Kingdom Heritage Lands for "ecological integrity." Related to this, the concept of a Core Area where natural processes are allowed to proceed without intervention was supported by some participants but concerned others. Issues raised by those in favor of a Core Area included restoration of natural processes in order to provide future generations with "old-growth" forests and to support non-game species; and the desire to protect ecosystem components including soil, water quality, micro climates, micro habitats, micro organisms, and imperiled species. Those opposed expressed concern for the possible impacts of non-intervention (especially the elimination of timber harvesting in the Core Area) on future wildlife habitats, particularly habitat for game species, and on hunting and trapping uses.

Access: In planning for the management of access to these lands, it was suggested that consideration should be given to: provisions for disabled access (compliance with the Americans with Disabilities Act); access needs for specific activities or users; the need to have access without financial barriers; the demand for recreational use of the property in light of the regional context (supply and demand of recreational opportunities and public access to lands for various activities); the history of road access to these lands (in the recent past, the road network on these lands was expanded radically); the history of off-road access, which also has changed significantly in the recent past with the advent of snowmobiles; the impacts of increased access on wildlife and environmental quality (*e.g.*, increases in erosion, human litter and waste); road closures which may be needed in the long term, particularly in light of interest in ecological reserves; and striking a balance appropriate for this property between the degree of control on access and the public right of access and freedom to use these lands.

Recreation Management: A number of considerations were identified as important in planning for the recreational use of the Kingdom Heritage Lands. This included but was not limited to planning based on carrying capacity. There were concerns expressed about whether, how, and how much this area will be promoted for recreational use, and that the area not be over developed. There were also concerns over conflicts with the environment that might require special restrictions for sensitive areas. Protecting the rural and primitive experience was a concern, with suggested remedies including use standards (maximum number of people in each group, different standards for day vs. overnight use, different standards for different days of the week and seasons), and establishing quiet zones.

Concerns were expressed over potential seasonal use conflicts, particularly between mountain bikes/horses and hunters (especially mid-September until snowfall); and in winter (through February) between cross-country skiers/snowmobilers and hunters. Remedies suggested included segregating uses through separate corridors (however, some were opposed to new trails for mountain biking and horseback riding and felt these uses should be kept to existing roads; others believed that multiple trails would contribute to further fragmentation of wildlife habitat); eliminating certain uses during hunting season; requiring use of blaze orange by all recreationists during the hunting season; and increasing public awareness of conflicts. Concern was expressed about how the plans would address enforcement, and that there be consistency in the regulations across the three jurisdictions.

While some expressed a strong desire to limit new recreational development, others called for the plans to address options for new amenities including new day-hiking and long distance trails; developing trail heads and signage; overnight facilities; parking; waste disposal facilities; a visitor center; and adequate information (signage, maps, boundaries, and notification procedures for trail or road closures). The need for search and rescue plans was raised, and there was recognition that funding would be required to support new functions and amenities. Participants were concerned about how maintenance and liability costs would be covered, and saw a need to specify funding mechanisms in the plans for oversight/enforcement related to “new” uses. Some expressed concern about funds from hunting licenses being used for these purposes and argued for a separate funding source, such as a user fee (*e.g.*, White Mountain National Forest).



*Research and Education:* Participants commented on the need for research to document baseline ecological, cultural, and recreational conditions, and to monitor changes over time. Some participants expressed the hope that this information would provide the basis for adaptive management. Some participants felt that in planning for these lands, opportunities for research and education should be addressed; specifically, it was noted that these lands provide opportunities for demonstrating model forestry practices that are ecologically sustainable and can be models in achieving species recovery. Other related issues included keeping an “open door” policy towards research, and open communications between ownerships. The concept of establishing biological stations for research was suggested; it was noted that Lyndon State College has been conducting research in the area for years. Research and education opportunities should be pursued with area institutions, including Lyndon State College (“LINKS” Initiative); the Fairbanks Museum; local schools; the Montshire Museum (Conte Refuge link); UVM; Local Audubon Chapter’s “Citizen Science” – using volunteers; and Sterling College.

*Impacts on Local Communities and Economies:* Participants expressed concern that in planning for the management of the Kingdom Heritage Lands, all management policies be analyzed in terms of socio-economic impacts (not all impacts will be positive for average residents). Commenters stressed that the health of gateway communities depends on having a diverse economy. Maintaining the timber base for value added wood processing was seen by some as important in this respect; also, some participants emphasized the importance of compatible economic development in gateway communities.

Participants stated that the importance of commercial recreational use (*i.e.*, guiding) to the local economy and way of life should be considered; and in general, there was acknowledgement that recreation is an important part of Vermont’s economy. However, while the increased recreational use of the Kingdom Heritage Lands would undoubtedly provide opportunities, there were concerns that this would also exert demands on local infrastructure and might require development of additional infrastructure and services, *e.g.*, roads (bridges, culverts, maintenance, etc.); water supply; sewage disposal; law enforcement; emergency response.

The impacts of the shift to a protected landscape on the surrounding communities were viewed as likely to be both positive and negative. Some commenters noted that this change would likely attract new residents who are able to telecommute. However, local communities would need better communications links to capitalize on these economic opportunities. Also, this could raise land values and affect affordable housing. Impacts to the local tax base were a concern to some participants. Some were concerned that conflicts could develop between local community members and visitors (us/them; locals vs. outsiders), with conflicting visions for the future of these lands. In light of this some participants called for developing a collective vision for the future. A Cultural Heritage Inventory was suggested, including an assessment of the cultural importance of the Kingdom Heritage Lands to the fabric of local communities.

b. Public Scoping Meeting (July 20, 2000)

At this meeting, participants echoed a number of concerns heard at the May 23 workshops, covering a range of topics including:

- keeping the area's distinctive backcountry character, not over-developing the area (*e.g.*, keeping roads narrow), and not promoting the area for new uses;
- maintaining timber harvest and hence traditional harvesting and manufacturing jobs;
- clarifying what rights camp leaseholders have, and objecting to termination of leases in the future;
- avoiding conflicts between "historic" and "new uses"; and
- ensuring that management of these areas maintains wildlife diversity and restores past diversity.

c. Focused Issue Meetings (September 25, 2000 - December 11, 2000)

Comments and concerns expressed at the special focus meetings held in the fall of 2000 are summarized below.

*Concerns and Hopes for the Future of These Lands:* Participants expressed concerns and hopes regarding the future of these lands. These included: concern that changing the character of the lands from their "rugged" and "primitive" nature to a more "developed" and "typical" landscape would attract crowds of new users; concern that new uses and users might create conflicts with, or object to, historic uses of the Kingdom Heritage Lands, such as hunting and trapping; concern with the scheduled termination of private camp leases on the U. S. Fish and Wildlife Service lands (50 year tenure) and the West Mountain WMA (tenure of life of the current leaseholders plus 20 years); concern related to the establishment of an ecological Core Area on the West Mountain WMA (*i.e.*, loss of timber products and jobs, change in wildlife habitat from conditions favoring species like deer, concern that hunting, fishing and trapping be allowed to continue on these lands, and concerns that camp use and/or camp access might be adversely impacted by designation of a Core Area). Also, many participants expressed hope that the Kingdom Heritage Lands could be "kept as they are" and that their historical uses and values could be maintained.

*Recreational Activities:* Participants confirmed that current levels of recreational activities are generally low, with the exception of snowmobiling and deer hunting. They expressed the view that the Kingdom Heritage Lands were especially valuable for certain recreational activities because of the remote, rugged setting and the large, contiguous forested land area they occupy. Participants contrasted the characteristics of the Kingdom Heritage Lands with the other more pastoral settings typical of other parts of Vermont and noted that the environmental characteristics of the Kingdom Heritage Lands also contribute to their special value.

*Existing Facilities/Infrastructure:* Participants confirmed that, aside from snowmobile trails, there were no formal, and very few informal, facilities in existence for recreational activities. There are a few short, informal trails existing on the property and there are a few areas used for informal boat access.

*Conflicts Between Recreational Activities:* Few significant conflicts between existing recreational activities were noted by the participants. Some concern was expressed with: high levels of use in the Wenlock Bog for wildlife viewing; the speed of snowmobilers as well as the noise they create near camps; and problem areas where the public gains access to ponds across private holdings. Considerable concern was expressed by some participants with the potential for conflict between hunting and uses such as horseback riding, cross- country skiing, and hiking.

*Conflicts Between Recreational Activities and Natural Resources:* No significant conflicts between existing recreational activities and natural resource values were identified by participants. Concern was expressed for the potential for conflict between recreation and natural resource conservation if large numbers of people started using the area for activities such as wildlife observation and such use is focused on areas where wildlife might be particularly sensitive to disturbance. However, no such conflicts were identified as existing currently.

*New Facilities and Infrastructure:* It was generally agreed among participants that existing conditions should be maintained and new facilities and infrastructure either ought to be avoided or be very limited, and should be carefully planned to avoid conflicts with existing uses.

*Current Levels of Overall Recreational Use for Typical and Peak Days by Season:* Participants were asked to complete a questionnaire regarding levels of recreation use on the Kingdom Heritage Lands. For ease in developing these estimates, the Kingdom Heritage Lands were divided into 11 sub-units.<sup>39</sup> Participants were encouraged to provide information only for areas that they knew well and to estimate the level of use on each of the days in question at the peak time of day for the season involved. Very few (14) questionnaires were returned, with a number only partially completed. Some meeting participants expressed concern that the information “might come back to bite them.” More specifically, participants expressed concern that use might be curtailed in areas that were heavily used, or that lightly used roads or trails might be closed off. However, the limited data obtained from the questionnaires generally were consistent with the description of level of use by activity indicated at the meetings (see “Recreational Activities” above).

*Issues Related to Local Economies:* Participants identified the following as contributions the Kingdom Heritage Lands made to the local economy in the past: timber supply;

---

<sup>39</sup> The division of the land into 11 sub-units was based on access and homogeneity of use. The map was developed in consultation with the guides who attended the meeting held on September 25, 2000.

manufacturing supported by timber supply; secondary/indirect economic activity from timber harvesting/land management (surveying, road work, forestry, etc.) and forest manufacturing; direct and indirect economic activity from recreation (*i.e.*, hunting, fishing, snowmobiling, trapping, photography, use of camps, walking, and wildlife observation); jobs from photography; guiding; local stores, gas stations, restaurants, Bed & Breakfasts, etc. patronized by those using lands; and a stable tax base for local towns.

Participants identified the following as the principle issues of concern regarding the future:

- Viewed as *positive* - Increase in jobs, students, etc. related to land management; stable yield of forest products; outdoor education opportunities both for local communities and “outsiders”; new recreational businesses focused on “historic” uses (hunting, fishing, trapping, snowmobiling), “new” uses (hiking, mountain biking, horseback riding), and unusual uses (llama trekking).
- Viewed as *negative* - Changes in the tax base; change from higher paying jobs to lower paying ones; increased demand for second homes and camps on surrounding lands; “cultural pressure” on historic uses; and upward pressure on land values.

The participants went on to brainstorm strategies for how to achieve the positive and avoid the negative. They were also informed that outside sources of assistance were available for working to achieve their vision of the most desirable future. These included a variety of state, regional and local organizations.

As the focus of the planning process was on the development of a Management Plan for the West Mountain WMA and a Long Term Access Plan for the Private Timberlands rather than community development plans, it was made clear to participants that the decision of whether and how to pursue these issues was up to them and the communities involved.

*Importance of These Lands To the Fabric of Local Communities:* A strong theme expressed at the meetings was the importance of these lands to what was termed the “fabric” of the local communities. That is, these lands were seen by participants as contributing significantly to the sense of identity and character of these communities, and as fundamentally important to the way of life of local residents. An aspect of this value cited by participants, but not its entirety, is the camp culture that exists on Kingdom Heritage Lands, a place where, according to participants, youngsters learn about woods skills and where generations come together to enjoy the north woods in one another’s company.

d. Public Meetings on Preliminary Management Direction (June 21 and June 26, 2001)

These meetings represented the first opportunity for the public to review and comment on draft goals and objectives developed by the Steering Committee, which provided an indication of how public access and other resources might be managed on the Private

Timberlands and the rest of the Kingdom Heritage Lands.<sup>40</sup> It was also the first opportunity for the public to review and comment on specific proposals related to defining the location and the geographic extent of an ecological Core Area on the West Mountain WMA. The Steering Committee presented a map which depicted an approximately 10,000 acre area which all of the scientists involved agreed should be included in the Core Area and showing an additional 6,700 acres surrounding this area which also had significant ecological value. These additional lands (all or portions thereof) were under consideration as additions to the Core Area. Thus a total of 16,700 acres was under consideration as a potential ecological Core Area. This total represented approximately 12% of the total area of the Kingdom Heritage Lands, and roughly 75% of the West Mountain WMA. The Steering Committee also distributed a document describing the uses that were under consideration as permitted or prohibited uses within that Core Area, and on other lands in the West Mountain WMA outside of the Core Area.

In general, most comments received at these two public meetings, held prior to the preparation of the formal draft plans, reflected a heightened level of concern among some participants about the overall direction that the Steering Committee was proposing for establishment of a Core Area on the West Mountain WMA. A majority (67%) of participants who spoke expressed concerns that the proposed Core Area was either too large, or unacceptable for other reasons; and felt the management measures and restrictions on uses were contrary to their understanding of the purpose of the WMA - to ensure the continuation of traditional uses and to actively manage the area for wildlife habitat. However, there were also a number of participants (18%) who supported the creation of a sizable ecological Core Area where motorized recreation would be prohibited.

Concerns expressed on other aspects of the proposed management direction contained in the draft documents were limited to doubts that the management plan and on the ground implementation would maintain the existing backcountry character of these lands. No comments were made bearing directly on the bulk of what was proposed in the draft documents on management direction.

The following provides more detail on the comments voiced at the meetings. The comments generally focused on three broad themes: (1) the process for developing and adopting a plan for the West Mountain WMA and the extent that local concerns were being considered; (2) concerns related to the proposed Core Area including the balance or tradeoffs between use and protection; the location, size and uses permitted or prohibited in the Core Area; and the land management measures being considered for the Core Area, and (3) the impacts of the proposed management direction and specific policies or measures under consideration on traditional uses and the local economy.

*Planning Process:* There were a number of participants who felt that the planning process was not being responsive to local concerns; were concerned that difficult tradeoffs between

---

<sup>40</sup> The proposed Goals and Objectives and a number of other planning documents were posted on the West Mountain WMA web site prior to the meeting, and these materials were also made available at the meetings.

the views of protectionists and traditional users would be decided only by the VANR; felt that a preservationist agenda was dominating the process; and expressed a desire to have legislative approval of the final management plan.

*The Core Area and Specific Management Policies and Objectives:* A majority of participants speaking at these two meetings had serious concerns about the size and location of the proposed ecological Core Area on the West Mountain WMA, based on concerns about proposed restrictions on “traditional uses” and snowmobiling. On the other hand, some participants were clearly of the view that an emphasis on an ecological reserve or Core Area on the West Mountain WMA, with restrictions on some historic uses, was entirely appropriate since the area is adjacent to 84,000 acres of lands in the Plum Creek Timber Company holding that would allow the full range of traditional uses.

*Impacts to the Local Economy and Communities:* Concerns expressed at previous meetings and workshops were reiterated at these two meetings: that any plan developed for management of these lands should include an assessment of the economic and social impacts on local communities. There was strong concern about the impacts of timber harvesting restrictions on the local forest-based economy. On the other hand, it was suggested that the local economy was already in trouble due to the exodus of the Champion International, Inc., and that the management of these lands under the proposed policies would make the area more attractive, create new opportunities for economic development, and provide a more sustainable flow of timber products than was the case historically.

e. Summary of Written Comments Submitted During the Development of the Draft Plans

A substantial majority of the written comments received prior to the completion of the draft plans were in favor of establishing a sizable ecological Core Area on the West Mountain WMA, many requesting a Core Area of at least 16,000 acres. Most of those who wrote in opposition to the proposed management concepts presented at the June, 2001 meetings were concerned about maintaining “historic” uses on all these lands, or had concerns with the proposed management of the Core Area, particularly the elimination of timber harvesting which was viewed as having adverse effects on the local wood products industry and certain game species (especially deer and moose, but also grouse and rabbits).

In addition to letters from individuals, support for an ecological Core Area was expressed in a letter from the organization Forest Watch, representing 22 environmental organizations including Audubon Vermont, Northeast Kingdom Audubon, the Association of Vermont Conservation Commissions, and a number of regional and national level organizations such as the National Wildlife Federation, Northern Forest Alliance, Appalachian Mountain Club, and the Wilderness Society. Also, petitions with 149 signatures were submitted supporting the proposed Core Area.

Opponents of the proposed management policies and proposed ecological Core Area included persons who signed a petition with nearly 350 signatures. In addition, three legislators wrote expressing their concerns about the proposed management direction. State Senators John P. Crowley and Hull Maynard, both of Rutland, expressed concerns over

impacts of an ecological Core Area on forest product industries and habitat of wildlife that depend on early successional forests, including deer, ruffed grouse, and snowshoe hare. They were also concerned that proposed use restrictions in the area would “remove or severely restrict traditional uses.” Representative Stephanie Bourdeau expressed her understanding that the intent of the legislature to preserve traditional uses of these lands was not being honored, quoting her 1999 statement on record in the House Journal explaining her vote to approve funds toward the purchase of the Kingdom Heritage Lands.

f. Summary of Public Comments on the Draft Plans

The vast majority of comments made (both in writing and at the “listening sessions”) during the six-week comment period following the release of the draft plans focused on issues related to the Draft Management Plan for the West Mountain WMA; only a handful of comments addressed issues in the Draft Long Term Access Plan for the Private Timberlands. Further, most of the comments received on the plan for West Mountain WMA focused on issues related to establishing an ecological Core Area. There were numerous proponents and opponents of an ecological Core Area, and both sides expressed their views strongly. To give readers a sense of the full breadth of input received by VANR, a summary of the major categories of comments received on both plans is presented below.

General Comments: General comments included remarks made by individuals expressing general sentiments regarding the draft plans, particularly the Draft Management Plan for the West Mountain WMA. These sentiments ranged from opposition to any plan whatsoever, to support for the proposed plan, to criticism of the plan because it did not propose to protect enough of the natural environment. These comments also reflected support for scientific research, improved public relations between the State and the public, as well as other points of view held by the individuals who commented on the plan.

Planning Process: Many of these comments reflected ideas about what the foundation of the planning process was or should have been and the commenter’s view on how the process proceeded. Some commenters felt the process was open and informative, while others criticized it strongly as they felt their points of view had not been heard. Some comments suggested that the plan for the West Mountain WMA should have included an economic and social study; others called for “*trust, honesty, and long term predictability*,” while still others called for ‘collaboration and partnership’ among the interests that care about the future of the West Mountain WMA.

Legal Issues: The comments in this category touched on three specific areas: legality of the easements, legislative intent, and constitutional rights. Commenters differed on how to interpret legal issues, but many people who commented on this topic were critical and felt that aspects of the acquisition or the planning process were, in their words, “*illegal*.” Comments reflect a need for clarification by VANR in the aforementioned areas.

Socio-economic Issues: This category included comments regarding the potential impacts of the West Mountain WMA on the economy and the culture of the local area, region, and Vermont at large. These two subject areas (economic and cultural issues) are combined

because many comments reflected the view that they are closely linked. Some comments suggested there will be an increase in economic activity in the local area and the State due to the public acquisition of the WMA and planned use of the land; however, concerns were raised regarding how such increased prosperity could affect the character of the Northeast Kingdom. Other commenters were concerned with a possible decline in logging and how this would affect the local economy and jobs for woodworkers. A number of comments suggested that VANR should have undertaken a study on the social and economic impacts as part of the Agency's research on the West Mountain WMA plan.

*Traditional Uses:* Many commenters supported maintaining "*traditional uses*;" however, the term obviously meant different things to different people. Some commenters appeared to define traditional uses as hunting, fishing and trapping, and virtually everyone supported these "*traditional uses*" although there were some objections to trapping. However, others included a broader range of activities as "*traditional uses*," including existing levels of road access and the use of private camps. Many people saw establishing an ecological Core Area as threatening "*traditional uses*," while others welcomed the proposal as an opportunity to re-establish "*traditional uses*" that were lost when the extensive haul road network for timber harvesting was established on these lands.

Some persons advocated opening the land up to additional uses not common previously, *e.g.*, mountain biking, hiking on formal trails, and equestrian use. However, other commenters opposed establishing "*new uses*," a term that also was defined in different ways by different people. Activities such as snowmobiling, mountain biking, climbing and motor vehicle use raised specific concerns for some commenters. These concerns focused on how these activities are categorized (*e.g.*, "*traditional*" or not) and what type of restrictions may be placed upon them in the future.

*Long Term Access Plan:* The relatively small number of comments that focused directly on the Draft LTAP tended to be quite specific, addressing issues such as boundary signs, uses requiring written authorization, and the need for road management decisions to be consistent with the Conservation Easement on the Private Timberlands.

*West Mountain WMA "Core Area":* As noted earlier, the proposed Core Area on the West Mountain WMA generated the most comments from the public. These comments reflected interest in the size of the area, the scientific evidence supporting establishing a reserve, perceived losses and gains resulting from the reserve, and specific recommendations and considerations that commenters felt should be considered when establishing the Core Area. Many commenters opposed establishing an ecological Core Area. They offered several reasons. Some viewed it as a breach of faith, others felt it was based on an "*illegal*" part of the land transaction (granting the State Lands Easement). Others felt it would diminish game populations. Some shared all these concerns.

Other members of the public who commented expressed the view that establishing an ecological Core Area was important for a variety of reasons, including: protecting rare species, protecting natural communities, providing a place where natural processes would prevail, providing an area for scientific study, and providing an area that would offer more



remote recreational experiences than offered elsewhere. Many comments reflected an interest in broad social and ecological concerns (e.g., concern for future generations, the landscape of the Northeast Kingdom, of Vermont, and of the planet.)

West Mountain WMA “Active Management Area”: Comments in this category tended to be very specific, and a number were quite lengthy. They focused on particular questions and recommendations regarding management practices in the Active Management Area and related implications for various species of wildlife (especially game species) that require or benefit from early successional forest conditions.

Camps: The comments made about the camps focused on those located within the West Mountain WMA and fell into three main categories: 1) some commenters addressed the use of private camps on public land (with many supporting retention of the camps and others supporting removal); 2) other commenters were concerned with preserving the “*camp culture*,” and 3) many persons supported establishing an ecological Core Area and, hence, removal of the camps.

Trails and Recreational Uses: The comments in this category were mostly specific to particular activities. The activities mentioned included snowmobile and ATV use, mountain biking, access for rock climbing, equestrian uses, snowshoeing, and bird watching. Developing any trail systems and/or enhancing current conditions for recreational activities caused concern for many commenters because they felt it could alter the character of the area. There was an interrelationship between comments on this topic and those listed in the next category.

Road System, Use and Access: Comments made regarding roads involved the status of the current road system and who should have access to these roads. In general, the comments reflected concerns for introduction of exotic species, impact on the landscape, equal access for all persons and interests, and enforcement of closures. Many people opposed closing roads as part of establishing a Core Area. These commenters felt reduced access would adversely impact uses such as hunting, fishing and trapping. Others favored establishing a Core Area and reducing access.

Disabled Access: Related to the issue of access, specific comments were also made about access for individuals with disabilities and the elderly. These commenters raised concerns that the draft management plan for the West Mountain WMA did not in their view address this topic adequately and that the plan would, by closing roads, restrict access to this user group. They emphasized maintaining road access for persons who could not walk long distances. Other commenters, while not speaking against disabled access, clearly favored closing some roads and creating an ecological Core Area, which would require walk-in access.

## **C. List of supplemental studies and references developed to support the plan**

Andrews, J., 2001. A Survey of the Former Champion International Lands in Essex County, Vermont for Rare, Threatened, or Endangered Reptiles and Amphibians, with Notes on Communal Amphibian Breeding Areas and Selected Natural Communities. Biology Dept., Middlebury College, Middlebury, Vermont.

Cogbill, C. V., 2001. Natural Ecological Processes Affecting the Nulhegan Basin. Plainfield, Vermont.

Kilpatrick, C. W., 2001. Small Mammal Survey of the Nulhegan Basin Division of the Silvio O. Conte NFWR and the State of Vermont's West Mountain Wildlife Management Area, Essex County, Vermont. Dept. of Biology, University of Vermont, Burlington, Vermont.

Lambert, J. D., 2000. A Breeding Bird Survey of the West Mountain Wildlife Management Area and Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge. Vermont Institute of Natural Science, Woodstock, Vermont.

Land & Water Associates, 2001. An Assessment of the Regional Context for Recreational Use Planning for the Former Champion Lands. L&WA, Hallowell, Maine.

Land & Water Associates, 2001. Planning for the Future of the Former Champion Lands. Report on Meetings

Focused on Public Uses and Cultural/Economic Significance. September 25 through December 11, 2000. L&WA, Hallowell, Maine.

Land & Water Associates, 2000. Planning for the Future of the Former Champion Lands. Public Meeting, July 20, 2000, American Legion Hall, Island Pond, Vermont. L&WA, Hallowell, Maine.

Langdon, R. and S. Fiske, 2001. A Survey of the Fish and Macroinvertebrate Communities of the Silvio Conte National Wildlife Refuge in the Nulhegan Drainage and the West Mountain Wildlife Management Area. Vermont Department of Environmental Conservation, Waterbury, Vermont.

Lapin, M. and B. Engstrom, 2001. Natural Communities and Rare Vascular Plants of West Mountain Wildlife Management Area and Nulhegan Basin Division of the Silvio O. Conte National Fish and Wildlife Refuge, Essex County, Vermont

Longcore, J. R., 2000. Report of Survey for Waterfowl Broods and Marsh Birds at Nulhegan Basin Division, Silvio O. Conte National Fish and Wildlife Refuge and West Mountain Wildlife Management Area, Island Pond, Vermont.

Miller, D. H., 2001. A Survey of the Adult Butterflies (Lepidoptera: Papilionidae) and Damselflies and Dragonflies (Odonata: Zygoptera and Anisoptera) of the Silvio O. Conte National Wildlife Refuge and the West Mountain Wildlife Management Area, during the field season of 2000 in Essex County, Vermont, USA. Department of Science, Lyndon State College, Lyndonville, Vermont. USGS Patuxent Wildlife Research Center-Orono, Orono, Maine.

Scharoun, S., E. Frank, R. N. Bartone, and E. R. Cowie, 2001. People, Land, and History: The Cultural Landscape of the Nulhegan District. Cultural Resource Assessment and Management Plan of the Former Champion Lands Held in Public Ownership. Archaeological Research Center, Department of Social Sciences and Business, University of Maine at Farmington, Farmington, Maine.

## D. Data sources for figures

<u>Data Type</u>	<u>Data Source</u>
<i>Data common to many figures</i>	
KHL Boundary	Agency of Natural Resources (ANR)
Town boundary	Vermont Center for Geographic Information (VCGI) - BoundaryOther_BNDHASH
Public roads	VCGI - TransRoad_RDS
KHL Roads	ANR
Waterbodies	VCGI - WaterHydro_DLGSW
Equestrian corridors	ANR
Snowmobile corridors	ANR
Biking corridors	ANR
Hiking corridors	ANR
<i>Figure 1: Location of the Kingdom Heritage Lands in Vermont</i>	
(all in common data above)	
<i>Figure 2: The Kingdom Heritage Lands in Vermont</i>	
(all in common data above)	
<i>Figure 3: Publicly Conserved Lands in Northeast Vermont</i>	
Conserved Lands	VCGI - CadastralConserved_PRCONLND, CadastralPublands_CONSPUB
<i>Figure 4: The Private Timberlands Portion of the Kingdom Heritage Lands in Vermont</i>	
VELCO line	VCGI - UtilityTransmit_ELTRN
<i>Figure 5: Motor Vehicle Corridors Designated Under the Access Plan</i>	
(all in common data above)	
<i>Figure 6: Public Access Facilities</i>	
Boat launch	
<i>Figure 7: Potential Roads to Open on the Private Timberlands</i>	
(all in common data above)	
<i>Figure 8: Recreation Linkages</i>	
(all in common data above)	

## **E. SUMMARY OF PUBLIC COMMENTS WITH RESPONSES AND DESCRIPTION OF CHANGES TO DRAFT PLANS**

### **1. Summary of Public Comments with Responses**

The following is a comprehensive list of all comments submitted to ANR on the Draft West Mountain WMA Management Plan and Private Timberlands Public Access Plans during the open comment period from April 9, 2014 to June 11, 2014.

Comments were compiled from three public meetings (held in Brighton, Montpelier, and Lyndon), which were attended by a total of 60 members of the public, and 20 emails and letters.

Headings (underlined) have been created to organize general groups of comments. Similar comments have been grouped together into single, paraphrased statements (listed by number and in italics). Responses are provided below each comment, to clarify how the plans address the comments and indicate the rationale for either leaving the draft plan unaltered or any alterations made in light of the comment.

#### Core Special Treatment Area (“Core Area”)

##### *1. Maintain the extent of the Core Area.*

The size of the Core Area was designed, in accordance with the State Lands Easement, to cover the area required to preserve local wildlife and ecological functions into the future. Its boundaries were based on the locations of ecologically-significant watersheds and natural communities.

While scientific estimates of optimal reserve sizes in the northeast are often greater than 20,000 acres, it was determined that a 12,500 acre Core Area would be appropriate in this landscape given the extensive conserved lands surrounding it.

As the Core Area continues to develop subject to natural processes, its ecosystems and wildlife will benefit from increasing mature forest conditions and habitat features. Meanwhile, active forest and wildlife habitat management will continue on the more than 120,000 acres of West Mountain WMA, Conte Refuge, and Private Timberlands surrounding the Core Area.

This mix of management strategies will provide ample management opportunities while also supporting wildlife species and ecological processes. The original rationale and designations of the Core Area remain scientifically sound and will be maintained unchanged from the original plan (noting that future land acquisitions may add acreage to either the Core Area, Active Management Area, or both).

##### *2. Shrink the Core Area to increase timber and wildlife habitat management opportunities.*

(See #1)

##### *3. Expand the Core Area to protect important wildlife species and ecologically processes.*

(See #1)

4. *With many intensively managed lands in the region, passive management and reduction of outside stressors, such as non-native invasive species and human disturbance, should be the priority for the Core Area.*

As reflected in these plans, ANR does attempt to manage these lands as part of the broader regional landscape. The West Mountain WMA plan maintains the passive management called for in the original plan, while also speaking to the needs of reducing outside stressors like those mentioned.

#### Vehicular access and roads

5. *There is more than enough vehicular access in the area, and public access does not require a vehicle. Road closures will not impact public access.*

A primary goal of both West Mountain WMA and the Private Timberlands is dispersed public access (such as bushwacking, bird watching, hunting, and fishing), while a secondary goal of each is concentrated public access, including vehicular access. This plan attempts to fulfill these goals by placing emphasis on dispersed uses of the properties and managing concentrated uses in carefully considered corridors.

6. *Many hunters and other users want a more remote experience. Keep gates closed on the Private Timberlands roads and make some areas more remote by implementing road closures on the WMA.*

As one of a small number of regions in Vermont where users can have a more remote experience, this plan acknowledges the importance of providing the opportunity for those experiences here. This plan will add additional publically accessible road mileage on the Private Timberlands and contract it on West Mountain WMA, maintaining the overall remoteness of the landscape.

7. *Footpaths on closed roads are a good addition.*

Footpaths are a new strategy designed to enable better pedestrian access over roads that have been closed. This is one of the package of strategies intended to promote public access throughout the Kingdom Heritage Lands, and has been maintained in the final plans.

8. *Without road closures, the Core Area is not being managed for its committed purpose, acting as an ecosystem with minimal intervention.*

This plan update sets out a new schedule for road closures, and includes new details for priorities and methods for closures based on recent assessments.

9. *Nonessential roads that are now, or may soon, create environmental and infrastructure impacts should be closed.*

This plan update sets out a new schedule for road closures, and includes new details for priorities and methods for closures based on recent assessments, including assessments of ecological and infrastructure impacts.

10. *Keep this area as free of non-native invasive plants as possible. Closing roads sooner rather than later will help slow the spread of these plants.*

Nonnative invasive plants are a focus of this plan update. Early detection and management of these species is key. In addition, these plants are being found disproportionately along roads in West Mountain WMA, and road closures are being targeted on roads placed most centrally in the Core Area, to begin establishing a central, unfragmented portion of the Core Area.

11. *Wood turtle, a species of Special Concern occurs in or around the WMA. This species is vulnerable to being killed by traffic on roads and being taken by pet collectors. Decreasing the number of roads in the area will benefit this species.*

Given the particular location wood turtles are known from, the location of planned road closures, and the levels of traffic on the roads, it is unlikely these closures will have substantial effects on local wood turtle populations. The wood turtle, however, is only one example of the many kinds of impacts roads may have on wildlife, and why road closures are a part of the vision of the Core Area.

12. *Roads should be closed on the same 10-year timeline envisioned in the original plan.*

The lack of success implementing road closures from the original plan has necessitated the creation of a new set of strategies for this plan. This plan includes details on the priority, order, and methods for closing each road. In addition, this new phasing creates focuses closures on roads with the greatest ecological, infrastructure, and access impacts. This set of strategies should allow the successful implementation of road closures and restoration activities over the next 10 years.

13. *All roads in the Core Area should be kept open.*

The State Lands Easement specifically states that the Core Special Treatment Area “be an area with the highest ecological integrity, with natural ecological processes as intact as possible.” and that “...all current management decisions should advance the goal of allowing the Special Treatment Area to function as an ecosystem with minimal intervention.”

Because the ecological impacts of roads, can include altered water flows, diminished water quality, altered plant and wildlife movement, decreased wildlife survival, and non-native invasive species establishment, amongst others, the presence of roads within the Core Area is considered to be incompatible with the management goals and easement for this portion of the WMA.

14. *Open more roads for public use on West Mountain WMA and the Private Timberlands.*

With the opening of Goodwin Camp Road, as described in this plan, all currently passable roads on the WMA will be open to vehicular use. No other roads exist on the WMA. In addition, some dead-end roads will be closed over time, to fulfill the goals of the Core Area.

The additional Private Timberlands roads that have been identified as possibilities for opening in the Public Access Plan represent the roads believed to be appropriate for public vehicular travel. Public vehicular travel on other roads would create concerns for natural resources and/or public safety.

15. *Open Madison Brook Road.*

Madison Brook Road is one of the roads believed to be too difficult to manage for public vehicular travel. This road is very steep and, in places, confined to a narrow footprint between the brook and bedrock. In addition to resource concerns based on the fragility of this infrastructure, this road also presents public safety concerns due to its steep drops down to the brook, narrow width, and sharp corners.

16. *Continue West Mountain Pond Road as a loop once the Bullthroat Bridge constructed. Or consider gating instead of closing a section of the road.*

With construction of the Bullthroat Bridge, the West Mountain Pond Road would form a loop around the pond with Paul Stream Road. Establishing this loop would likely result in a significantly increased level of vehicular use on the road. Because this road runs through much of the Core Area, such increased use would be inappropriate. In addition, the road is very rough and fragile. Increased vehicular use would likely cause significant impacts to the road itself and require an unjustifiable level of maintenance.

Gating the road to prevent through travel is an excellent idea. Unfortunately, gates can also be circumvented and/or damaged, creating additional management needs. This plan has proposed removing a small section (1/4 mile) of the road to prevent loop travel and the impacts from users circumventing or damaging a gate, and to allow the removal of a high priority culvert causing negative impacts on water quality and fish passage. At the same time, this strategy will allow the public full vehicular access from both ends of the road, increasing the ease of vehicular access from the present, and encouraging dispersed uses such from these dead-ends, rather than recreational driving.

17. *Maintain public vehicular access south of West Mountain WMA across Granby Stream Road and Stony Brook Road*

As part of this plan, ANR will continue discussions with neighboring towns and landowners to encourage public access across these roads.

18. *Do not implement road closures until agreements to open additional roads nearby are in effect.*

As described in this plan, ANR intends to pursue these strategies as part of a comprehensive vision of vehicular access across the Kingdom Heritage Lands. Each strategy within that vision will be carried out on its own timeframe based on the numerous factors involved.

It is anticipated that the first additional Private Timberlands roads will become available for public use in the summer or early fall of 2014, before roads on West Mountain are closed. This will include much of the total 15 miles identified in these plans. The remaining sections will require upgrades (for example, road surfacing and new gates to protect winter roads) before they can be opened to the public. For this reason, each road will be made available, and will remain open, as is appropriate given its specific circumstances (including considerations of natural resources, infrastructure, public safety, and maintenance).

Meanwhile, it is anticipated that the first road closures and reclamations will begin in the fall of 2014 or spring of 2015, as per the schedule in this plan and depending on the availability of funding and logistics of contracting such work.

19. *Roads on West Mountain WMA should be allowed to revegetate passively, rather than being closed actively.*

When roads are not maintained properly, they cause negative impacts to water quality and aquatic ecosystems. Even on roads that are well-maintained, we see the failure of drainage features and stream crossing structures that lead to erosion, sedimentation, and loss of other infrastructure. Allowing these impacts to compound over time by not maintaining roads could cause significant degradations of water quality and aquatic systems and damage to other infrastructure. Actively reclaiming roads includes restoring water flows, creating appropriate drainage, and promoting revegetation, all of which are necessary to prevent these and other impacts.

#### Recreation

20. *Keep snowmobile trails open.*

This plan makes no changes to the snowmobile trail network, with the exception of noting that a re-route is needed in the eastern portion of the WMA. In addition, a new Corridor Manager Agreement will be created with VAST in the near future, at which point VAST may request changes to existing corridors. Proposed changes as a result of new Corridor Manager Agreements will undergo an additional public process at that time.

21. *Snowmobile trails need better drainage and stream crossings and restrict summer vehicles from accessing.*

Using appropriate stream crossings and conducting necessary trail maintenance are ongoing management tasks that VAST and ANR are mindful of. In addition, ANR is aware of multiple locations where public vehicle access on ungated snowmobile trails has caused



extensive damage on its lands and will continue to address these locations as they are discovered. ANR would welcome reports of any such sites.

22. *Create more biking opportunities across the Kingdom Heritage Lands, including a loop for biking around West Mountain WMA.*

Biking is allowed on roads open to vehicles on the WMA, but no off-road biking trails currently exist on the WMA. There are no road loops that could enable biking entirely around the WMA, but an off-road trail to connect roads could be considered. As with all concentrated recreational uses, new off-road trail proposals require in-depth evaluation, in accordance with their potential natural resource impacts and the management goal of maintaining a rugged, remote experience for users.

Biking is currently prohibited on the Private Timberlands, but could be considered if a potential Corridor Manager organization applied to ANR. With significant logging truck traffic on many roads, the Private Timberlands present additional concerns for public safety that would need to be mitigated.

Biking on the Conte Refuge will be addressed in the US Fish and Wildlife Service's forthcoming Comprehensive Conservation Plan.

23. *Create more equestrian trails, especially loops.*

A new Corridor Manager Agreement will be created with the Vermont Horse Council in the near future, at which point VHC may request additions or changes to existing corridors. Proposed changes as a result of new Corridor Manager Agreements will undergo an additional public process at that time.

As with all concentrated recreational uses, new off-road trail proposals require in-depth evaluation, in accordance with their potential natural resource impacts and the management goal of maintaining a rugged, remote experience for users.

24. *Construct a hiking trail up West Mountain and rehabilitate the fire tower on the summit.*

An informal trail exists up to West Mountain presently, but serves mostly for access to the privately leased camp lot rather than as a piece of public infrastructure. A new Corridor Manager Agreement will be created with the Green Mountain Club (which manages hiking trails on the Kingdom Heritage Lands) in the near future, at which point GMC may request additions or changes to existing corridors, including this option. As with all concentrated recreational uses, new off-road trail proposals require in-depth evaluation, in accordance with their potential natural resource impacts and the management goal of maintaining a rugged, remote experience for users.

The fire tower, however, is privately owned and thus outside the scope of this planning process.

25. *Do not create new hiking trails. Emphasize bushwhacking and use of existing trails and logging roads.*

Construction is in progress on trails to Bluff, Middle, and Gore mountains, in accordance with the original Public Access Plan and Corridor Manager Agreements. No plans exist for other new hiking trails at this time.

A new Corridor Manager Agreement, however, will be created with the Green Mountain Club (which manages hiking trails on the Kingdom Heritage Lands) in the near future, at which point GMC may request additions or changes to existing corridors. Proposed changes as a result of new Corridor Manager Agreements will undergo an additional public process at that time.

26. *Allow limited clearing on Gore and Middle mountains for views from hiking trails.*

This could be allowable in consultation with GMC, VLT, and the Landowner. Such management would need to be proposed as part of the Corridor Manager Agreement for the hiking trails, and to be found as in accordance with the easements on the property.

27. *Create more multi-use trails.*

Trails are considered as part of the Corridor Manager application process. In accordance with the goals for West Mountain and the Private Timberlands, dispersed public access is preferred to concentrated public use, so most concentrated uses are currently designated as multi-use corridors on existing roads. Multi-use, off-road trails are a possibility, subject to approval through the Corridor Manager application process.

28. *Sign trails better.*

As part of the goal to maintain the rugged and remote character of the Kingdom Heritage Lands, a decision was made to keep signage to a minimum. Some signs do exist to guide users, and Corridor Managers or ANR can provide maps of approved corridors. If specific signs are necessary for public safety, user conflicts, or other purposes, please contact ANR.

29. *Limit recreation signage. Maps are sufficient.*

(See #28)

30. *Consider developing birding platform at a suitable site.*

Specific proposals for such a platform would be welcomed and evaluated based on their impacts to resources, the character of the area, and other users, as well as all applicable legal restrictions.

31. *Allow camps to be bought privately rather than exercising ANR's right of first refusal.*

ANR appreciates its relationship with camp owners and the “camp culture” present in the region. Generally, ANR has not exercised its right of first refusal, but may do so contingent on the situation and availability of funding.

*32. Some camps should be made available to the public in the future.*

While it will likely be many decades before most camp leases expire and any abandoned structures fall to ANR, the Agency may eventually choose to make such structures available for public use. The decision to do so will be made in the future, and based on the condition and location of the structures, the ability of ANR to manage such public use, any perceived conflicts with other uses, and other factors.

Hunting/Fishing

*33. Create more early successional habitat, especially for grouse, woodcock, hare, and deer.*

A new set of silvicultural treatments have been planned, which will create a level of early successional habitat that DFW Biologists believe is appropriate within this landscape. While some species of plants and animals thrive in early successional habitats, others do not. The level targeted in this plan was derived from considerations of both current and historical levels of such habitats on the landscape, trends in forest management in this area of Vermont, and the needs of a variety of wildlife species.

*34. End salmon stocking to reduce competition with brook trout.*

Salmon stocking is undertaken by the Fisheries division of DFW as part of the federal program to restore Atlantic salmon to the Connecticut River. Fisheries Biologists consider competition between salmon and brook trout to be negligible, and Paul Stream to be good habitat for salmon. While this program has been suspended as of 2014, Paul Stream will continue to be considered for this use if the program restarts in the future.

*35. Increase fish stocking on the WMA.*

Fish stocking decisions are made by the Fisheries division of DFW. Fisheries Biologists do not anticipate an increase in stocking within the WMA in the near future, particularly with the diminished capacity of DFW to produce fish given the loss of the Roxbury Fish Hatchery. Fisheries staff, however, have also identified Paul Stream as a good candidate for in-stream habitat improvements, which might take place in the next few years.

*36. The creation of a shooting range on South America Pond Road is a good idea.*

The creation of a shooting range would create a safe and convenient place to sight-in and practice with firearms. If placed at West Mountain WMA, a range would make use of an existing gravel pit and be very low-infrastructure. The details and prospects of this idea are still in progress, and will be evaluated by ANR and the State Lands Easement holders.

*37. Hunters should be allowed to use ATVs to access hunting areas.*

ATVs are allowed on the WMA and the Private Timberlands only for management purposes or by a member of the public with a mobility disability that has obtained a Special Use Permit from ANR. Use of ATVs on the Private Timberlands by the general public is prohibited by the easements on the property, and use of ATVs on state land by the general public is prohibited by law (unless specifically designated).

#### Wildlife, Forest, and Habitat Management

##### *38. Be mindful of development around the conserved lands, to protect their unique character.*

ANR considers the unique character and lack of development of these lands to be among their most important features, and will continue to work to maintain and enhance these values. This planning process, however, does not have implications for other lands in the area.

##### *39. Loss of softwood regeneration in deer wintering areas is a concern.*

DFW works across the state to preserve deer wintering habitat. On West Mountain WMA silvicultural prescriptions in softwood and mixedwood stands will favor maintaining and enhancing softwood cover, as well as providing the necessary age classes, canopy characteristics, and browse to provide functional deer wintering habitat. On the Private Timberlands, Plum Creek, ANR, and VLT often all collaborate on the management of deer wintering habitats, with the goal of increasing softwood cover.

##### *40. Manage for connectivity and core habitat.*

The Kingdom Heritage Lands represent some of the largest habitat blocks in the state. Connectivity for plants and animals to move between these core habitats and to and from other habitat blocks is critical. ANR considers the management of these lands in this context and will work to maintain and enhance the connectivity in and around these lands.

##### *41. Conduct a wildlife crossing study on Rt105 and Rt102 using cameras.*

Presently, both the Staying Connected Initiative (of which DFW is a member) and The Nature Conservancy are beginning studies that will investigate wildlife crossings in this area.

##### *42. Consider rock-lined water bars (rock fords) for stream crossings when culverts fail.*

Rock fords are generally not appropriate on the publically traveled roads of the WMA due to their impacts on water quality and aquatic ecosystems.

##### *43. On West Mountain, use timber rotations of 80-100 years rather than 80-120 years.*

Rotations of 80-120 years are a commonly used prescription to grow mature hardwood trees especially on relatively low productivity sites like West Mountain WMA. This is in accordance with NE-603 Northern Hardwoods Silvicultural Guide. In addition, longer

rotations allow the development of important habitat features including snags and large-diameter wood, and provide other ecosystem benefits.

44. *On West Mountain, 300 foot buffer areas adjacent to streams, lakes, wetlands, and beaver ponds are unnecessary, and timber management should be conducted within these areas.*

Forest management can and will be conducted within these secondary buffer areas. In contrast to general management areas, however, buffer management will focus on smaller openings and lighter harvests. These large buffers with lighter forest management will maintain and enhance a variety of ecological processes including the development of large trees (habitat for many animals including waterfowl), the addition of woody material into aquatic environments (creating habitat for trout and other species), and the movement of amphibians from aquatic habitats to uplands (which can travel hundreds of feet).

45. *On West Mountain, even-aged openings should not be limited to a 5-10 acre maximum size.*

This plan specifies a maximum opening size of 25 acres. Generally, however, smaller openings will be used (at the discretion of Biologists and Foresters), to diversify the largely homogenous age and structure of the current forest.

46. *On West Mountain, the level of even-aged management planned for hardwood forests is too high. This will increase the susceptibility of the forest to nonnative invasive species and will not provide the large blocks of late-successional habitat favored by some species.*

The new set of silvicultural treatments have been planned to create a level of early successional habitat that ANR Biologists and Foresters believe is appropriate within this landscape. Overall, the level of forest management will regenerate forest at a rate somewhat greater than estimates from natural disturbances. This was deemed appropriate due to the presence of the passively managed Core Area and the need for regenerating forest habitats by a variety of wildlife species (including Canada warbler and ruffed grouse).

47. *It is good the new plan addresses climate change, the habitat needs of Canada lynx and American marten, and aquatic organism passage.*

These are some of the high-priority resource concerns that have surfaced since the development of the original plan. This speaks to the need to continually evaluate situations on the ground, and manage in response to changing conditions.

48. *Do not reintroduce wolves in the WMA. Catamounts, however, should be considered for reintroduction in the WMA.*

While the WMA, and the Kingdom Heritage Lands as a whole, represent very large blocks of habitat for Vermont, large predators such as catamount require immense ranges and the Kingdom Heritage Lands could likely only support a small number. For that reason, any such

reintroduction effort would be led by the US Fish and Wildlife Service and is not within the scope of this plan.

49. *Game species (deer, ruffed grouse, moose, and snowshoe hare) have their place in management, but get more attention than they deserve.*

The mission of the Fish and Wildlife Department is “the conservation of all species of fish, wildlife, and plants and their habitats for the people of Vermont...” Game species are managed closely given their importance to the people of Vermont and the level of impact that humans have on them. Nongame species, other ecological considerations, and non-consumptive public uses, however, are just as important in management planning.

#### Planning Process

50. *The many compromises apparent in this plan are appreciated.*

With many users and interested parties, management of these lands requires a great deal of balancing.

51. *ANR cannot keep reconsidering long-term strategies every 10 years. It must implement them and stick to them.*

The plan update seeks to maintain all of the major management direction for the Kingdom Heritage Lands and the vast majority of the finer-detail management strategies that will get us there. While some changes have been made, ANR is committed to the long-term vision of these lands.

52. *There are issues with representation in the planning process. Those who want large protected places to exist may represent a majority but may not attend a meeting or submit a comment, while local, vested interests may submit more comments.*

Public participation is a key element in ANR’s land management planning. There are, however, numerous challenges around representation in the planning process, which is why ANR seeks the broadest possible participation. In addition, ANR does not conduct planning as a voting process where the largest or loudest groups hold the greatest sway—each idea submitted is evaluated on its own merits and anticipated effects on resources and users.

53. *Altering the road closure schedule disrupts the balance reached in the original planning process.*

This plan update relies heavily on the original plan, and seeks to maintain the vision it set forth. This update does not change the prescription for any roads originally intended for closure to permanently open.

54. *It is good that not many changes have been proposed to the intent and practices of the original plans.*

The levels of both public participation and expert input to the original plans are unrivaled. These plan updates rely heavily on the original, and seek to maintain both the broad directions and many of the specific strategies that the original set forth.

#### Other

55. *The new plan needs much more detail on how climate change will be addressed. This plan should include estimates of the increased costs of road repair and the increased ecological damage that will result from greater erosion, siltation, and other climate change impacts.*

Certainly climate change will bring increased resource and infrastructure impacts, including those listed above. While estimating the severity, frequency, and costs of such impacts, would be both revealing and informative, ANR does not currently have a way to create such estimates with reliability.

56. *Illegal dumping is a problem in some areas of the WMA.*

ANR spends considerable time and energy cleaning and following-up on illegal dumping. Land managers notify Environmental Enforcement Officers and Game Wardens, who investigate and prosecute dumping activities. Please contact ANR if you discover such activity.

57. *In the Camp summary discuss the 2006 legislation affecting camps at West Mountain WMA, and in the full Camp Management Section discuss the minority report of the Study Committee On West Mountain Wildlife Management Area Leaseholders*

These details, while important, are not significant enough to warrant adding to the already very long document. The 2006 legislation is discussed in the full Camp Management section and does not need repeating, and the inclusion of minority reports from committees is at a level of detail unnecessary in this document.

58. *The state shouldn't buy more land with easements.*

Easements are one of the most common tools in modern conservation. ANR both holds easements on the property of others and owns properties with easements. While easements sometimes offer challenges (for example, management restrictions), they also offer benefits (for example, lower costs of ownership and perpetual protection from development).

59. *Acquire the inholdings and adjacent parcels currently owned by TNC, and add them to the Core Area.*

ANR places a high priority on consolidating its existing ownerships by acquiring inholdings and adjacent parcels. Acquiring the TNC parcels in and adjacent to West Mountain WMA is a high priority for this ownership, and would bring the advantages to users of having a single land owner and set of policies.

60. *Do not build industrial-scale wind turbines on the Kingdom Heritage Lands.*

Industrial-scale wind turbines would not be in conformance with the easements or management goals for these properties.

61. *ANR should meet with the town of Brunswick annually, to discuss management on the WMA and related issues on this “gateway town.”*

ANR will plan to meet with Brunswick annually, as now reflected in section VI.N. of the West Mountain WMA Management Plan.



### Summary of Changes to Draft Plans

This is a list of all changes made to the West Mountain WMA Management Plan and the Private Timberlands Public Access Plan between the draft and final plan stages. These changes arose as a result of public comments, ANR staff input, and input from legal partners.

#### **Changes Applicable to both the West Mountain WMA Management Plan and the Private Timberlands Public Access Plan:**

1. This Public Responsiveness Summary was added as an appendix to each plan.
2. One road on the Private Timberlands designated to be opened was changed: the west fork of the longest road off of the East Branch road was identified as being in better condition and not crossing private land, compared with the east fork designated in the draft plan. The mileages are very similar.
3. A description of the public draft review process was added to the Public Comment (V.) section.
4. Old, unusable trails were removed from the snowmobile corridor maps.
5. To simplify maps, biking corridors were removed and replaced with the statement that biking is allowed on all ANR roads on West Mountain WMA that are open to vehicles.
6. The web address for the new Road Conditions website was added.  
([http://www.vtfishandwildlife.com/wildlife\\_WestMtnWMARoads.cfm](http://www.vtfishandwildlife.com/wildlife_WestMtnWMARoads.cfm))
7. Language was added to clarify that roads on the Private Timberlands newly designated for public vehicular travel will be made available as their conditions allow. Some will likely be available in 2014, while others will require improvements before they are travelable.
8. Language on recreation corridors was changed to clarify that corridors are located (and relocated) at locations mutually agreeable to Corridor Managers and ANR.
9. Champion Lands Leaseholders and Traditional Interests Assoc was added to the constituent group list in the Public Involvement section.

#### **Changes Applicable to the West Mountain WMA Management Plan only:**

10. A new Ecological Objective was added to recognize the importance of forest health, structure, native species composition, and regeneration.
11. An exception to no-cut riparian buffers was added for forest health management.
12. The timeline for road closures and restoration was changed from beginning in 2014 to beginning in 2015, based on time constraints around the approval of the final plan and ability to contract the necessary work.
13. The preliminary nature of road closure cost estimates was clarified.

14. To ensure that all roads are reevaluated in the next plan update, Long Term roads are now designated to be planned for in “the next” planning effort, rather than “a future” effort.
15. Language emphasizing the ecological *restoration* intention of road closures was added.
16. The intent to meet with the town of Brunswick (and other municipalities on request) annually was added in the Communication and Coordination section.
17. A paragraph and map were added describing inholdings and adjacent parcels which ANR hopes to acquire in the near future to add to the WMA.
18. Language clarifying that leased camps are currently not a public use, but a private one, was added, and the heading “Camp Management Plan” was changed to read “Private Camp Management.”
19. The need for new “footpaths” on reclaimed roads to be managed as Corridors was clarified.
20. The stated target moose density was corrected to 1.75 moose per square mile for WMU E.
21. A small amount of text was added in Management for Climate Change Adaptation to emphasize the benefits to wildlife and other resources.
22. The text describing allowed and prohibited camping uses in the Core Area was clarified.

2.