

Use Value Appraisal Forest Management Plan Extension Standards

These standards apply to all requests for extensions to forest management plan submission deadlines on parcels with forestland enrolled in Use Value Appraisal.

Policy:

When a landowner applies for enrollment of forestland in UVA, for a parcel to be eligible, a forest management plan that meets minimum plan standards must be submitted to the Department of Forests, Parks and Recreation (FPR) for review against the standards. 32 V.S.A. § 3755 establishes deadlines for submission of plans. Plans for new enrollments or additions to enrollment are due to the county forester by October 1st of the year prior to enrollment of the forestland. Plans are valid for 10 years. To maintain eligibility of a parcel, a forest management plan update is due to the county forester no later than April 1st of the year the plan expires.

If a landowner satisfies the Department that they were prevented by accident, mistake, or misfortune from filing a plan by the due date, then FPR will provide an extension, establishing a new deadline for plan submission. Plan submission deadlines established by extensions will be determined by FPR based on the minimum reasonable time necessary to overcome the accident, mistake or misfortune preventing timely submission of a plan, and to allow for adequate plan development. However, no initial plan (due Oct. 1) shall be received later than December 31, and no management plan update (due April 1 of the year the plan expires) shall be received later than one year after April 1 of the year the plan expires.

Accident, mistake or misfortune is something outside of the landowner's control, or something which a reasonably prudent person would not be expected to guard against or provide for. Circumstances resulting from negligence, such as ignoring notice of responsibilities on filing forms, or misplacing notices mailed to the landowner at the address of record, will not be considered demonstration of accident, mistake or misfortune and will not warrant an extension.

Procedure:

For FPR to consider accepting a management plan submitted after the deadline, a landowner must submit to the county forester in writing:

1. Name of the landowner(s), parcel SPAN, parcel town(s), phone number, email address and mailing address.
2. Description of the accident, mistake or misfortune preventing timely submission of the forest management plan to FPR, warranting a late filing of the plan.
3. The date by which the plan will be submitted.
4. The name of the forester that will be preparing the plan.

A consulting forester or other representative may submit a request for extension on behalf of a landowner if a Power of Attorney (POA) form on file with the Department of Forests, Parks and Recreation authorizes an agent to make such a request. A POA may be filed at the time of a request. Under specific circumstances, such as when a landowner is physically or mentally unable to request an extension or when shared circumstances preventing timely submission of plans are widespread, FPR may allow licensed foresters or other agents to request extensions on behalf of landowners.

The county forester will review complete requests and FPR will make a determination within 10 business days. The county forester will notify the person who submitted the extension request, in writing, if a plan filed by the submission date stated in the request will be accepted.

If an extension request is granted, and a management plan is currently on file with FPR, then it will remain in effect until approval of the updated forest management plan by FPR.