

Information for Applicants for Special Use Permits or Licenses

Vermont Agency of Natural Resources

(Includes state lands under the jurisdiction of the Department of Forests, Parks and Recreation,
Department of Fish and Wildlife, and Department of Environmental Conservation)

Do I need a Special Use Permit or a License?

As a general rule, the public does not need permission to conduct many types of activities on state lands. Examples of these include: individuals or small groups hunting, fishing, primitive camping in designated areas, hiking, cross-country skiing, and using designated snowmobile and mountain biking trails.

In certain circumstances, however, a Special Use Permit (SUP) or License is required. Examples include:

- Research activities.
- Group activities that involve more than 10 people.
- Guided recreational activities (commercial and non-profit).
- Special events or activities where a fee is charged.
- Collection of plant materials or other items from state lands.
- Special uses, such as agricultural use of fields on state lands.

Why are Special Use Permits and Licenses required?

The reasons for requiring Special Use Permits or Licenses are:

- To keep track of the activities occurring on state lands.
- To insure uses minimize impacts on the natural, recreational and/or cultural resources.
- To educate users in proper stewardship practices.
- To maintain quality recreational experiences and to reduce user conflicts.
- To assure that uses on state lands are compatible with the long-range management objectives for that particular state land.

Will my request for a Special Use Permit or License be granted?

Special Use Permits or Licenses for use of Agency lands are issued only when the proposed use:

1. is consistent with the missions, goals, and objectives of the Agency and its departments;
2. is compatible with approved long-range management plans;
3. does not permanently exclude, eliminate, degrade, or conflict with other established and accepted public uses of an area, including legal public hunting, fishing, and trapping;
4. will have minimal adverse impacts upon any natural, geological, historical, cultural, fisheries, wildlife, recreational, or visual resources, and should protect or avoid critical natural resources or resource values; AND
5. is not specifically prohibited by law, rule, or regulation.

Other criteria used to evaluate applications may include the impacts of the proposed activities on resources such as water, soil, wildlife, timber, and recreation; the degree of conflict with other users; effects on public liability, health and safety; and the previous performance of a licensee.

A SUP or license will not be granted simply to provide a commercial profit-making opportunity. The Agency of Natural Resources is not obligated to issue a SUP or license to accommodate the desire of an applicant.

How do I apply for a Special Use Permit or License?

The process of getting permission to use state land begins with filling out the application for SUP or License for Use of State Lands. Each District Office of the Agency of Natural Resources has a License Coordinator that can assist you.

If an application includes multiple state lands across more than one District, the application should be sent to the District Office with the majority of use and the District will then coordinate with the other appropriate Districts (see attached map for District boundaries and addresses). Be sure to follow all instructions and complete the entire application. Incomplete applications will be returned unprocessed.

Applications should be received no later than 30 days before your use is proposed to begin to be given optimal consideration for your request. Applications received within the 30 days, will be processed on a first-come, first-served basis, assessed additional fees, and it can not be guaranteed that you will receive a permit or license.

Is there a fee? And why are there fees?

Base Administrative Fee: minimum \$50.00 for all SUPs and Licenses. This fee may be waived, or reduced, if comparable services/in-kind contribution is provided for on state lands by Licensee or Permittee.

Requests for a License or SUP that requires expediting a License or SUP to meet the short timeframe of the applicant, will be assessed a “premium” of \$50.00 in addition to other fees.

Additional Fees

- A. **Guided recreational activities and services** (includes commercial, educational and nonprofit trips depending on meeting the criteria for SUPs and Licenses. Fees may be waived, reduced, or increased depending on special circumstances): **Base Fee plus:** \$4.00 per person per day use fee regardless of activity.
- B. **Recreational, Cultural, and Other Special Events** (including weddings and family reunions): Base Fee plus \$4.00 per person per day.
- C. **Agricultural Use:** Base fee plus prevailing rate for agricultural lands for specific uses (\$ per acre) as determined by the Department of Agriculture, Extension Service, or by other means, or fees may be waived for special circumstances (i.e., FPR derives benefits for practices – keeping a field open for wildlife).
- D. **Maple Sugar Operations:** Base fee plus annual per tap fee based on 25% the average bulk price per pound for syrup.
- E. **Utility Right of Way:** Base fee plus \$1.00 - \$3.00 per linear foot of utility ROW per 10 year term, depending on type of utility ROW.
- F. **Time Trials/Mountain Roads:** Base fee plus minimum \$750 per day (or \$1500 each 2-day reservation).
- G. **Temporary Rights of Way:** Base fee, plus bond amount to be determined by department staff.
- H. **Sale of forest products from state land** (brush, seedlings, other): Base fee, plus a reasonable charge for product.
- I. **Housing Rentals:** Base fee, plus going housing rental rate for the area.
- J. **Concessionaires/Vendors:** Base fee, plus negotiated percentage of gross sales.
- K. **Research/Scientific:** Base fee, or fees may be waived if Agency is provided with a copy of research results.
- L. **Hunting by Disabled Persons:** Fees are waived.
- M. **Training Activities – Civil and Military:** Fees generally waived.
- N. **Commercial Photo Shoots, Advertisements, etc.:** Base fee, plus negotiated fee depending on impact, duration, etc.

Applicants will be billed for the appropriate fee at the time a License is issued. Fees must be received within 30 days after billing or prior to the starting date of use. If a Licensee exceeds the total number of service days indicated on the License, the District Office must be advised so an adjustment may be made. Licenses may be cancelled at the request of the Licensee at any time. Any unused portion of the fee over the minimum base fee shall be refunded upon request.

Users of state fee areas (state parks) are subject to separate fees at these areas (day use, camping, etc.). Users of trail shelters operated and maintained by caretakers of the Green Mountain Club, under an agreement with the Agency of Natural Resources, are subject to a separate fee for each night's occupancy.

Fees are charged to cover costs associated with administering special use permits and licenses, management and operational activities of staff for resource protection and visitor use, and to protect public resources for private use and gains.

Are there any other requirements or restrictions?

Use of state lands is subject to state laws and agency policies, rules, and regulations for use and protection of state lands, or regulations governing occupancy and use of special areas. Use in some areas may be restricted or minimized in order to prevent resource damage and a diminished recreational experience due to the large number of visitors.

Use of shelters on the Appalachian and Long Trails (AT/LT) systems will be on a first come-first served basis. There is a maximum stay of two consecutive nights at any shelter or camping spot along the AT/LT. The Green Mountain Club will need to be contacted for any additional requirements.

There may be specific restrictions on group size depending on the type of activity. For example, individual group size for hiking should be limited to ten (10) persons including leaders and guides. Larger groups may be required to divide into small groups and distribute use in separate areas.

Applicants must furnish marketing, advertising, or promotional materials and/or brochures with their applications, or soon after they are published. At the end of the term for the SUP or License, you may be required to submit a **Use Report Form**. Failure to do so may prohibit the issuance of future SUPs or Licenses.

Permittees and Licensees shall indemnify, defend and hold harmless the State from all claims, suits or demands for payment by any person arising from the Permittee's or Licensee's activities under the SUP or License. Specifically, the following insurance coverages are required:

1. **Workers' Compensation:** Minimum employer's liability limits of \$100,000/\$100,000/\$500,000.
2. **General Liability and Property Damage:** \$1 million per occurrence, \$1 million for general aggregate, \$1 million for product/completed operations aggregate, \$50,000 for fire legal liability.
3. **Automobile Liability:** \$1 million combined single limit.

Each policy shall carry an endorsement naming the State of Vermont, Agency of Natural Resources as additionally insured and provide for thirty (30) days notice to the Agency in the event the policy is changed or cancelled. A copy of the policy or endorsement will be sent to the District Office prior to the starting date of use.

Applicants are cautioned that considerable areas of private and federally-administered lands (Green Mountain National Forest) are adjacent or within the boundaries of state land holdings. The State of Vermont has no jurisdiction on these lands and users are advised to observe the rights of these other landowners. The US Forest Service, Green Mountain National Forest has its own permit requirements and process. Applicants should determine landownership and contact the appropriate party.

Additional requirements and restrictions may be made part of the SUP or License.

For Additional Information:

Please contact an ANR District License Coordinator found in each District Office (see attached map).