

Interim Management Plan For the Lamoille Valley Rail Trail

1.0 Executive Summary

The Lamoille Valley Rail Trail (LVRT) will be a year-round multi-use recreation path/trail. The LVRT will be located on the premises and right-of-way, as described in the lease executed between VTrans and VAST on September 20, 2006, of the original St. Johnsbury and Lake Champlain Rail Road Company established June 30, 1916 and most recently managed as the Lamoille Valley Rail Road Company (LVRR).

In 2002 the Vermont General Assembly authorized the State to enter into a long-term lease with a USER for the State owned railroad line beginning in the Town of St. Johnsbury in the east and ending in the Town of Swanton (the Line) in the west. In 2003 the General Assembly of the State of Vermont directed that the state-owned railroad corridor between St. Johnsbury and Swanton should be converted to a year-round, multi-use recreation path/trail managed by the Vermont Association of Snow Travelers, Inc. (VAST); and the Line was to be rail-banked and used for interim trail use.

The adoption of a long-term lease and the acceptance of this management plan by both the State of Vermont, Agency of Transportation and VAST will govern the management and usage of the Line as a year-round, multi-use recreation path/trail. The parties have agreed to be legally bound by the terms of the lease between the State of Vermont, Agency of Transportation (Lessee) and VAST (Lessor). The VAST Management Plan for the Lamoille Valley Rail Trail will detail the conversion of LVRR right-of-way and its management to a year-round multi-use recreational path/trail.

The ultimate responsibility for the conversion of the LVRR railbed, into a year-round multi-use recreation path/trail and its management, will be born by VAST. The VAST Board of Directors has established the Lamoille Valley Rail Trail Committee (the LVRTC) that will be charged with the day-to-day conversion and management activities of the project. The VAST Board of Directors has adopted an Operational Plan and Policies, for the Committee.

This plan further outlines and defines the roles of all parties that will be a part of the LVRT process. The plan will also outline the proposed financial possibilities for both conversion of the rail bed and for its future maintenance.

We envision a rural rail/trail facility which will provide an environment so all users can enjoy nature and the scenic Vermont landscape to its fullest. This environment away from vehicular traffic will become an inviting place where the elderly and persons with disabilities can enjoy more leisurely endeavors and bicycle riders can set their own pace with short rides or multi-day trips. Users will fall into two categories; (1) local users who live within a short distance and will

use the path/trail on a regular basis; (2) out-of-town and out-of-state users who will commute to a selected location and enjoy their own preferred form of recreation. It is this second category, with the proper promotion, that will provide the positive economic impact to the communities. To varying degrees all user groups will require new dining, lodging and repair businesses to be established to fill the need. The National Rails to Trails Conservancy estimates that a 95-mile rural scenic rail trail in Vermont, after 10 years of proper promotion, should conservatively have 250,000 users per year. These user numbers will drive the economic growth at the local level and provide increased tax dollars at the state level.

1.1 Mission and Vision

The mission of VAST and the LVRTC is to produce and maintain a premier year-round multi-use recreation path/trail that will have national and international recognition as one of the finest Rail-Trails in the US and Canada.

2.0 History and Definition

In 2002 the Vermont General Assembly (by passing Sec. 16 of Act No. 141 effective June 21, 2002) authorized the State to enter into long-term lease with a USER for the State owned railroad line between valuation station 55+20± in the Town of St. Johnsbury and extending westerly approximately 93.2 miles to valuation 4976+93± in the Town of Swanton (the Line). In Sec. 17 of Act No. 56 of 2003 (effective June 04, 2003) the General Assembly of the State of Vermont directed that the state-owned railroad corridor between St. Johnsbury and Swanton should be converted to a year-round, multi-use recreation path/trail managed by the Vermont Association of Snow Travelers, Inc. (VAST). The Line is rail-banked and is to be used for interim trail use, in accordance with authorization from the federal Surface Transportation Board in *Lamoille Valley R. R. Co. _ Abandonment and Discontinuance of Trackage Rights Exemption _ In Caledonia, Washington, Orleans, Lamoille and Franklin Counties, VT*, STB Docket No. AB-44 (SubNo. 1X) (served Feb.13, 2004).

The execution of the long-term lease and the acceptance of this management plan by the State of Vermont, Agency of Transportation and VAST will govern the management and usage of the Line as a year-round, multi-use recreation path/trail. The lease also describes and details the responsibilities of the State and VAST relative to the future use and management of the LVRT. A copy of the lease is attached to this Management Plan and becomes a part of it as “Exhibit B.”

The ultimate responsibility for the conversion of the LVRR railbed, into a year-round multi-use recreation path/trail and its management, will be born by VAST. The VAST Board of Directors has established the Lamoille Valley Rail Trail Committee (LVRTC) that will be charged with the day-to-day conversion and management activities of the project.

2.1 Development of Partnerships and the Management Plan

VAST has been actively pursuing partnerships that will ensure the success of the LVRT. Partnerships have been formed with the three regional planning commissions that are impacted by this project and The Friends of the Lamoille Valley Recreational Trail. The LVRT

Management Plan calls for the establishment of the Lamoille Valley Rail Trail Advisory Committee (LAC). The LAC will be made up of representatives from the regional planning commissions, municipalities, business owner's representation as well as representation from adjacent landowners. The LAC will also have representation on the LVRTC. In addition, VAST has reached out to groups like the Vermont Mushers Association, Lamoille Valley Anglers and the Vermont Bicycle and Pedestrian Coalition, etc. VAST will continue to reach out to these and other interest groups to request input to ensure that the LVRT is a success.

The LVRT Management Plan is a requirement of the lease between VAST and VTrans and it will be the document that will guide VAST in the creation and management of the LVRT. VAST has been working on developing this Management Plan since the date that it responded to the request for RFPs for the future use of the Lamoille Rail Road Corridor. During the development of the plan VAST attended a series of meetings with VTrans and the Regional Planning Commissions to work out the finer details of the plan. In addition, each of the three Regional Planning Commissions held public informational meetings that allowed the public to voice their support or concerns over the LVRT. The public's concerns are reflected in this Management Plan. The general public will have additional opportunities to review the Management Plan and to make comments about the plan's content, prior to its implementation and again every two-years from the original adoption of the plan and/or as required by the lease.

2.2 Public Involvement

Public involvement will be welcome and sought throughout the path/trail conversion process. There will be public hearings at various stages to seek input on specific projects, management, maintenance activities, etc. There will also be a website set up, www.lvrt.org, for the path/trail that will allow for comments to be submitted from anyone accessing the site. We will be looking for constructive comments as well as positive feedback on the path/trail.

3.0 Governance Structure

The VAST Board of Directors shall have oversight responsibility for the LVRT. The Lamoille Valley Recreational Trail Committee shall be formed to oversee planning and funding for the conversion and management of this railbed to a year-round multi use recreation path/trail.

3.1 Lamoille Valley Rail Trail Committee (LVRTC)

The Purpose of the Lamoille Valley Rail Trail Committee; hereinafter, referred to as the LVRTC, shall be to oversee the planning and funding for the conversion and management of the Lamoille Valley Railroad into a year-round multi-use recreation path/trail serving the needs of those who recreate in Vermont as well as the communities and their residents. The LVRTC shall include representation from the motorized and non-motorized users. It shall further be the responsibility of the LVRTC to develop and implement an annual business and operational plan for the purpose of overseeing the year-to-year maintenance, and facilitating the day-to-day management as well as developing a policy for resolving issues and conflicts as they arise. The LVRTC shall also establish and update, on an annual basis, a five-year "General Maintenance Plan" that details annual maintenance of the LVRTC and its associated costs.

A. LVRTC Authority

The authority of the LVRTC shall be as directed by the Vermont Association of Snow Travelers, Inc. (VAST) Board of Directors and shall not exceed the authority necessary to complete the stated purpose(s) of the LVRTC and/or exceed the authority of the VAST By-Laws. The LVRTC shall have the authority to develop and implement all plans and policies of the LVRTC, including, but not limited to the following duties:

- Solicit members from user groups and/or other interested parties.
- Develop operation and management plans, and conflict resolution procedures.
- Obtain through all possible sources the funding necessary to cover the costs of planning, permitting, construction, and maintenance of the LVRT.
- Oversee the conversion of the rail-bed into a four-season recreation path/trail.
- Ongoing management of the trail; and planning, funding and implementation of necessary promotional activities, and events, including the production of publications, brochures, events, etcetera.
- Hire a paid Business/Project Manager to handle the financial and business aspects of the LVRTC if financially viable, and approved by the VAST Board of Directors and included within VAST's fiscal year budget.
- Coordinate with private landowners the location of and installation of "No Trespassing" signage. The signs are to be installed within the trail right-of-way, adjacent to the private landowners property and facing the trail. Signs and installation, of the signs, will be by the LVRTC or by one of the user groups if so designated by the LVRTC.

Prior to the implementation of any of the above, the VAST Board of Directors shall approve said plan and policies.

B. LVRTC Membership

The LVRTC shall be made up of volunteer members representing both motorized and non-motorized recreational activities.¹ Volunteers serving on the LVRTC shall not be paid for their services; however, they will be asked to document their time spent on this committee to potentially be used as match for any federal grants. LVRTC members will be paid mileage, at the appropriate IRS designated rate, for their attendance at all meetings of the LVRTC. The expertise needed from volunteers on this committee may change over time as the conversion is completed and the emphasis changes to one of trail enhancement, management and promotion. All members shall serve annual terms.

1. The LVRTC shall consist of no more than eleven (11) volunteer members. The makeup of the LVRTC shall be as follows:

¹ The LVRTC voted not to have representation on their committee by landowners and the VAST Board of Directors ratified their action. The following is the rationale for the LVRTC action; *"The LVRTC is charged with managing the path/trail and to make the best decisions for its material management including engineering, compliance, etc. To that end it is comprised of both motorized and non-motorized users. To better address issues outside of the material management of the path/trail, the LVRTC is to be advised by the Regional Planning Commissions (RPCs) and an organizational structure (that they will be responsible for the LAC) that is comprised of business interests, landowners, municipalities and the RPCs their selves. Because the processes of the LVRTC are necessarily open to the public for comment and will be reviewed and advised by the VAST Board of Directors, the state and the public, we believe that fact alone will best represent the interests of ALL interested parties while in the interests of the efficiency and goals of the LVRTC, the current structure is most suitable."*

- The VAST Board of Directors shall appoint five (5) members to the Committee annually, one of which shall be a representative of the Vermont ATV Sportsman's Association (VASA).²
- Five (5) members of the LVRTC shall be appointed annually from a list of potential members representing non-motorized users who have been nominated by their respective recreation user group to serve on the LVRTC. The Regional Planning Commissions (RPCs) and the "Friends of the LVRT" will assist in reaching out to the various user groups and will make recommendations to the LVRTC on potential candidates to represent trail user groups. Each nominee shall complete an application that will be reviewed by current LVRTC members. If more names are nominated than there are positions to fill, the positions shall be filled by election by ballot. Only the current members of the LVRTC, including those that are in the positions being decided for appointment, will be eligible to cast a ballot. If there were five (5) seats open and seven (7) candidates are nominated, to fill the vacancies, each voting LVRTC member would vote for five (5) of the candidates and the five (5) candidates receiving the most ballots would be elected to fill the vacant LVRTC positions.
 - One (1) LVRTC member shall be the Chair, or other appointed individual, representing the Lamoille Valley Recreational Trail Advisory Committee (LAC). The LAC shall select, by majority vote, this individual on an annual basis.
 - All members shall be elected or appointed at least one month prior to the annual meeting of the LVRTC.
 - A slate of Members and Officers shall be submitted to the VAST Board of Directors for the ensuing year, one (1) month after their Annual Meeting.
 - The VAST Executive Director shall act as an advisor and a resource to the LVRTC, but will not serve as a LVRTC member and shall not have a vote.
 - The VAST Board of Directors will appoint the Chair of the LVRTC from amongst the duly appointed and elected LVRTC membership.

In the event that any member of the LVRTC sustains three consecutive absences the LVRTC shall contact the absent member and determine whether there is continued interest in serving on the LVRTC. If not, the LVRTC may deem the member to have resigned and shall proceed to take steps to replace that member. Members shall be replaced using the criteria specified in section "B" above. The term of all LVRTC members shall be for one (1) year, but there shall be no maximum number of terms that can be served.

C. LVRTC Officers

The officers of the LVRTC (Executive Board) shall be the Chair, Vice-Chair, Secretary and Finance Officer.

1. The duties of the officers are as follows:

- **Chair** - The Chair shall preside at all meetings of the LVRTC and Executive Board. The Chair shall be an ex-officio member of all subcommittees of the LVRTC. The Chair shall have the usual powers of supervision and management, as they pertain to the office of Chair, and perform such other functions as may be designated by the LVRTC or Executive Board. If one has been established, the LVRTC may designate the Executive Board to finalize negotiations for

² VASA will continue to hold its seat on the Lamoille Valley Rail Trail Committee (LVRTC) even though the use of ATVs is currently not allowed. ATV use on the trail continues to be a high visibility problem and we need VASA's input to help reduce illegal operation and to coordinate law enforcement.

contracts. The Chair shall recommend to the VAST Board of Directors that they approve and sign contracts upon approval of the LVRTC. The VAST Board of Directors shall appoint the LVRTC Chair.

- **Vice Chair** - The Vice-Chair shall, in the event of absence, disability, or death of the Chair, possess all the powers and perform all the duties of the office of Chair, until such time as the VAST Board of Directors has named an individual to fill the vacancy. The Vice-Chair shall also perform such duties as the Chair may designate. The Vice-Chair shall be an appointed member of the LVRTC and he/she shall be selected by the LVRTC.
- **Secretary** - The Secretary shall keep minutes of all meetings of the organization, or shall designate a minute keeper. The secretary shall perform other incidental functions as necessary. The Secretary shall be an appointed member of the LVRTC and he/she shall be selected by the LVRTC.
- **Financial Officer** - The FO shall be an appointed member of the LVRTC and he/she shall be selected by the LVRTC; however, once selected, the VAST Board of Directors shall approve and ratify the selection of the FO.

D. LVRTC Subcommittees

The LVRTC may appoint subcommittees, as it deems appropriate.

E. LVRTC Executive Board

The LVRTC may appoint an Executive Board, consisting of its Officers, to carry out the work of the LVRTC between regular and special meetings of the LVRTC.

F. LVRTC Meetings

- **Regular** - The LVRTC shall meet monthly.
- **Special** - Special meetings of the LVRTC or Executive Board may be called at any time by the Chair, or by petition of at least five members of the LVRTC.
- **Meeting Notice** - The Secretary shall notify members of regular meetings seven days in advance and special meetings at least 24 hours in advance. The notice shall include the time, place, and general nature of the business to be transacted. All requirements for meeting notice for public meetings shall be followed.
- **Annual Meeting** - The annual meeting of the LVRTC shall be held in September of each year.

G. LVRTC Quorum

A quorum for a LVRTC meeting shall consist of a majority of the members, one of which shall be the Chair or Vice-Chair.

H. Amendments to Management Plan and Policy

The VAST Board of Directors shall approve the Management Plan and Policies and any subsequent changes made to them. Changes may be proposed by a two-thirds majority of those members voting on proposals of amendments at a duly notified meeting of the LVRTC. Such proposals for amendments shall be set forth in the notice of the meeting and changes to the amendment dealing with the same subject matter may be proposed from the floor. All approved changes shall be submitted to VTrans for approval as an attachment to this document.

I. Rules of Order

Business shall be conducted in accordance with the most recent edition of the “Roberts Rules of Order.”

J. Fiscal Year

The Fiscal Year of the LVRTC shall be the same as that of VAST, October 01 to September 30 of the next year. The LVRTC shall be responsible for developing an annual budget for the LVRTC. The proposed budget shall be capable of supporting the work and maintenance plans necessary for the next fiscal year. The budget shall include the funding source(s) that will be used to accomplish the work as outlined in both the work and maintenance plans. The proposed budget shall be presented to the VAST Board of Directors, for approval, no later than May 15, preceding the start of the new fiscal year.

3.2 LVRTC Advisory Committee (LAC)

The participating Regional Planning Commissions shall organize the LAC as a stand-alone committee governed by its own articles of association and by-laws. The LAC shall develop their by-laws, which shall be approved by the LVRTC and VAST Board of Directors. This committee shall work on consensus discussions and make recommendations to the LVRTC. Its sole purpose shall be to advise the LVRTC on issues relating to trail management, promotion, user conflicts, town issues, adjoining landowner issues, as well as other issues that may require LAC input.

A. Membership

Membership of the LAC should be oriented toward municipal, adjacent landowners, and regional representation. State agencies should be considered as technical resources and participate in the LAC discussions as needed. Membership for the LAC shall be as follows:

- (3) three Municipal representatives: one selected by each of the three RPC regions.
- (3) three adjacent landowner representatives: one selected by each of the three RPC regions
- (3) three Regional planning commission staff representatives: one from each of the three RPCs
- (3) three Business owners: one from each region, as identified by Chambers of Commerce and/or Development Corporations
- (1) one VAST member appointed by the VAST Board of Directors
- (1) one VTrans member

The LAC will rely upon the following agencies as technical resources used in forming their recommendations, to the LVRTC, for the implementation and management of the trail:

Technical Resources

Regional Development Corporations

Regional Chambers of Commerce

Department of Public Safety (Recreation Enforcement)

Department of Economic Development

Department of Tourism and Marketing

Department of Forests, Parks, and Recreation

Agency of Agriculture, Food & Marketing

Department of Housing and Community Affairs

Other agencies as necessary

The LAC shall elect a Chair and a Vice-Chair. The LAC Chair will serve on the LVRTC as the LAC Representative. In the absence of the Chair, the Vice-Chair shall represent the LAC on the LVRTC.

The RPCs will assist with the solicitation of municipal representatives and adjacent landowners, to represent their respective regions, by convening meetings for these two constituency groups. RPCs will also work with their respective Chambers of Commerce to identify members of the business community to serve on the LAC. The RPCs shall work together to be sure the representatives appointed are balanced in their views.

4.0 Trail Uses

We envision a rural rail trail facility which will provide an environment so all users can enjoy the recreational benefits, nature, and the scenic Vermont landscape to its fullest. Recreation activities like the following will take place: Walking; Hiking; Biking; Equestrian; Cross country Skiing; Dog Sledding; Sleigh Rides; Snowmobiling and many other compatible forms of recreation including competitive events for the preceding uses. The State of Vermont shall decide on any ATV use on the trail on a case by case basis through a public decision making process that includes public hearings conducted by the State; guided by pending policy and standards to be developed by the STATE that comply with federal statutes, regulations and guidance, governing transportation enhancement activities and pedestrian and bicycle accommodations on federal-aid projects.

This environment away from vehicular traffic will become an inviting place where the elderly and persons with disabilities can enjoy more leisurely endeavors and bicycle riders can set their own pace with short rides or multi-day trips.

Users will fall into two categories; (1) local users who live within a short distance and will use the trail on a regular basis; (2) out-of-town and out-of-state users who will commute to a selected location and enjoy their own preferred form of recreation.

The second category, with the proper promotion, will provide the greatest economic impact to the communities. To varying degrees all users will require dining, lodging and repair businesses to accommodate their needs. This will benefit existing businesses and potentially help with the development of new businesses within each of the regions.

VAST may authorize or issue non-renewable permits for special events which do not exceed 10 days and are recreational in nature or that facilitate temporary agricultural access, not to exceed 10 days duration, to adjoining and adjacent lands for agricultural purposes. VAST shall consult with and coordinate all special use permits with the VTrans. Competitive events and commercial use of the trail shall require additional coordination with VAST. A special use permit may be required.

5.0 Connectivity

1. Trail Systems

The LVRT will accomplish two very important functions. First, it will act as a starting point for the communities to plan and build their own trail systems. These community systems will provide the economic growth by connecting the rail/trail with the business district. Secondly, an east-west trail provides the linkage connecting the following north-south trails:

- Planned community recreation paths in St. Johnsbury, Morrisville, Johnson, Jeffersonville and Swanton will provide the access into the villages from the rail/trail.
- Missisquoi Valley Rail Trail from St Albans to Richford will connect in Sheldon Jct. and give the users further rail trail options.
- Cambridge Greenway Rail Trail connection will provide access into the village of Jeffersonville.
- Long Trail that crosses near Johnson village will provide access for the hikers into the village for services.
- The Catamount Trail that will cross near Hardwick will provide skiers the choice of groomed or ungroomed trails.
- VAST snowmobile trail network with 21 connections.

These trail systems will expand the trail options available and enhance the recreational user's opportunities and enjoyment.

2. Excursion Rail

Presently there is only one operating tourist train that could affect trail users. The Fairbanks Scenic Train rail heads in the village of St. Johnsbury and could be accessed from the Three Rivers Bike Path. This train runs a limited schedule.

3. Passenger Rail

There is no regular passenger train service that connects with the portion of the corridor being addressed in this proposal. Future Amtrak connection in Swanton may be possible but would depend on what the town of Swanton has planned for the segment of the corridor that has already been approved for their use.

5. Public Transportation Routes

The Lamoille County Hub & Spoke Passenger Transit Service provides weekday "hub" service in Morrisville, and "spokes" of service extending out to most of Lamoille County's communities and beyond. The service connects with the Oxbow Recreation Path where it meets the LVRR corridor. The Stowe Mountain Trolley runs the Morrisville Shopper bus service between Stowe and Morrisville Tuesday and Thursday, meeting the LVRR corridor near the Senior Center Shop.

6. Park and Ride

There are currently several park and ride lots adjacent to the LVRR corridor, including one in Cambridge near the Deerrun Motor Inn. VAST will work with VTrans to address issues related to the use of STATE owned park and ride lots. (RPCs to Update this Information)

6.0 Compatible Multi-Use

Plans from the beginning have been to build a rail/trail facility that would be available for multi-use recreation activities. The committee comprised of representatives from various user groups or interested individuals from along the corridor will manage the development of this trail to be sure all user groups collaborate on the project. By having user group experts available the final product will be a user-friendly trail for everyone.

Major user groups will work with the LVRTC on this conversion project such as; the Vermont Trails and Greenways Council, Green Mountain Club, VT Mountain Bike Assoc., VT Horse Council, bicycle tour groups (2), Friends of the LVRT, Vermont Mushers Association, Vermont Bicycle & Pedestrian Coalition and the Lamoille River Anglers.

Municipalities that the trail passes through will also be included as the LVRTC works with them to resolve concerns and/or to incorporate their local path plans with the plans of the LVRTC. When a higher grade of path, such as asphalt pavement is desired/preferred, a written agreement will be enacted allowing the municipality to install and maintain that surface as long as the overall multi-use plans are not adversely affected. A good example is a cooperative undertaking with the Town of St. Johnsbury. The Three Rivers Bike Path includes use of a section of the corridor, and the two facilities would overlap for a distance of approximately 1200 feet. The St. Johnsbury Selectboard has agreed in writing to a cooperative use of their trail. A parallel snowmobile path will be used in the winter and also used in the summer by horses to eliminate possible damage to the asphalt pavement. This form of cooperation will provide the best facility for the benefit and enjoyment of all trail users. The joint use area becomes necessary to accomplish our plans for providing access to the Comfort Inn located on US Rte 5. The hotel's ideal location at the I-91/US5 interchange will provide needed lodging and trail head parking. The motel's owner, Murphy Realty, has offered assistance and the District Transportation Administrator has reviewed, and approved, a trail route within the US Rte 5 Right-of-Way. On the westerly end, Swanton has plans for a recreation path for their section of rail corridor, and they too are receptive to a similar agreement.

7.0 Hours of Operation

The rail/trail will be open for use 24 hours per day, 7 days per week, 52 weeks per year, without any planned restrictions except as noted below:

- a) walking/hiking/jogging - unrestricted year round use,
- b) Americans with Disabilities Act (ADA) accessibility - restricted by trail condition, suitable hardened surface for wheel chair use from approximately May to November. Winter time use is allowed, but would be difficult.
- c) bicycles - year round, mostly in late spring through the fall season. Winter biking on snowmobile trails is becoming popular and will be allowed.
- d) horses - to lessen the damage when the trail surface is soft, use would be restricted from March through May. Use during the winter months will require additional cooperation between users.
- e) snowshoe/x-country skiers - unrestricted from first snow to spring thaw.
- f) snowmobile – Snowmobile use will be allowed during the legal Open Season, December 16 through April 15. Operation between the hours of 11:00pm and 6:00 am will be prohibited. A speed limit of 35 mph will be posted and enforced.

- g) atv's - not allowed
- h) motorized wheeled vehicles - not allowed. The exception will be maintenance vehicles, law enforcement and emergency service vehicles with appropriate markings and flashing lights motorized wheelchairs, and when state or local regulations permit, electric bicycles per 23 U.S.C. § 217.

8.0 Required Facilities

The following facility estimates are based on an anticipated user base of 10,000 persons in the first year following completion of the trail. Within 5 years it is estimated that the annual total number of trail users will increase significantly.

1. *Parking Facilities*

There are currently suitable public parking lots in every town along the corridor. More would have to be constructed to keep pace with the increased numbers of users. As the need arises for new parking facilities or expansion of existing facilities, local municipalities will be consulted to determine if a partnership can be developed to meet local needs as well as the LVRT needs. A map of parking lots available to users and their accommodations will be developed and made available in marketing materials and on the website.

2. *Path Connectivity*

Adequate interface with communities will be provided as the number of local paths and trails is anticipated to increase following the opening of the Lamoille Valley Rail Trail.

3. *Trail Enhancements & Amenities:*

a) **Fishing & Canoeing Access –**

82% of the LVRR corridor runs adjacent to the Missisquoi River, Lamoille River and Black Branch Brook. We will work with Trout Unlimited, Northern Forest Canoe Trail and other interested fishing groups, and several canoe touring agencies that currently utilize these waterways utilizing Department of Fish and Wildlife as a Resource Agency.

b) **Emergency Telephones –**

Arrangements will be made to install signage directing users to telephone access available along the trail for emergency purposes.

c) **Benches, Resting & Picnic Areas –**

Coordination with local communities and path committees for planning, installation, and maintenance.

d) **Signage & Markings –**

Warnings for trails and roads, speed limits and other safety related signage will be installed. Later installation will include informational, mile markers and distance signs. Mile markers and their location will be approved by VTrans Rail section prior to installation to maintain a single marking system.

e) **Access Points -**

Access points from local and state road systems, including VT Rte 2, 15, 108 and 78 will be correctly configured and defined in accordance with VTrans Dstandard Drawing B-71.

f) **Recreational Facilities and Sporting Fields –**

Will be identified with “where and what” information signs and kiosks.

g) **Bike Racks –**

Will be added as user density grows

h) **Bollards -**

Installed as necessary to control unauthorized vehicle access, as the problem becomes troublesome.

i) Information Kiosks –

Posting of information on local amenities will be coordinated with the respective chambers of commerce and recreation and conservation committees.

j) Restored stations or sheds –

Specifications and guidance will be coordinated with local historical societies and the State Historic Preservation Officer.

9.0 Economic Impact

The following listing gives the summation of existing entities, which are estimated to be sufficient to support an annual trail user population of up to 75,000. We will be working with Visitor Bureaus, Chambers of Commerce and Economic Development Organizations along the corridor to encourage the establishment of additional businesses and recreational facilities, required to keep pace with the growing user base. We will also coordinate with Historic Preservation groups to accomplish historic site/structure identification, restoration and information awareness signing.

St. Johnsbury	Danville	Walden	Greensboro
9 Restaurants 2 Gas Stations 2 Motels 1 Market 1 Bus Station 1 Pool/Tennis	3 Restaurants 3 Gas Stations 4 Motels 2 Horse Stables 1 Public Beach 1 Health Center	1 Gas Station 1 General Store 1 Picnic Area	1 Gas Station 1 General Store
Hardwick	Wolcott	Morristown	Hyde Park
6 Restaurants 8 Gas Stations 1 Motel 1 Snowmobile Sales	1 Gas Stations 1 Mini Mart 1 Bed & Breakfast 1 Hist. Covered Br. 1 Camp Ground	10 Restaurants 5 Gas Stations 2 Hotels 2 Bike Shops 1 Snowmobile Sales 2 Information Kiosks 1 Museum 1 Horse Stables 3 Conv. Store/Delis 2 Public Phones	1 Restaurant 1 Market 1 Snowmobile Sales
Johnson	Cambridge Jct.	Jeffersonville	East Fairfield
3 Restaurants 3 Gas Stations 1 Canoe Guide Ser. 1 Health Clinic 1 Grocery Store 2 Conv. Store/Delis 1 Fire & Rescue	2 Bed & Breakfasts 1 Hist. Covered Br.	2 Gas Stations 2 Restaurants 2 Bed & Breakfasts 1 Grocery Store 2 Conv. Stores/Delis 1 Fire & Rescue 1 Horse Stable 1 Bicycle Sales	2 Gas Stations 1 Grocery Store 1 Convenience Store 1 Fire & Rescue
East Highgate	Highgate Center	Highgate	Swanton
1 General Store	2 Gas Stations 1 General Store 1 Cafe 1 Fire & Rescue	1 County Airport	3 Restaurants 5 Gas Stations 2 Motels 1 Camp Ground 1 Ice Cream Parlor 2 Grocery Stores 1 Bicycle Shop 1 Fire & Rescue

10.0 Restoration of the Existing Facilities to Meet Trail Conversion

Major portions of the trail assessment and recommendations made in the Edwards and Kelcey report dated October 2000 and Revision #1, dated January 24, 2001 have been utilized in the planning efforts, to date, for the conversion of the LVRR into a year-round multi-use recreational path/trail. These documents will be used in the development of the Operations Plan by the LVRTC. An inventory will be completed to show the existing structures and rail bed qualities now that the rail has been removed. GIS will be used to map this inventory. Infrastructure needs will be identified as this inventory is being completed and included in the Operations Plan.

All work on the trail will be in compliance with the Federal Highway Administration's requirements and guidelines as established by their Transportation Enhancement Program and applicable sections of the Americans with Disabilities Act. When applicable, Vermont's Pedestrian and Bicycle Facility Planning and Design Manual, VTrans standards for vertical, horizontal and hydraulic clearance, shall be used when developing plans for the trail; and to prevent injury to nearby property, both public and private.

The LVRT conversion project will take place in phases. These phases will be completed, as funding is available. The first phase of the project will make the trail contiguous from the east to the west and will reestablish proper drainage throughout the path/trail corridor. Future phases will include the final grading of the existing surface of the rail bed that will be leveled and the final width of the trail, wherever possible, will be 10 feet wide with two-foot shoulders on both sides of the trail surface. The final trail surface will be one that is a compacted Staymat material (crushed gravel or similar substances) that complies with current Federal and State standards for rails to trails projects. Shoulders of the trail will be covered with soil and planted with a vegetative cover. During all phases of the project, signage of the trail that will meet standards for trails as described in the Manual for Uniform Traffic Control Devices (MUTCD) will be installed. Specialty signs, as required by user groups, shall be provided, installed and removed by that group on an as needed basis and as approved and authorized by the LVRTC. During all phases of the project, safety related features of the trail will be addressed as required, and will include railings, signage, guardrails, etc.

If LVRTC determines that any buildings or other facilities are not essential to its operations, it may request that VTrans relieve it of its obligations with respect to that portion of the trail. If it is decided that non-essential buildings or other facilities should be dismantled or removed, VAST shall pay to VTrans the net salvage value thereof, as it reasonably may be determined by VTrans.

LVRTC will comply with all present and hereinafter enacted environmental/clean up responsibility laws and will not permit any spills or discharges of hazardous substances or wastes on the trail. Compliance with all present and hereinafter enacted federal, state and local laws, ordinances, rules and regulations dealing with the storage, handling and transportation of hazardous substances and wastes shall be the responsibility of VAST.

11.0 Regular Maintenance

Location of the rail corridor requires an inspection of the path at least two times per year, once in the spring after melting snows and unusual storm events prior to any summer time use. A second inspection of the corridor will be required in the late fall prior to any wintertime use. Weather patterns have changed dramatically over the past several years allowing for severe rain during the months of April - May and November - December, which will affect drainage, create washouts, and create other possible surface problems. Quick identification of problems is key to getting them corrected with minimal use interruption.

The LVRTC, in the process of establishing their "Annual Operations Plan," will work with partnering trail user group to appoint inspectors for each town and the "Trail" mileage attributed to that town. In the event inspectors are not identified to meet the needs of the entire trail, VAST shall appoint individuals to complete the inspections. These volunteer inspectors will be the eyes and ears of the LVRTC identifying user problems and maintenance issues on the "Trail." LVRTC shall provide training as needed for the inspectors. The inspectors will be required to make, at least monthly inspections of the "Trail" and to document any maintenance problems and/or user problems that exist or that might be anticipated to exist in the future. This would also include a regular six-month maintenance viewing. Inspections should include but not be limited to the following:

- a. Drainage conditions at culvert and bridge locations
- b. Checking in beaver population areas for dams created on water flows
- c. Erosion condition areas where the trail corridor intersects the Lamoille River or other bodies of water flowing near or under the corridor
- d. Bridge abutments and center supports for buildup of debris
- e. Surface material leveling or replacement required
- f. Signage for both winter and summer uses
- g. Brush growth and tree obstructions from high winds
- h. Blow downs of any power lines that cross and follow along the corridor
- i. Encroachments on the right-of-way by abutting landowners
 1. Using the corridor for dump item disposal
 2. Logging access operations with abutting land holdings
 3. Access and use violations by any unauthorized motor vehicles Creation of new private crossings without permission
 4. Agricultural accesses and crossings

The data collected will be submitted to VAST staff to compile into a database that will allow it to be used in developing plans needed to make trail improvements. This data shall be made available to all State Agencies and the Regional Planning Commissions.

It is anticipated that the cost of materials, equipment, and other control measures will increase in price each year as the cost of operation continue to increase. An estimate of the needed materials and equipment in unit prices is attached hereto and made a part hereof showing an anticipated cost increase over a five-year period. All users of the trail shall share the cost of annual maintenance, for the LVRT. In order for this to happen, it may be necessary to implement a system of user fees that would impact all users. In the larger scheme of things, in order to accomplish a statewide program for the maintenance and law enforcement for public trails, all recreational activities may be subjected to a system of user fees and shared fiscal responsibility

with the State. If required by federal regulations, prior to the implementation of a user fee system, a public process will take place.

A five-year plan for regular maintenance costs based upon the unit prices and anticipated work has been prepared. Continual use of the corridor after the completion of the rehabilitation work will help detect and alleviate predicted future problems and allow for early detection and stabilization of the corridor.

12.0 Emergency Maintenance Plan

Once an emergency trail condition has been identified, VAST shall notify VTrans. Working with the Project Manager at VTrans, it shall be determined whether public funding will be used for the repair. According to funding used, appropriate procurement will be completed to secure the needed resources.

Crushed Gravel Staymat, comprising the primary corridor surface, as well as bank run gravel and general fill materials can be found in various gravel pits up and down the entire length of the rail bed. Also, there are approximately twenty different excavation contractors within easy access of the corridor, able to participate in any emergency repair necessary. A listing of these resources will be maintained by VAST.

The most destructive sources along the rail bed corridor are the Lamoille and Black Branch Rivers that have track records of overflowing their banks on a regular basis. Future planning will include cooperation between users of the path and state officials to address stabilization of the riverbanks. It will be addressed in emergency situations, but it must also be included in a long-range program with multiple sources of funding. This could include state and federal funding.

13.0 Summer Maintenance

The following summer maintenance will be a part of the “Annual Operational & Maintenance plan:” Filling and Repairing Washouts; Leveling Trail Surface; Grass Mowing; De-brushing; Weed Control and some similar items of work. Additional work that needs to be accomplished above and beyond the regular maintenance plan such as special signage for specific user group, clean up after their users, special surfaces, etc. will be done by the Summer Users -Bikers, Walkers, Dog Mushers, Hikers and Equestrian Groups. These groups will also be instrumental in the installation and maintenance of any future path enhancements such as benches and signage, as well as matters of trash cleanup, and law enforcement issues.

VAST will work with the VTrans Landscape Coordinator and the Agency of Agriculture, Food & Markets to develop a viable Vegetation Management Plan. If the adopted plan includes the application of herbicides, that application will comply with all laws and rules of the State of Vermont. Prior to the application of any herbicides, all adjoining landowners will be notified and given ample time to object to that usage. Where objections are noted, other means of vegetation control and management will be used on those properties.

14.0 Winter Maintenance

Local snowmobile clubs will be responsible for additional maintenance for their sport such as additional temporary signage, law enforcement of posted speed limits, clean up of trash, limiting of use with curfew hours, snowmobile trail grooming and marking areas where the path has a higher volume of joint use with cross country skiing, school functions or other user groups.

LVRTC					
Proposed Regular Maintenance	5 Year	Plan			
Description	Year 1	Year 2	Year 3	Year 4	Year 5
A. Surface Repair CRG 2,400 cys	\$14,280	\$15,480	\$16,650	\$17,880	\$19,080
Trucking	\$9,000	\$9,100	\$9,200	\$9,300	\$9,400
B. Fill Repair BRG/Fill 1,200 cys	\$4,740	\$5,340	\$5,940	\$6,540	\$7,140
Trucking	\$4,500	\$4,550	\$4,600	\$4,650	\$4,700
C. Surface Grading of 2,400 cys	\$2,600	\$2,800	\$3,000	\$3,200	\$3,400
Mobilization	\$1,500	\$1,600	\$1,700	\$1,800	\$190
D. Bulldozing BRG/Fill Washouts	\$1,875	\$2,000	\$2,125	\$2,525	\$2,375
Mobilization	\$750	\$800	\$850	\$900	\$950
E. Hand grubbing/Brush Cutting	\$10,560	\$13,200	\$15,840	\$18,840	\$21,120
2 Miles for Total of 10,560 Feet					
F. Tractor w/ Brush Hog 5 Miles	\$3,800	\$4,000	\$4,200	\$4,400	\$4,600
G. Mow Shoulders of Trail -	\$4,800	\$4,800	\$4,800	\$4,800	\$4,800
4 Times Annually					
H. Vegetation Control - 95 Miles	\$0	\$30,875	\$0	\$0	\$36,100
(Three Year Rotation)					
I. Sign Replacement	\$750	\$875	\$1,000	\$1,124	\$1,250
J. Bridge Repairs					
Replacement of Runners	\$0	\$7,500	\$0	\$8,250	\$0
Side Rail Up Posts & Railings	\$0	\$0	\$4,125	\$0	\$4,875
K. Culvert Cleaning/ Clearing	\$2,500	\$2,600	\$2,700	\$2,800	\$2,900
L. Labor costs provided by Trail Users and not factored into costs.					
TOTALS	\$61,655	\$105,520	\$76,730	\$87,009	\$122,880

15.0 Capital Improvements for Future

A. Fencing in accordance with 5VSA§3642

1. Farm Style Fencing will be maintained along the corridor where it is necessary to protect crop fields or to prevent livestock from entering upon the pathway from abutting pastures and as necessary to meet statutory obligations. The LVRTC will meet with landowners along the corridor who have expressed concerns and their fencing needs have been documented. Farm Style Fencing consists of 6' posts installed in the ground approximately 2 feet, leaving 4 feet showing above the ground. Attached to the posts will be two strands of barbwire fencing or electrical wire strands. Said fence installation will be constructed at the limits of the pathway right-of-way.
2. 6' Woven Wire Fencing will be proposed at areas where pathway and extended village areas require separation for safety reasons. This could be as an attachment to a bridge located within the Town limits to prevent people from hanging off the bridge abutments. Installation of woven wire fencing may also be needed for safety along the village area pathway sections where there is a drop off bank situation or for separation in an area where a parallel roadway is below the grade of the railbed.
3. *Note: In the development of a "natural" path to be used as a multi-use trail it is not the intention of the Committee to fence the entire rail corridor. Such action would cause non-access areas to the adjoining rivers in the western end now used by anglers and canoe enthusiasts. We need to include access off the pathway to areas that are considered recreation areas and abut the corridor. Also, it would impair the free movement of wildlife that inhabits the entire rail corridor and is a vital part of a "natural pathway." The LVRTC desires to keep this pathway open as much as possible for the pleasure and enjoyment of the users as well as unencumbered use by wildlife.*

B. Control Barriers

1. An option to eliminate as much fencing as possible control barriers could be erected along steep slope areas in the form of up turned railroad ties in a similar fashion as old guardrail configurations used in the past on highways. This process could use the rail ties being taken up which cannot be used elsewhere in the statewide rail system.
2. Another option would be the planting of boundary line trees along areas where there are summer vacation homes (such as the Joes Pond Area) between the tracks and water way. Also, this method could be used in Village or Town Areas to create a sound barrier between the corridor boundary and an abutting landowner's house.
3. Control Unauthorized Vehicle Access – A system will be developed that will limit access to the LVRT by unauthorized motorized vehicles, with the exception of snowmobiles during the open snowmobile season.

C. Morrisville Rail Yard

It is the desire of the LVRTC to have portions of the rail yard refurbished to serve as a trailhead for the Morrisville Area. This may require a layer of surface bank run gravel on the existing parking lot and adjoining areas. Prior to any work on this area, landowners and existing leases will be consulted for permission and approval of the plans.

D: Village and Town Areas

Village and Town areas may wish to upgrade the path surface material these limited conversions can be addressed with a written agreement between the village and/or town and VAST.

Nothing in this plan shall limit the ability of a town governmental entity to establish lawful standards, through the establishment of town ordinances, for the use of the trail within the bounds of their town.

In previous discussions with town select boards; it was stressed that the conversion would try to accommodate the wishes of the individual towns. If a town is interested in something special, such as asphalt pavement in the village area, the LVRTC will work with them in order to accomplish their goals. The added cost of installation and future maintenance would be the town's responsibility, and would be handled with a written agreement between VAST and the town. (A good example would be the Three Rivers Bike Path in St. Johnsbury, their proposal shows using the first one-mile section of the corridor. The St. Johnsbury Selectboard has been assured that both projects can co-exist in the corridor. Letters of understanding have been exchanged documenting the willingness to work with others and resolve any conflicts that arise.)

16.0 Snowmobile Use Relocation Criteria

From time to time there may be instances where an adjoining landowner, to the LVRT, may ask to have snowmobile use of the LVRT relocated around an occupied dwelling within 100 feet of the LVRT. Requests shall be handled on a case-by-case basis and shall be judged using the following criteria.

1. A landowner who has an occupied residence within 100 feet of the Lamoille Valley Recreational Trail (LVRT) must make the request.
2. If there is a cost to relocate the trail around the property, the landowner, making the request, is responsible for the involved cost of the relocation.
3. If the relocation of the trail involves the crossing of property other than that of the landowner, the landowner making the request is responsible for obtaining the necessary permission from all additional landowners over whose property the relocated snowmobile use will take place.
4. The Vermont Association of Snow Travelers, Inc. (VAST) shall be responsible for negotiating and facilitating all relocations of snowmobile bypasses with landowners. Local and county snowmobile clubs shall be consulted during the negotiation process.
5. All snowmobile trail relocations shall be constructed to meet the current version of the VAST "Guide for the Development of Snowmobile Trails."
6. No additional criteria shall be used and/or applied when making the decision for the relocation; including any requirement for additional access to the landowner's property.

VAST shall draft an agreement between VAST and the landowner(s) describing the necessary work that is to be completed, project cost (if any), and responsibilities. The duration of the agreement shall be annual unless otherwise stated in the agreement. All involved parties shall sign the agreement.

17.0 Future Development Opportunities

After the trail has been rehabilitated to basic trail standards the Committee will address future development of the trail corridor to accommodate and enhance the use of this asset. Working with the Regional Planning Commissions, we have been made aware of the following future plans that communities are working on. It is our goal to continue to work with the affected communities to include future enhancements along the entire trail.

- A. The construction of a connecting trail from the railbed at Bridge #12, alongside US Route 5 South, down to the Comfort Inn would provide both summer and winter access to lodging for users of the rail corridor. It would create a continual use of this facility with a resulting positive economic impact. The construction of such an access would also enhance the proposed St. Johnsbury Three Rivers Bike Path that also connects at this designated point on the trail corridor.
- B. Another access would be to the Fairbanks Inn located on US Route 2 entering St. Johnsbury from the west. With the conversion of a road crossing on Mt. Vernon Street, with permission from the Town, winter and summer users could obtain access by using Mt. Vernon Street or High Street to the Inn. It is anticipated that a bridge could be built to accommodate users to the Inn from High Street where there are presently old abandoned buildings. This would keep congestion away from residential homes in the immediate area.
- C. On US Route 2 across from the Fairbanks Inn is a parking lot that could be used as a trailhead and there will be access in the St. Johnsbury Area to Recreation Fields, Parks, and Swimming Facilities.
- D. Developing a program with the schools along the corridor to use the pathway in conjunction with their self help programs and gym programs, such as running, jogging, or biking, as well as their cross country ski program would be beneficial to the communities. The path/trail would provide a protected outdoor recreation area and it would get children and others out into the natural surroundings. Schools in St. Johnsbury, Danville, Hardwick, Wolcott, Morrisville, Hyde Park, Johnson, Highgate and Swanton are all within walking distance of the path/trail.
- E. This path/trail already connects with the Long Trail, Catamount Trail System, Missisquoi Valley Rail Trail, and the Cambridge Bike Path. As other north-south paths are developed they will intersect with this corridor. Swanton and St. Johnsbury are in the process of developing pathways at their respective ends of the trail. If bridge 96 was replaced at the western end, it could be possible to connect with a path extending to Lake Champlain.

18.0 Permitting

Based on a precedent set during the conversion of the Central Vermont Railroad, Richford Line into a four-season multi-use recreation trail, now known as the Missisquoi Valley Rail Trail, it is not anticipated that an Act 250 permit will be required. In a ruling handed down by the District 9 Environmental Commission Act 200 from the 1993 – 1994 Session was quoted. This Act follows:

NO. 200. AN ACT RELATING TO RAILROAD LINES AND ACT 250 APPLICABILITY.

(H.575)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 10 V.S.A. § 6001(3) is amended to read:

(3) "Development" means the construction of improvements on a tract or tracts of land, owned or controlled by a person, involving more than 10 acres of land within a radius of five miles of any point on any involved land, for commercial or industrial purposes. "Development" shall also mean the construction of improvements for commercial or industrial purposes on more than one acre of land within a municipality which has not adopted permanent zoning and subdivision bylaws. "Development" shall also mean the construction of improvements for commercial or industrial purposes on a tract or tracts of land, owned or controlled by a person, involving more than one acre of land within a municipality that has adopted permanent zoning and subdivision bylaws, if the municipality in which the proposed project is located has elected by ordinance, adopted under chapter 59 of Title 24, to have this jurisdiction apply. The word "development" shall mean the construction of housing projects such as cooperatives, condominiums, or dwellings, or construction or maintenance of mobile homes or trailer parks, with 10 or more units, constructed or maintained on a tract or tracts of land, owned or controlled by a person, within a radius of five miles of any point on any involved land, and within any continuous period of five years. The word "development" shall not include construction for farming, logging or forestry purposes below the elevation of 2500 feet. The word "development" also means the construction of improvements on a tract of land involving more than 10 acres which is to be used for municipal or state purposes. In computing the amount of land involved, land shall be included which is incident to the use such as lawns, parking areas, roadways, leaching fields and accessory buildings. In the case of a project undertaken by a railroad, no portion of a railroad line or railroad right-of-way that will not be physically altered as part of the project shall be included in computing the amount of land involved. In the case of a project undertaken by a person to construct a rail line or rail

siding to connect to a railroad's line or right-of-way, only the land used for the rail line or rail siding that will be physically altered as part of the project shall be included in computing the amount of land involved. The word "development" shall not include an electric generation or transmission facility which requires a certificate of public good under section 248 of Title 30 or a natural gas facility as defined by subdivision 248(a)(3) of that title. The word "development" shall also mean the construction of improvements for commercial, industrial or residential use

above the elevation of 2500 feet. The word "development" shall also mean exploration for fissionable source materials beyond the reconnaissance phase or the extraction or processing of fissionable source material. The word "development" shall also mean the drilling of an oil and gas well.

Sec. 2. 10 V.S.A. § 6081(h) is added to read:

(h) The repair or replacement of railroad facilities used for transportation purposes, as part of a railroad's maintenance, shall not be considered to be substantial changes and shall not require a permit as provided under subsection (a) of this section, provided that the replacement or repair does not result in the physical expansion of the railroad's facilities.

Approved: June 17, 1994

The LVRTC does; however, anticipate that permits will be required to comply with other Vermont, Federal and local rules and regulations. These permits include, but may not be limited to the following: Stormwater Runoff; Wetlands (State and Federal); Stream Bank Alteration; Historic Preservation; Federal Rivers and Streams and Endangered and Threatened Species.

19.0 Conflict and Dispute Resolution

From time to time user conflicts of the LVRT may develop, as well as conflicts and/or disputes with adjoining landowners. There may also be times when disputes may arise over decisions that have been made over trail maintenance, operation and development. In the eventuality that conflicts and/or disputes do arise the following steps shall be taken to resolve conflicts or disputes that arise:

A. VAST and VTrans

In the event that a dispute between VAST and VTrans arises, the terms spelled out in Article XVII (Dispute Resolution; Exhaustion of Administrative Remedies) of the lease between the parties shall be used to resolve it.

B. All Other Conflicts or Disputes

Step 1 – The aggrieved party shall state their grievance in writing to the Executive Director and President of VAST. The Executive Director and President of VAST shall coordinate with the LVTRC in reviewing the grievance. A written response to the grievance shall be completed within 14 days. If the aggrieved party is not satisfied with the results the process will go to step 2.

Step 2 –If the aggrieved party is dissatisfied with the ruling of the Executive Director and President of VAST, they may petition the Board of Directors to hold a hearing on the issue. The Board shall hold the hearing within 21 days of receipt of the request and issue their decision within 7 days of the hearing.

Step 3 – If the aggrieved party is dissatisfied with the ruling of the VAST Board of Directors they may appeal to the Secretary of Transportation through the Director of Operations. Any such notice of appeal must be filed within 30 days of receipt of the decision of the VAST Board of Directors and shall fully describe the nature and extent of the questions or disputes appealed, together with any supporting documentation.

Step 4 – If the aggrieved is not satisfied with the Secretary's decision, they may appeal it to the Vermont Transportation Board under 19 V.S.A. § 5(h), the notice of appeal must be filed with the Secretary within 30 days of the decision from which the appeal is taken. The Secretary shall promptly forward the notice of appeal to the Board, together with the Agency's record of decision.

Step 5 – In accordance with 19 V.S.A. § 5(c), a final order of the Board may be reviewed on the record by the superior court pursuant to Rule 74 of the Vermont Rules of Civil Procedure.

20.0 Law Enforcement

As more and more Vermonters, as well as visitors to Vermont, begin to participate in all forms of recreational activities there arises a need for recreational education and law enforcement. The LVRT will ultimately need a presence of law enforcement both to educate the public as well as to ensure that all Vermont laws are properly and adequately enforced.

Vermont statutes do not grant VAST any law enforcement authority; therefore, the LVRTC and VAST will address public education, signage and public outreach to reduce the number of incidents on the trail that require action by a law enforcement officer. VAST and the LVRTC will cooperate with all Vermont law enforcement agencies in an effort to secure adequate funding for recreational law enforcement for the LVRT .

VAST and their partners through the LVRTC will strive to educate each of their memberships as well as the general public and/or visitors to Vermont of the laws, rules and regulations that govern the use of the trail. This will be done through the development of brochures; outreach to members through various newsletters and publications; signs at entry points to the trail and along the trail; general public outreach and education. The LVRTC will explore the option of creating a volunteer monitoring process for users of the trail. This will allow for "eyes and ears" on the trail at times when law enforcement officers are not available.

VAST has purchased and installed devices that record the time and speed of all snowmobiles that pass over the trail. These devices have been strategically placed at five locations along the trail and they will give us valuable information about the use of the trail; especially, after curfew use as well as the speed of those using the trail. This information will allow us to better inform law enforcement as to when violations are taking place; specifically, if we have a location where it appears that a pattern of misuse is apparent. With this information law enforcement will be able

to target special areas during the time frames of misuse. Curfews are the hardest of all laws to enforce and to some extent there will never be 100% adherence; regardless, of the time frame of curfews. It is hoped that the steps that have been taken will work and the information that we are able to compile will allow law enforcement to more adequately enforce imposed curfews and speed limits on the LVRT.

The issue of sound is one that VAST is trying to address. One of the hardest laws to enforce is the one that pertains to the allowed decibel level of snowmobiles. The Society of Automotive Engineers (SAE) has devised a new standard that allows an effective field test to ensure that all snowmobiles adhere to the legislated decibel level. VAST will introduce legislation that will allow Vermont law enforcement officials to utilize this new test to ensure that all snowmobiles are in compliance with the law. VT law enforcement agencies will be conducting tests using this standard to see how effective it is in the field.

Additional discussions will be taken to the General Assembly to look at revenue sources for law enforcement. The cost of enforcement is not one unique to the Lamoille Valley Rail Trail, but one that affects all recreational sports. We hope to complete the legislative session with revenues committed to annual recreational law enforcement.

During the term of this Interim Management Plan, the following law enforcement agencies shall be the primary source for law enforcement for the LVRT:

- Caledonia County – Caledonia County Sheriff
Sheriff Michael Bergeron
1126 Main Street, Suite 2
St. Johnsbury VT 05819
1-802-748-6666

- Lamoille County – Lamoille County Sheriff
Sheriff Roger Marcoux
222 Main Street
PO Box 96
Hyde Park VT 05655-0096
1-802-888-3502

- Franklin County – Franklin County Sheriff
Sheriff, Robert Norris
330 Lincoln Avenue
PO Box 367
St. Albans VT 05478-0367
1-802-524-2121

All violations of VT law, including trespass related issues should be reported to the County Sheriff. County Sheriffs will be responsible for investigation and follow up for all complaints and violations of law regarding the LVRT. County Sheriffs will also be responsible for patrols

on the LVRT and will be working cooperatively with the VT Department of Fish and Wildlife in an effort to provide these services.

21.0 Project Funding

It is anticipated that the total cost to rehabilitate and convert the former LVRR railbed into a four-season multi-use path/trail will range between \$7,260,000 and \$8,500,000. Congressman Bernie Sanders has been an ardent supporter of this project for many years and was successful in obtaining a Federal Transportation earmark in the amount of \$5,800,000+ included within the renewal of the Federal Highway Transportation Bill in the summer of 2005. The re-authorization of the Federal Highway Bill is a part of the five-year re-authorization of the Federal Highway Bill.

The amount approved by Congress is 20% less than had been hoped for; however, it will more than likely fund the majority of the project. The Federal Grant requires that VAST generate a 20% match for the project. This means that the LVRTC will have to generate approximately \$1,450,000 in matching funds, either cash, or by other allowed means such as donations, in-kind services and volunteer labor. In addition, the LVRTC will be responsible for raising any additional funds that may be necessary above and beyond the original projected cost of \$7,260,000. This original estimate was developed in 1999 and those figures, more than likely, do not represent today's cost of construction.

The LVRTC will work with the involved Planning and Development Councils in an effort to find any and all available options for grants, from private foundations and/or other entities that may have the potential to help achieve the requirement for 20% matching funds for this important project.

They will also have to investigate ways to raise any additional funds needed to complete the project. Other options that will be investigated include Transportation Enhancement Program funds. If interim working capital is required, or if money has to be borrowed, VAST will obtain sources for funding short term and/or long term financing for this project.