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Agency Secretary

Maggie Gendron
Deputy Secretary

State of Vermont

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November 4, 2022

Dear Mr. Dumont:

Thank you for your October 5 letter. On page five of the eight-page document you include a "Formal Request" that we initiate a rulemaking for the following procedures: 1) Section 4.0 and the entire Long Range Management Planning Process and Plan Format; 2) FPR Policy #21; and 3) the 2008 document labelled 'Use of State Land.' Your letter contains several other statements that appear to be designed to support that request; however, the only clear ask is contained on page 5.

It has become evident over the past several months that some members of the public do not clearly understand the process by which the Departments manage land owned by the State and in some situations, this has created the opportunity for confusion and misinformation. Accordingly, while we have concluded that it is appropriate to develop rules regarding the land management planning process, rather than simply converting the above-named individual procedures and documents into rules we believe that the development of a comprehensive land management planning process rule which incorporates elements of those existing procedures, policies and documents is more efficient and will result in a single concise and comprehensive land management planning rule that is more accessible to the public. Therefore, the Agency of Natural Resources is technically denying your request and petition to initiate rulemaking to adopt by rule the FPR Procedure #21, the ANR Uses of State Lands Policy and the Long-Range Management Plan Process and Plan Format document, including Section 4.0, and thus, the 30-day timeframe set forth in 3 V.S.A. §806(b) does not apply. The Agency will timely proceed to develop a proposed rule as set forth above.

To be clear, the decision to adopt a comprehensive rule that addresses the development of Long-Range Management Plans for Agency lands does not impact existing Long-Range Management Plans. As explained in our July 14, 2022, letter, the rules contemplated here are not required under Title 10. The Management Plans currently in place were developed through an existing, valid process with significant

stakeholder input and will remain in place, and management activities can and will be implemented in accordance with such approved Plans. The issue of when to update existing Long Range Management Plans will be considered during development of the rule.

/s/ Michael C. Snyder

Michael C. Snyder
Commissioner
Department of Forests, Parks, and Recreation

/s/ Christopher Herrick

Christopher Herrick
Commissioner
Department of Fish and Wildlife