

**STATE OF VERMONT
VERMONT NATURAL RESOURCES BOARD
OFFICE OF THE ATTORNEY GENERAL
VERMONT AGENCY OF TRANSPORTATION**

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**STATE OF VERMONT ANNOUNCES FINAL SETTLEMENT WITH
VERMONT ASSOCIATION OF SNOW TRAVELERS**

The State of Vermont, the Vermont Natural Resources Board (NRB) and the Vermont Agency of Transportation (VTrans) announced a final settlement with the Vermont Association of Snow Travelers (VAST) to resolve VAST's Act 250 challenge concerning the Lamoille Valley Rail Trail (LVRT). The State had 20 days to review comments received during a 30-day public comment period that followed [the initial announcement of the settlement](#).

This spring, VAST filed a petition at the federal Surface Transportation Board arguing that the LVRT project is preempted by federal law from Act 250 review. In 2012, Vermont Natural Resources Board previously determined that the LVRT triggered Act 250 jurisdiction and issued an Act 250 permit.

The LVRT runs from St. Albans to St. Johnsbury, 93 miles across northern Vermont. 33 miles of the LVRT are currently open for year-round recreational use. VAST maintains the

LVRT through a lease with VTrans. The settlement allows a more expeditious development of the LVRT into a multi-season recreation path and incorporates key elements of the Act 250 permit to ensure that the trail does not adversely affect nearby residents.

The Settlement between the State and VAST calls for an amendment of the LVRT lease between VAST and VTrans to incorporate substantive conditions from the Act 250 Permit, including conditions and findings relating to hours of operation, limitations on use of all-terrain vehicles (ATVs), noise, mitigation and trail reroutes. The State agrees to not enforce the Act 250 permit absent a material breach of the VTrans lease, and VAST will drop its challenge before the Surface Transportation Board.

“This is wonderful cross agency collaboration which allows the LVRT to move forward while maintaining the integrity of the conditions developed through the Act 250 process,” said Diane B. Snelling, the Chair of the Vermont Natural Resources Board.

Vermont Agency of Transportation Secretary Joe Flynn also praised the settlement. “The LVRT is a precious part of Vermont’s transportation legacy,” said Flynn. “VTrans will continue working with VAST and others to complete the LVRT, so that residents and visitors can enjoy it for years to come.”

“This is problem solving,” said Vermont Attorney General T.J. Donovan. “We know the LVRT plays a key role in the economic and recreational health of northern Vermont. Today’s settlement balances those interests with the need to protect our neighbors along the LVRT from unnecessary nuisance and harm that may come from the trail project.”

In response to the public comments received, the State compiled a “Frequently Asked Questions” (FAQ) document to address specific concerns raised in comments. A link to the FAQ document is below.

Related Documents

[VAST Petition for Declaratory Order at the Surface Transportation Board \(4/6/17\)](#)

[Settlement Agreement of the Parties](#)

[Lease Amendment \(Amendment No. 6 to October 2, 2006 Lease between VTrans and VAST\)](#)

[Frequently Asked Questions \(FAQ\) regarding the State of Vermont's settlement with the Vermont Association of Snow Travelers \(9/26/17\)](#)

[Letter from VTrans to Vermont Agency of Natural Resources & Natural Resources Board \(9/25/17\)](#)

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