

SNOWMOBILING ON STATE-OWNED LANDS RULES

Under the authority vested in ~~23 V.S.A. § 3206(b)(3)(5) and § 3208(b)~~ 23 V.S.A. §§ 3206(b)(6) and 3208(b), the Secretary of ~~the Agency of~~ Natural Resources designates the following public lands and waters for use by snowmobiles ~~to be effective February 15, 2000.~~

~~1.~~ § 101 Purpose

Pursuant to ~~23 V.S.A. § 3026(b)(3)(5)~~ 23 V.S.A. § 3206(b)(6), no person may operate a snowmobile on public lands or a public body of water unless such land or body of water has been expressly designated for use by snowmobiles by the Secretary of ~~the Agency of~~ Natural Resources. Public lands and bodies of water as specified or described in these ~~regulations~~ rules shall be open for use by snowmobiles under the conditions described. Operation on all other public lands and bodies of water is prohibited. Any person may make application for designation or closure of public land or body of water by writing the Secretary, Agency of Natural Resources, ~~103 South Main Street, Waterbury, VT 05671-0301~~ 1 National Life Drive, Davis 2, Montpelier, VT 05620-3901. All existing marked snowmobile trails shall continue in place and no new permission shall be needed for these trails only.

~~2.~~ § 102 Definitions

- (a) ~~Marked Snowmobile Trail:~~ “Marked snowmobile trail” means a trail which has been approved for snowmobile use by the ~~State~~ state agency administering the land and so marked with signs approved by the Department of Forests, Parks, and Recreation.
- (b) ~~Unplowed Roads:~~ “Unplowed roads” means ~~State-owned~~ state-owned roads or highways that have a paved or graveled surface and are not plowed.
- (c) ~~Play Area:~~ “Play area” means an open field approved for snowmobile use by the ~~State~~ state agency administering the land and so marked with signs approved by the Department of Forests, Parks, and Recreation.
- (d) ~~Snow Cover:~~ “Snow cover” means adequate snow or ice to prevent the underlying ground from damage by snowmachine use.

~~3.~~ § 103 Designated Public Lands

- (a) The use of snowmobiles shall be permitted only on marked snowmobile trails, unplowed roads (unless specifically closed or designated for other use), and designated play areas on the following public lands when there is adequate snow cover.

ALL STATE FORESTS except the following, which shall be permitted only on marked snowmobile trails and designated play areas;
Camel's Hump State Forest

- (b) The use of snowmobiles shall be permitted only on marked snowmobile trails and designated play areas on the following public lands when there is adequate snow cover:

ALL STATE PARKS
ALL FISH & WILDLIFE MANAGEMENT AREAS, STREAMBANK
LANDS, POND SITES, HATCHERIES AND MISCELLANEOUS
LANDS
ALL AGENCY OF NATURAL RESOURCES DAM SITES
ALL STATE NATURAL AREAS
ALL RAILS-TO-TRAILS
ALL STATE AIRPORTS AND RAILROADS

~~4.~~ § 104 Designated Public Waters

The use of snowmobiles shall be permitted on all bodies of public water, including for access purposes only, all Fish & Wildlife Department Access Areas. Any person may petition to close specified areas of public waters for snowmobiling after due notice and public hearing. The following bodies of public water are excluded and snowmobiling is prohibited:

Colchester Pond
Department of Fish & Wildlife Management Area Waters
Berlin Pond

~~5.~~ § 105 Restricted Lands

The following areas of public lands are restricted and the operation of snowmobiles thereon is prohibited unless specifically approved by the State agency administering the land:

ALL DIVISION OF HISTORIC PRESERVATION LANDS
ALL AGENCY OF TRANSPORTATION LIMITED ACCESS HIGHWAYS,
RIGHTS-OF-WAY, OR APPROACHES
ALL MILITARY DEPARTMENT LANDS
ALL STATE COLLEGE LANDS
ALL BUILDINGS DIVISION LANDS
ALL STATE LANDS LEASED TO OTHER PARTIES unless approved by the
other party
ALL AGENCY OF NATURAL RESOURCES DAM STRUCTURES
ALL OTHER STATE-OWNED LANDS NOT PREVIOUSLY DESIGNATED
THE LONG TRAIL/APPALACHIAN TRAIL CORRIDOR EXCEPT FOR

DESIGNATED CROSSINGS

~~6.~~ § 106 All Public Lands and Public Waters Shall Be Open:

- (a) For official use by federal, state, county, or municipal agencies;
- (b) For emergency search and rescue operations and other occurrences involving health, safety, and welfare of persons or for protection of property;
- (c) For use by a person conducting a business or operation on public lands under permit, license, lease, or contract with the State of Vermont, but only if directly related and necessary to such business or operation; provided that such person file with the Secretary prior to December 1 of each year a statement indicating the number of snowmobiles intended to be operated on ~~State~~ state land, the specific purpose of such use, and areas or areas on which snowmobiles are to be used.

~~7.~~ § 107 Permission Required to Mark Trails and Play Areas:

Snowmobile trails and play areas may not be marked on public lands without the documented permission of the ~~State~~ state agency administering the land.

~~8.~~ § 108 Speed Limit

The maximum speed limit on all marked snowmobile trails, unplowed roads, and play areas on ~~State~~ state lands, excluding public waters, shall be 35 miles per hour.

~~9.~~ § 109 Races

Organized races on all ~~State~~ state lands and waters require a special use permit.

~~10.~~ § 110 Exception

The Secretary may, in the interest of the public good, make exceptions to these regulations for a period not to exceed ~~thirty five~~ (35) days and thereafter only upon due notice and public hearing.