

# CREATING AN EAST MONTPELIER CONSERVATION COMMISSION

October 31, 2019 Draft

## Proposal & Rationale

The East Montpelier Select Board proposes establishing an East Montpelier Conservation Commission (CC), as authorized by and in accordance with Vermont Statutes, Title 24, Chapter 118.

A CC will provide a single venue to consider the diverse aspects of conservation concerns and advise the town on possible actions. It will make it easier for the town and the town administrator to solicit and receive input on conservation concerns, and to mobilize an appropriate response. The CC can be a point of contact for State and private conservation agencies and organizations seeking to collaborate with the town to advance conservation initiatives. Currently in East Montpelier, diverse conservation issues are considered by a series of specialized ad hoc committees or by standing committees with a different focus. These issues substantially overlap, for example, applications to the Conservation Fund often include trail easements, and the Rural Road Vegetation Committee has been considering the impact of emerald ash borer, a forestry concern. In creating a CC, these existing committees/entities, which deal with different aspects of conservation/recreation in the town, may be disbanded, and their conservation-related duties and responsibilities assumed by the CC (these committees may become committees of the CC to carry out assigned tasks, and the members may wish to stand for nomination to the CC to continue this work):

- Conservation Fund Advisory Committee (6 members)
- Rural Road Vegetation Assessments Committee (8 members)
- Old LaPerle Farm Property Committee (6 members) [broader mandate than conservation]
- Forest Committee (3 members)
- East Montpelier Trails, Inc (8 members), but only if it shifts from a non-profit entity to a committee of the town. Otherwise, it shall remain as constituted, though the CC would work with this organization to promote the town's interests.

## Purpose

To conduct, coordinate, and facilitate conservation of the town's rural working landscape, natural resources, and outdoor recreation opportunities.

## Powers & Duties (from Section 4505 of Chapter 118, Title 24)

The CC may:

1. make an inventory and conduct continuing studies of the town's natural resources, including but not limited to:

- (a) air, surface, and ground waters, and pollution thereof;
- (b) soils and their capabilities;
- (c) mineral and other earth resources;
- (d) streams, lakes, ponds, wetland, and floodplains;
- (e) unique or fragile biological sites;
- (f) scenic or recreational resources;
- (g) plant and animal life, especially rare and endangered species;
- (h) prime agricultural and forest land, and other open lands.

2. make and maintain an inventory of lands with East Montpelier which have historic, educational, cultural, scientific, architectural, or archaeological values in which the public has an interest.
3. recommend to the Select Board the purchase or receipt of gifts of land or rights thereto, or other property, for purposes herein.
4. receive appropriations for operating expenses, including clerical help, through the budget of the Select Board.
5. receive money, grants, or private gifts from any source, for purposes herein. Grants and gifts received shall be carried in the Conservation Fund.
6. receive gifts of land or other property for the purposes herein, by consent of the Select Board or affirmative vote of the town.
7. administer the lands, properties, and other rights which have been acquired by the town, for the purposes herein.
8. assist the town's Planning Commission or Zoning Board of Adjustment, or the District Environmental Commission, by providing advisory environmental evaluations where pertinent to applications made to those bodies for permits for development.
9. cooperate with the Select Board, Planning Commission, Zoning Board of Adjustment, Road Commission, or other town or private organizations on matters affecting the local environment or the natural resources of the town.
10. prepare, collect, publish, advertise, and distribute relevant books, maps, and other documents, and maintain communication with similar organizations; encourage through educational activities the public understanding of local natural resources and conservations needs.
11. make a brief annual report to the town of its finances and transactions for the year just passed, and its plans and prospects for the ensuing year.

## **Organization**

Consistent with State law, the CC shall have at least six and no more than nine members representing conservation interests/activities within the town, including but not limited to: forestry, agricultural, and other land conservation; protection of critical habitats or habitat connectivity for plants and wildlife; recreation trails; management of rural roadside vegetation; management of town-owned lands.

Members shall be appointed by the Select Board for four-year terms (staggered).

At its organizational meeting(s), the CC shall adopt rules for carrying out its functions and elect a chair, treasurer, and clerk (subsequently to be elected annually).

The CC shall meet monthly or as needed and convened by the Chair.

The CC can create committees to conduct detailed work on its behalf (e.g., consider applications to the Conservation Fund, conduct negotiations for trail easements, carry out forestry activities on town-owned lands, provide input on proposals before the DRB, provide input to the Planning Commission, etc.).

The CC is strictly advisory to the Select Board in all matters. It may consult with or advise other town committees (e.g., Planning Commission, Zoning Board of Adjustment, etc.), as requested.

Existing special funds (e.g., Conservation Fund, Trails Fund, Forestry Fund, etc.) shall remain dedicated to their intended uses unless the Select Board votes to reorganize them.

Duties of the Commission can include deliberation and/or activities on related topics not specifically listed above but of interest to townspeople and CC members, such as educational programs, habitat restoration or improvement projects, and beautification of town facilities.

## **Process**

This proposal shall be discussed at a public informational meeting held prior to the 2020 Town Meeting. Edits/changes to the proposal can be made as a result of this meeting.

Town residents shall vote upon the proposal as an article at the 2020 Town Meeting.