

Riparian Buffer Guidance

Early this year, the Agency of Natural Resources (ANR) adopted a *Riparian Buffer Guidance* that had been in the works for some time. At the same time, the Agency issued “Riparian Buffers and Corridors Technical Papers” to provide information on the functions and values of riparian corridors (waterbodies and adjacent land which, for streams, includes the area needed for channel stability).

Agency staff will use the *Guidance* to establish ANR’s recommendations and testimony in the Act 250 process. (Act 250 is the forum in which Agency staff would obtain related enforceable conditions on a project.) They will also use it to help applicants incorporate appropriate science-based riparian buffers into the design of Act 250-regulated projects.

Local officials understand that Act 250 applies to every project involving ten acres or more in a town with zoning and subdivision in place, and every project of one acre or more in towns without both zoning and subdivision in place. Towns may also want to consider adopting similar bylaws or guidance for their jurisdictions if they want to align local bylaws and Act 250.

The *Guidance* specifically does not replace existing practices and procedures for projects not subject to Act 250; it does supercede the 1996 ANR Streambank and Lakeshore Vegetation Management Procedure.

For projects subject to Act 250 that are on lakes, the Agency recommends a minimum riparian buffer zone width of 100 feet; for streams, the width is 50 or 100 feet, depending on the specific attributes of the site. Conditions that would indicate a buffer wider than the widths provided above include rare, threatened, endangered or sensitive species and sensitive significant natural communities. ANR would generally allow pedestrian access through a riparian buffer to a water body unless restrictions were needed to control erosion or prevent destruction of vegetation. The Agency may request a riparian area management plan.

Copies of the adopted *Riparian Buffer Guidance* may be obtained from the Environmental Assistance Office in Waterbury (802/241-3838) or at www.anr.state.vt.us/html/buff/anrbuffer2005.htm. Nancy Manley is the contact for questions (nancy.manley@anr.state.vt.us).

- Karen Horn, Director, VLCT Legislative and Membership Services

VLCT News, July 2005