

Forester Licensing and Filing Documents to Meet Use Value Appraisal Program Requirements

Approved by Commissioner Snyder April 22, 2020

Policy:

Effective on May 1, 2020, under the existing authority established by 32 V.S.A. § 3755, the Department of Forests, Parks, and Recreation (FPR) requires that forest management plans, associated maps and Forest Management Activity Reports filed with FPR to satisfy eligibility requirements for enrollment in the Use Value Appraisal program (UVA), be submitted and prepared in a manner consistent with statutes applying to forester licensing, 26 V.S.A § 5201 et seq. and the rules promulgated under this law effective August 1, 2017.

Discussion:

Any documents, including but not limited to forest management plans and maps relating to enrollment of land in the forestland or conservation land categories of UVA, and requiring the application of forestry expertise, must be prepared by a licensed forester and filed in accordance with 6-3 of the Administrative Rules for Foresters unless exempted by statute 26 V.S.A § 5204.

Documents which do not comply with the Administrative Rules for Foresters or 26 V.S.A § 5201 will be deficient and will not satisfy the eligibility requirements for enrollment of forestland or conservation land categories in the Use Value Appraisal Program.

Filings that do not require the application of forestry principles or judgement and do not require forestry education, training or experience, are not required to be prepared by a licensed forester. Examples may include filings that are strictly administrative, such as name changes reflecting changes in ownership on plans or maps or filing of FMARs. Because regulatory filings prepared by a licensed forester must be stamped, even when UVA filings do not require forestry expertise, when prepared by a licensed forester, they must be stamped.

Conservation plans and maps for land enrolled in the conservation land category will be evaluated on a case-by-case basis to determine if their preparation requires forestry expertise and is therefore subject to 26 V.S.A § 5201 et seq. Conservation plans which do require the application of forestry expertise will need to be submitted in a manner that complies with the Administrative Rules for Foresters.

Table 1. Establishes which UVA work products require stamps and/or forestry expertise as covered by Forester Licensing Rules paragraph 6-3: Seals and Stamps.

		When Prepared by:		
		Licensed Forester ¹	Exempt Landowner ²	All Others ³
UVA Work Product	Forest Management Plan (New or Updated)	yes	no	yes
	Conservation: Plan, Map or Amendment	yes	no	maybe
	Forest Management Plan Amendment (stand description/prescription or delineation)	yes	no	yes
	Plan Amendment (Administrative) ⁴	yes	no	no
	Map: New or Updated (accompanying plans, additions or reductions to enrolled forestland)	yes	no	yes
	Map amendment (Administrative) ⁵	yes	no	no
	Forest Management Activity Report	yes	no	no

Table 2. Guidance on how and where to stamp UVA work products.

UVA Work Product Description	General Guidance
Forest Management Plans, Conservation Plans, or amendments.	If Table 1 indicates that a stamp is required, then stamp the signature page of the plan without obscuring any text, signatures or signature lines.
Maps	If Table 1 indicates that a stamp is required, the map should be stamped close to the map preparer name without obscuring the depiction of the parcel, title block or acreage chart. If the acreage chart is a separate document, this too should be stamped without obscuring any information.
Forest Management Activity Report	If Table 1 indicates that a stamp is required, stamp each form once on the page containing the signatures wherever it will not obscure information entered. When forms are prepared digitally and the inclusion of an image of a digital stamp is not possible or reasonable (such as in a PDF or on a web form) the requirement to stamp may be satisfied by providing the forester name, license number and expiration date in the comments section of the form.

¹ All UVA filings pertaining to forestland are considered forestry work products and require stamps or seals if prepared by a licensed forester.

² The forester licensing law, statute [26 V.S.A § 5204](#), establishes exemptions for specific circumstances or activities which do not require a license. Most relevant to UVA filings; an individual, college or university, family, family trust, or business may practice forestry on his, her, or its own lands without a license, provided that a business only practices forestry on an aggregate of not more than 400 acres of its own lands.

³ Forestry work products requiring seals or stamps may be developed by an individual without a forester license when done under the general supervision of a licensed forester. When this occurs, the name of the preparer must be included on the work product, and the seal or stamp of the licensed forester supervising the development of the product must be affixed to the work product.

⁴ An administrative amendment is a forest management plan amendment that is strictly administrative, most commonly resulting from a transfer of a plan to a new owner or a plan reflecting an addition or exclusion (of non-forestland or insubstantial acreage <1 acre) which does not warrant a change to the stand descriptions or prescriptions beyond acreage adjustments.

⁵ An administrative map amendment is map change that is strictly administrative, most commonly reflecting an ownership transfer or the exclusion of enrolled land which does not significantly reduce the acreage of a mapped stand in ways that would affect the plan description or prescription.