

1 H.402

2 Introduced by Representatives Weston of Burlington, Cheney of Norwich and

3 Edwards of Brattleboro

4 Referred to Committee on

5 Date:

6 Subject: Conservation; state lands; agency of natural resources; department of

7 fish and wildlife; department of forests, parks and recreation;

8 renewable energy

9 Statement of purpose: This bill proposes to repeal the policy of the agency of
10 natural resources against using state lands for renewable energy projects and to
11 require the state to make state lands available for renewable energy generation.

12 An act relating to renewable energy generation on state lands

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. REPEAL OF POLICY

15 The existing policy of the agency of natural resources, entitled “Wind
16 Energy and Other Renewable Energy Development on ANR Lands,” is
17 repealed. Any existing policies of the agency of natural resources to restrict
18 the use of state lands for the development of projects to produce renewable
19 energy are void.

1 and soil erosion are alleviated, hazards of forest fires are lessened, its natural
2 beauty is preserved, its wildlife is protected, the development of its recreational
3 interests is encouraged, the fertility and productivity of its soil are maintained,
4 the impairment of its dams and reservoirs is prevented, its tax base is protected
5 and the health, safety, and general welfare of its people are sustained and
6 promoted.

7 Sec. 4. 10 V.S.A. § 2603 is amended to read:

8 § 2603. POWERS AND DUTIES: COMMISSIONER

9 * * *

10 (b) The commissioner shall manage and plan for the use of publicly owned
11 forests and park lands in order to implement the policy and purposes of this
12 chapter, promote and protect the natural, productive and recreational values of
13 such lands, and provide for multiple uses of the lands in the public interest.
14 The commissioner may sell forest products and other resources on public lands
15 and shall administer the state park system and a community recreation program
16 as is in the best interests of the state and is consistent with the purposes and
17 policies of this chapter. On reasonable terms, the commissioner shall make
18 available, for the development of projects to produce renewable energy as that
19 term is defined in 30 V.S.A. § 8002(2), those lands owned or controlled by the
20 department that have the capacity to produce such energy unless, with respect
21 to a particular property, such availability directly conflicts with a specific

1 restriction in federal or state law or with a specific restriction or covenant
2 contained in a conveyance of an interest in the property to the department.

3 Sec. 5. 10 V.S.A. § 4081(h) is added to read:

4 (h) The policies of this section shall not be used to deny the availability of
5 lands owned or controlled by the agency or one of its departments for the
6 development of projects to produce renewable energy as that term is defined in
7 30 V.S.A. § 8002(2).