

1 S.100

2 Senator Galbraith moves that the bill be amended as follows:

3 First: In Sec. 3, 10 V.S.A. § 6001(3)(A), by striking out subdivision (ix)
4 and inserting in lieu thereof a new subdivision (ix) to read:

5 (ix) The construction of a building, structure, or permanent road,
6 including a driveway, any portion of which is located more than 1,000 feet from a
7 building, structure, or permanent road, including a driveway, that was in existence
8 as of the effective date of this subdivision (ix) and is located within a forest that,
9 as of the effective date of this subdivision (ix), consists of 100 acres or more of
10 contiguous forestland. However, this subdivision (ix) shall not apply to the
11 construction of a building, structure, or permanent road that is below the elevation
12 of 2,500 feet and is to be used solely for farming, logging, or forestry purposes or,
13 in the case of a road, public safety purposes, including fire suppression.

14 Second: In Sec. 5, 10 V.S.A. § 6086(a)(9)(C), by striking out subdivision
15 (ii) and inserting in lieu thereof a new subdivision (ii) to read:

16 (ii) The development or subdivision will not contribute to the
17 fragmentation of forestland or:

18 (I) The development or subdivision cannot practicably be
19 relocated on the site or to another site owned or controlled by the applicant or
20 reasonably available to satisfy the basic project purpose;

1 (II) If the proposed development or subdivision cannot practicably
2 be relocated, all practicable measures have been taken to avoid adverse impacts
3 caused by the development's or subdivision's fragmentation of forestland;

4 (III) If avoidance of adverse effects caused by the development or
5 subdivision's fragmentation of forestland cannot be practically achieved, the
6 development or subdivision has been planned to minimize those adverse effects
7 and to preserve connection among the forestlands to be separated in a manner that
8 supports wildlife; and

9 (IV) the applicant will permanently conserve an area of forestland
10 that is of comparable or greater biological value and at least four times greater in
11 area than the forestland fragmented by the development or subdivision.