



Vermont Land Trust

CONSERVING LAND FOR THE FUTURE OF VERMONT

Memo

To: Senate Natural Resources and Energy Committee
From: Gil Livingston, President 
Date: March 7, 2014
Re: S. 100 – Forest Fragmentation

Thank you for the opportunity to comment on S. 100 before the Committee takes action next week. As you know, the Vermont Land Trust is proud of its legacy of joining Vermonters to conserve large blocks of forest that support both the State's important wood products sector and host critical wildlife habitat, natural communities, wetlands, and streams. Because VLT and The Nature Conservancy of Vermont own the former Atlas Plywood lands consisting of 23,700 acres of certified working forest, we especially appreciate the Committee's focus on fragmentation. With the proximity of Vermont to New York and Boston, the ever-increasing prices at which working forestland is trading on the market, and the aging demographic of private forestland owners in our state, we expect forestland succession over the next two decades will have a major impact on forest integrity.

The following comments focus on a few high-level concepts, rather than a detailed line-by-line review of the draft bill:

- 1) **Forest Products and Wildlife Habitat.** In recent years the Legislature has taken meaningful steps to elevate the focus on our important wood products industry – one prime example is the new Working Lands Enterprise Board's (WLEB) equal focus on farm and forest enterprises. While the bill's findings (Sec. 1) do reference the forest economy, the policy elements in Sec. 2 are silent on this subject. As you know well, sustainable forest management is compatible with and in some situations can enhance habitat values. I recommend the policy statement in new 10 V.S.A. § 2601a be expanded to focus on the importance of working forests to Vermont's economy. A simple way to do this would be to import or cross reference the WLEB Legislative findings (6 V.S.A. §4603) and/or Legislative intent (6 V.S.A. §4604).
- 2) **Focus on Strategically Important Forests.** While perhaps every 1,000-acre forest block has important resource values, I strongly recommend that the significant regulatory resources and impacts associated with Act 250 jurisdiction be targeted at Vermont's most important forests. With this goal in mind, consider directing the Natural Resources Board to engage in a rulemaking process, and to employ existing Geographic Information Systems tools to identify the intact forested blocks in Vermont of 10,000 acres or more which are both rich in habitat characteristics and are high in forest productivity. ANR's excellent Biofinder tool could readily identify large blocks with habitat attributes, and complimentary methodologies are employed by The Nature Conservancy and others. VLT has developed a GIS model that identifies the most productive

forest blocks across the state. Assimilating these two models would surface important forest blocks that serve both productivity and habitat goals.

The VLT model is only one approach to productivity modeling, but we ground-truthed that model with County Foresters in each region. To give you a sense of what a 5,000-acre, 10,000-acre, or 20,000-acre jurisdictional threshold might yield using just the forest productivity model, I have attached two sets of maps: one set assumes all Class III and IV roads effectively divide or fragment forests (resulting in fewer blocks); the second set assumes Class III and IV roads do not divide/fragment forests (resulting in more blocks). I have also attached a “user’s manual” that describes how this productivity model was developed.

- 3) **Enhance the Definition of “Fragmentation of Forestland.”** The “fragmentation” definition added by Sec. 4 would be employed when evaluating both subdivisions and developments under new criterion 9(C)(ii). However, while the definition includes physical land alterations that “separate forestlands” the definition does not address subdivision of land in ways that impede access or effective operability for forest management purposes. With no physical change to forestland, the act of dividing forestland into multiple small parcels – especially parcels too small to be eligible for the UVA program – will likely pull that parcelized land out of active forest management. Further, the parcelization of forestland along public roads in a fashion which prevents or impedes forest access to the interior could also render forest management impractical or impossible. In contrast, compact subdivision and development on a portion of a large forested tract could be designed in a fashion that minimizes impact habitat or forest productivity.

Finally, it is very important that the discussion of S. 100 not create divisiveness. Those who own large forested parcels, leaders in Vermont’s wood products industry, and people interested in safeguarding our wildlife legacy share much common ground. I encourage you to take the time necessary to explore this common ground and to design forest fragmentation legislation focused on these areas of agreement. Again, thank you for focusing on this important issue, and do let me know if we can be of further assistance.