



February 12, 2014

Senate Natural Resources and Energy Committee
Senator Robert Hartwell, Chairman

Dear Chairman Hartwell,

Please accept the following perspective of how I see the unintended consequences of S.100 affecting forest based businesses like mine.

My family and I own and operate a farm in Randolph Center with three generations involved where we raise crops and livestock and have a retail farmstand. We also harvest timber for private landowners in a 20 mile radius from the farm. I serve as the Vice Chair of the Development Review Board and as the Chair of the Budget Committee for the town of Randolph, past President of the Orange County Farm Bureau and I am LEAP and SFI certified (Logger Education to Advance Professionalism and Sustainable Forestry Initiative) and have a degree from Vermont Technical College in Agribusiness Management.

Chairman Hartwell, I listened intently to your interview on WDEV's Mark Johnson Show last Friday discussing your thoughts on climate change. I believe the same as you stated on that show, that our climate is changing. As the owner of agricultural and forestry enterprises, I see the number of days that I can count on to complete outdoor tasks and generate revenue reduced each season. I am regularly faced with extended periods of rainy weather in the non winter months that saturate my fields and timber harvesting sites. I am also dealing with periods of more moderate early winter temperatures that don't allow the ground to freeze or provide reliable snow cover for us to harvest timber on less stable soils until well into January, leaving me with a peak timber harvesting season of about eight to ten weeks. This has hindered productivity and how businesses like mine are able to operate and interact responsibly with the natural resources that provide our livelihood. With operating expenses at near record highs, many of us loggers often discuss how we'll be able to cash flow our operations as we're losing more and more productive days to spread out our overhead costs.

In my experience on the DRB, I regularly see minor applications or changes to existing permits taking several months despite the best intentions of board members and the Zoning Administrator to guide applicants through as efficiently as possible. I have deep concerns as to how this type of process, triggered by S.100, might affect my operation. Personally, I strive to have my timber harvests planned and prepared for between three months and a year in advance. Contract execution, road building, erosion control, tree selection, equipment transportation, timber markets, contractor's schedules and the goals of the landowner all must be coordinated to ensure everyone's needs are met. The logistics of implementing the landowner's forest management plan (County Forester approved or otherwise) is becoming a greater challenge with the effects of climate change. When I have to move to a new site, I

have to move quickly and meeting each of the considerations listed above substantially narrows down the list of sites that are acceptable and profitable to harvest in less than ideal conditions.

The potential unintended consequences of this bill (Act 250 examination of whether or not my actions fall under their jurisdiction on a job by job basis) would easily take away the opportunity to be fleet, fluid and flexible as we adapt to climate change and still fulfill our obligations to the landscape we work, the landowners we work for, employees and lenders while staying in compliance with existing forestry, labor, trucking and environmental regulations and best practices.

I clearly understand that there are exemptions written into the bill, but there are also future appeals and varying interpretations of those exemptions that need to be considered now. As I stated in my note to you last week, I come from, and am continuing a family committed to working the land with care, pride and integrity. Passing this legislation may severely hinder my ability to operate and expand a responsible timber harvesting enterprise that I'd like to see my sons operate one day and I'm having trouble visualizing how exactly it might provide the desired outcome of its authors, an intact, vibrant, and sustainable forest in Vermont, which my peers and I also find to be a worthy goal.

I ask the following of the committee:

- How many members of the committee have taken a project of their creation from start to finish through the Act 250 or had a neighbor challenge a project that required local DRB review or triggered Act 250 review?
- Could you please refer me to testimony that has been taken that has been the most compelling and gave absolute proof to committee members that requiring landowners to go through the Act 250 process will succeed in reducing "fragmentation" as the sponsors of S.100 define it.
- The vast majority of the managed woodlots that I harvest are within 1,000 contiguous acres of forested land. If the landowners for whom I work for are unwilling to go through whatever process is the outcome of this legislation and its future interpretations, where will timber be harvested?

If this legislation is passed, we as an industry will adapt and find a way forward, but will we prosper?

Respectfully,

Sam Lincoln