Testimony on S.100 before the Senate Natural Resources & Energy Committee on 2/13/2014 by Put Blodgett, President of VT Woodlands Assoc., co-chair of Current Use Tax Coalition, Tree Farmer and & owner of 670 forested acres in Bradford.

Members of the Committee:

I agree with Sect. 1. FINDINGS and Sec. 2 (a)(1), (2) and (3). Sec. 2 (b) starts to raise concerns. There are over 1100 bills introduced in the present biennium. Many will not make it out of committee. But the cumulative effect of never-ending bienniums will necessitate citizens hire lawyers to comply with all the rules and regulations. There is a different perspective between those that govern and those that are governed as to how many rules and regulations are necessary to improve our lives. Some laws are necessary to constrain the bad actors, but let us not suffocate the innocent and those with initiative.

Having served on a District Environmental Commission in central Vermont and later as chair of the Commission dealing with Quechee Lakes, I shudder at the idea of burdening barely-profitable forest land with the expense and time involved in going through Act 250. Senator Galbraith has stated: "S.100 does not add any new regulatory burdens on timberlands owners. Forestry-related activities are not covered by Act 250 and S.100 does not change that." I respectfully request that S.100 contain language specifically excluding forestry-related activities from Act 250 purview.

Is Sec. 3(3)(A)(xi) designed to make it more difficult or impossible to develop wind towers and ski lifts above 2,500 feet?

Sec. 4 (35) Fragmentation of forestland means human-made alterations to lands such as clearing. This would make it impossible to salvage timber after a disease or insect infestation, a windstorm or a fire. A variety of wildlife thrive on openings and the resultant regeneration—deer, moose, snowshoe hare and the accompanying lynx predators. In the White Mountain National Forest I attended a bird tour. In the unbroken forest two birds had been mist-netted. In the regenerating 20-acre clear cut over 20 species of birds were mist-netted.

Sec. 5 (ii)(I)(II) and (III) who determines and on what basis is it determined what is "practical"? This is wide open for litigation.

Sec. 5 (IV) also raises the question of who decides and how is "comparable or greater biological value" determined. This section requiring permanent conservation of "at least four times greater in area than the forestland fragmented" comes close to a taking and could be litigated.

Rather than holding this stick over our heads, why not use the carrot of a stronger UVA Program, more support for Working Lands and the incentive of tax savings for Conservation Easements?