

Testimony Provided to the Vermont House Government Operations Committee on H.355

13 April 2015

My name is Alan M. Robertson, and, as previously outlined in the first part of my testimony, dated 29 September 2014, I am a retired civil engineer. For the purposes of this testimony I should add that I have been a **licensed** civil engineer in three states (Vermont, New Hampshire, and Delaware) for over 30 years, and that may add some credibility to my comments in both the discussion over the need for forestry licensure, and the content of H. 355.

I am also an experienced amateur woodland owner, a certified Tree Farmer for over 25 years, and have been a Secretary of Vermont Woodlands Association for over ten years.

I am firmly committed to the licensure of foresters in Vermont (see previous testimony) and believe that H. 355 is a good start in accomplishing this need. Licensure is needed:

- To provide Vermonters with a source of recognized forestry expertise in the management of their forest assets.
- To educate Vermonters on the benefits of involving a professional in the management of their woodlands, and explaining the complexities of forestry to the layman.
- To maintain the level education, experience, and awareness of scientific progress in the field for those in the practice.
- To provide a safe and unthreatening pathway for foresters and the public to report incompetent, unprofessional or unlawful foresters to the authorities without fear of reprisal.

My observations and experiences in Vermont over the past 30 years of forestland ownership are that Vermonters are being harmed every day by loggers and others passing themselves off as having forest management credentials that then do damage to the land and often do not provide proper reimbursement to the landowner for what has occurred on their land. There are numerous examples of this in Sheffield where I live. I invite the committee to our town to witness the results.

There have been comments provided to OPR, and the committee, indicating the fear that this will result in another expensive bureaucracy within state government. Based on my experience with licensure programs in other states, nothing could be further from the truth. A well-run licensure program does not involve a hired bureaucracy, nor does it involve much personal time for applicants or renewals.

There have been comments provided OPR, and the committee, indicating that this would be the first step in a state's agenda to tell foresters how to practice their profession. Nothing, again, could be further from the truth, and indicates a deep misunderstanding in these individuals as to the reasons behind the need for licensure. Based on some of the environmental over-regulation I have noted in Vermont I believe the increase in the level of competence made public through the licensure of

foresters might actually reduce the legislative/executive need in the future to over-regulate forestry in the state.

Specific Comments on H. 355:

- Section 4904. Exemptions, Subparagraph (3): The language defining and requiring “direct supervision” is poorly written and seems to indicate a lack of understanding of many of the activities a forester may be involved with in the woods. Being “on-site” as a requirement for all activities of the employee needs to be re-evaluated for the many activities where occasional visits or visits before implementation would satisfy the requirement for “direct supervision”.
- Section 4912. Advisor Appointees: While three appointees is an adequate number, the “type” of foresters should also be varied to bring in a higher level of experience, expertise, and background to the board. I would recommend the language be further detailed to include one “private consultant”, one “public employee” forester, and one “industrial” forester.
- Section 4921. Qualifications for Licensure:
 - First, there isn’t any requirement for **experience** in the first (1) path to licensure. Of the many professions needing experience to become **good** at the profession forestry may be the most dependent on that aspect. An engineering a degree alone will not get you a PE; experience, much with “responsible charge”, is also a requirement. Forestry experience is even more critical to forestry licensure. This has been acknowledged within the profession for over 200 years.
 - Second, and this involves **Section 3**, too, “Transitional Provision; Licensing of Current Foresters”, there isn’t a recognition that experience alone may make a good forester eligible for licensure. Yes, this appears contradictory to the requirement for a formal education, but the experience factor in forestry is so critical that a candidate with many years of forestry experience might be a very good forester with certain other prerequisites. Specifically, a candidate with ten years of forestry practice, several recommendations from other licensed foresters, several references and examples of work, and a review by the Advisors should confirm the expertise of the candidate. I would think this would be a valuable addition to the bill.

Alan M. Robertson, PE

Co-Chair, Vermont Tree Farm Committee

Secretary, Vermont Woodlands Association

13 April 2015

Phone: 802-626-3590