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Testimony on H.584, House Committee on Natural Resources and Energy  
Mark Nelson, Chair  
Vermont Chapter of the Sierra Club

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Thank you for the opportunity to testify on H.584. Intact forests are a critical resource that must be protected in Vermont. For the first time in over 100 years, forests in Vermont are declining. In 2014, the Vermont General Assembly recognized that we had a problem and enacted Act 118, which called for a report assessing the current and projected impacts of fragmentation on Vermont's forestland and recommendations of how to best protect the integrity of Vermont's forestland. The Commissioner of the Department of Forests, Parks and Recreation was tasked to complete this report and he submitted the findings last year.

I would like to highlight a few of the key findings from the Commissioner Snyder's report that emphasize the importance of intact forests to Vermont:

- **Water** – Forests provide clean water for drinking and act as a filter to prevent impurities from entering streams, lakes and ground water. They also act to help temper floods from heavy rainfall by absorbing water and moving it across the landscape. Vermont is currently struggling with cleaning up its waters and has seen first hand the devastating impact of large storms, which are forecast to increase due to global warming.
- **Clean air** – Trees act as sponges for many air pollutants removing them from the air we breath. Some of these pollutants are generated locally, while others come from other states. Healthy intact forests with fully foliated trees are an important factor in the amount of pollution intercepted and removed.
- **Climate change** - Healthy intact forests absorb carbon from the atmosphere and store it in the soil, trees and other vegetation. Forests can help to mitigate the rate and impacts of climate change. Vermont's forests are estimated to sequester over 8 million metric tons of CO<sub>2</sub> equivalents per year. This is almost as much as Vermont's annual emissions.
- **Wildlife habitat** – Vermont's forests provide habitat for the variety of special species that call Vermont home. Wildlife species rely on large blocks of contiguous forests and linkages to other forest blocks for all or part of their habitat needs. Many songbirds require large areas of forest cover free from fragmentation and human disturbance. The hermit thrush, Vermont's state bird, along with many other birds decline when forests are reduced or become fragmented.
- **Biodiversity** – Intact forests provide crucial habitat for the wide and varied species of plants and animals that live in our state.

There are many more benefits of forests to Vermonter's and I suggest that you go back and reread the Commissioner's report. In addition, the letter that the Sierra Club signed along with



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59 other individuals and organizations outlines the benefits of intact forests and the importance of protecting them. This letter also identifies what is happening to Vermont's forests. I would like to highlight a few:

- Between 1982 and 1997, 51,000 acres were converted to other land uses.
- A more recent Forest Service report suggests that Vermont may have lost up to 75,000 acres of forestland from 2007 to 2013, although the Forest Service does not report this as a statistically significant change due to the margin of error in the analysis. Regardless of the actual number of forest acres lost in recent years, there are certainly reasons to be concerned about the impacts of forestland conversion.
- From above, the Vermont landscape has an appearance of densely forested lands; however a closer look at the surface reveals that our forests are being compromised and fragmented by rural sprawl. Data from the Forest Service demonstrates that we lost five percent of forests over 100 acres in size between 2001 and 2006. Other research indicates the amount of forested parcels larger than 50 acres that were undeveloped decreased by about 34,000 acres between 2003 and 2009

The Vermont General Assembly new there was a problem in 2014, the Forest Fragmentation Report from the Commissioner of the Department of Forests, Parks and Recreation was issued in 2015 and quantified the problem, now it is time to enact legislation to address the problem in 2016.

The current language in H.584 is a good start, but there is much more that needs to be done. Many of the ideas I am going to suggest have come from the Forest Roundtable of which the Sierra Club is a member.

Some of these ideas are:

- Full funding of approximately \$19.5 million to fulfill the statutory formula for real estate transfer tax for VHCB.
- The legislature could establish a fund to match funds at the local level for community forest conservation projects.
- Create incentives for donations of easements on certain un-fragmented forest ownerships through a pilot program to remove that land value from the real estate taxes under certain circumstances.



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- The undeveloped forestland would have to be at least partially within a High Priority Ecologically Functional Landscape Block (VT F&W map) and have a minimum acre requirement.
- The landowner must be 65 or older on the date of donation, or the donation can be made by the person's estate.
- The easement must prohibit all subdivision and prohibit all residential structures and use except for one recreational cabin with intermittent use.
- If these conditions were met, the land value would be removed from the valuation of the estate for Vermont estate tax purposes.
- Convene a legislative task force to develop recommendations for a statewide program to improve the capacity of providing successional planning technical assistance to forestland owners in Vermont. Since the average age of a woodland owner is approximately 65 years old in Vermont, more resources are needed to help these landowners plan the future ownership of their land to improve the chances that the land will not be subdivided when their heirs inherit it.
- Strengthening Chapter 17 of Title 24 to:
  - Add language to the definition and goals section of municipal and regional planning to address forest resources and maintenance of forest blocks, working forests, and habitat connectivity.
  - Add the concept of promoting the maintenance of forest blocks and connectivity as a principle in the creation of forest districts.
  - Add language to subdivision bylaw requirements to require standards for the protection of natural resources, including forest blocks.
  - Expressly enable consideration of criteria related to natural resources as part of conditional use review.
- Modernize Act 250 to address forest fragmentation and the maintenance of intact forest blocks and connectivity. Protection of intact forests is very weak in Act 250 and needs to be strengthened.

These are just a few of the ideas that have been promoted by the Forest Roundtable and discussed with Commissioner Snyder.

Protecting our forests from further fragmentation is something that needs to be addressed now and with a holistic approach that will preserve intact forests. It is easier to stop forest fragmentation than to try to reverse it once it has occurred.



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Thank you for allowing me to testify and for your attention to addressing forest fragmentation. This is an extremely important issue for the Vermont Chapter of the Sierra Club and our members and we welcome the opportunity to work with you.