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**Act No. 198 (S.101). Conservation and land development; forestry; nuisance protection**

**An act relating to the conduct of forestry operations**

This act provides that a person conducting a conventional forestry practice is entitled to a rebuttable presumption that the practice does not constitute a public or private nuisance if the person conducts the conventional forestry practice in compliance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont as adopted by the Commissioner and other applicable law. The presumption that a person conducting a conventional forestry practice does not constitute a nuisance may be rebutted by showing:

(1) a nuisance resulted from the negligent operation of the conventional forestry practice; (2) a nuisance resulted from a violation of State, federal, or other applicable law during the conduct of the conventional forestry practice; or (3) clear and convincing evidence that the conventional forestry practice has a substantial adverse effect on the health, safety, or welfare of the complaining party.

Effective Date: May 30, 2018