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S.101

Senator MacDonald moves that the bill be amended in Sec. 1, in 12 V.S.A. § 5757, by striking out subsection (a) in its entirety and inserting in lieu thereof the following:

(a) Except as provided for under subsections (b) and (c) of this section, a person conducting a conventional forestry practice shall be entitled to a rebuttable presumption that the conventional forestry practice does not constitute a public or private nuisance if the person:

(1) conducts the conventional forestry practice in compliance with all of the following:

(A) the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont as adopted by the Commissioner under 10 V.S.A. § 2622; and

(B) other applicable law; and

(2) prior to initiation of a forestry operation, notifies the Commissioner of Forests, Parks and Recreation of the site of the forestry operation if the forestry operation will involve one or both of the following:

(A) the harvesting of timber; or

(B) the removal, storage, or stockpiling of timber or vegetation at the site of a timber harvest.