

Put Blodgett
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February 13, 2019 Testimony to the House Committee on Natural Resources, Fish & Wildlife
by Put Blodgett, President, Vermont Woodlands Association on Act 250 update

My name is Put Blodgett. I grew up on a Bradford dairy farm. Farmed full-time for 15 years. Founded and directed a summer camp for boys for 21 years. Life-long interest in forestry. Own a 709-acre Tree Farm. Presently serving as president of the Vermont Woodlands Association. Served on District 5 Commission and later chaired the District 3 Commission that oversaw the last stages of the Quechee Lakes development

I am amazed at the compilation of the 766 pages of data for the background for this 81-page bill. I salute those involved for their work. And I appreciate the delicate balancing act that will be necessary between protecting our environment and not adding to the perception that Vermont is unfriendly to business. We note on the COPE survey that, "Aside from Chittenden County, all other counties reflect a greater number of respondents that believe Act 250 has not had a positive impact on the economy".

Vermont Woodlands Association supports the well-expressed February 6 Vermont Forest Partnership submission on forest fragmentation while recognizing that the trails issue has yet to be resolved.

VWA generally agrees with the Act 250 Committee's conclusions, but has a different view on some of its recommendations.

The COPE survey showed that the majority in all counties wished ridgeline development to be under Act 250. But Act 250 should also take cognizance of the state's goal of heavier dependence on renewable resources. Why not place ridgeline development as a separate category under Act 250 and leave farming, logging and forestry exempted under the original 2500' elevation? The COPE survey showed over 60% support for leaving farming, logging and forestry exempt below 2500'. "Forestry" should be more specifically defined.

If forest fragmentation is to be slowed, then there must be a market for forest products to counteract the cash that a land sale would produce. Markets are complex and made up of many factors, but Act 250 should avoid making marketing more difficult.

The October 20, 2017 Report by the Executive Branch Working Group on Act 250—The Next 50 Years Recommendations states "Any modernization of Act 250 should recognize that the processing of farm and forest commodities into higher value consumer goods is critical for rural economic growth and maintenance of an economically viable working landscape. By necessity, these enterprises tend to be located outside state designated centers. They are often forced to operated differently than other businesses that are less dependent on weather or local commodity procurement. Specifically, conditions related to hours of operation, traffic, and noise can be particularly difficult for these enterprises to navigate. We recommend that the Commission explore strategies to assist these businesses in navigating Act 250's permitting framework,"

Accompanying my testimony is a memorandum from FPR Commissioner Snyder which details some of the forest products industry's concerns.

From the Act 250 Committee's report, page 27 "In the last five years there have been seven Act 250 applications for wood processing facilities." "Only one of the new permits contained conditions related to traffic. Two of the permits contained conditions related to hours of operation." That is three out of seven permits having conditional use—43 %.

People that work forty hours a week and receive a regular pay check have no idea what it is like to be in weather-dependent occupations such as farming and forestry. The old adage "Make hay when the sun shines" is based on fact. Farmers, loggers and truckers have to go all out when the weather is favorable. A fully-mechanized logger may have as much as \$1 million dollars of equipment. A trucker may have over \$200,000 dollars in his truck and loader. Bad weather can stop their production, but their payments go on relentlessly. A year ago I was up north. A truck came in at 3 am, loaded and left at 5 am. Once, I had to get permission from the town road agent to move wood at 3 am when the road was frozen during mud season. Loggers can sometimes work when the roads are posted for six weeks during mud season, but the logs have to leave the landing to provide room. The logs have to reach the mill for the mill to pay the landowner who in turn pays the trucker and the logger. This system cannot be shut down because someone doesn't want to be awakened before 7 am by a log truck. Leaving the decision to local district commissions to issue conditional permits leaves them open to pressure from neighbors. The Act 250 update should contain state-wide guidance for flexibility in granting conditional permits. It is a small aspect of the marketing challenge, but a crucial one.

A never-ending complaint is the length of time to go through the Act 250 process and the expense. The last third of the proposed update is references to other sections and laws. There is no way a farmer or logger who works physically all day can stay awake to wade through it. The expense of a lawyer is necessary. Almost everyone agrees that combined heat and power (CHP) biomass is the most efficient. It would be less inhibiting and expensive if Act 250 and Section 248 of the Public Utilities Commission hearings could be combined.

On page 4 of the update "Healthy ecosystems clean water, purify air, maintain soil, regulate the climate, recycle nutrients, and provide food." Excepting food, landowners provide them freely!

Page 11—Fragmentation includes conversion, enlargement of any building, any change in use – this is very restrictive.

Page 12—what is the definition of "shallow depth to bedrock"?—2 inches? 2 feet?

Page 33—how do you avoid greenhouse gases generated by traffic to a subdivision?
This could prohibit any additional housing to help meet Vermont's needs.

Page 36—how define "screen" from the water—partially? totally? By whose interpretation?