

Senate Natural Resources and Energy Committee  
Consideration of H.926  
Testimony of Ed Stanak  
June 24, 2020

I refer to my testimony to this committee dated June 10 , 2020 with regard to my background and level of involvement as H.926 was being crafted by the House Natural Resources and Fish and Wildlife committee .

It is my understanding that today's committee hearing is the initial formal consideration of H.926 since it was passed by the House earlier in the 2020 legislative session .

It is my information and belief that this committee has determined that the testimony of witnesses before the House committee has been incorporated into the committee's record as it considers H.926 and/or proposed amendments to S.237 . Based on this understanding I request that you give material consideration to the written submittals which I provided the House committee. To the extent that you are also incorporating the verbal testimony of all witnesses before the House committee, I ask that you consider mine although it is unclear to me how this committee will be able to listen to all the hours of testimony from the witnesses in the short term .

*If I had to distill the essence of my position on the content of H.926, it is that it fails to include provisions necessary to address the 21<sup>st</sup> century land use challenges that Vermont will face . In this context, the bill is inconsistent with the findings and recommendations of the Act 47 legislative study commission .*

**I ask the committee to consider including, in whatever bill the committee may produce, a new jurisdictional provision to 10 VSA Chapter 151 which will amend the definition of "lot" in 10 VSA 6001 ( 19 ) (A) to include the creation of two or more lots on a tract of land located above the elevation of 1,500 feet . Existing statutory provisions relative to lots created within a radius of 5 miles and within a five year continuous period shall also apply .**

Such a jurisdictional provision encompasses reasonable and prudent regulatory oversight for the conversions of headwater areas, aquifer recharge areas, necessary wildlife habitats and travel corridors and remaining intact forests into residential development . Each of these five finite natural resource categories represent compelling state interests which the General Assembly must safeguard on behalf of public health, safety and welfare .

A more detailed rationale for this proposal is provided in my written submittals and verbal testimony to the House committee which I am sure you will read and listen to.

I submit this testimony pursuant to Senate rules 28 and 29 .