



Chair Carolyn Partridge
House Committee on Agriculture and Forestry

April 27, 2022

Chair Partridge and Members of the Committee on Agriculture & Forestry,

Thank you for the opportunity to testify on H. 709, *An act relating to miscellaneous agricultural subjects*. My name is Kati Gallagher, Sustainable Communities Program Director with the Vermont Natural Resources Council (VNRC). VNRC has been involved in the discussions surrounding prime agricultural soil mitigation for many years.

Our position on H. 709 is that any impacts on prime agricultural soils need to be mitigated. This is the same position that VNRC has taken on proposals to exempt certain types of projects from complying with the primary agricultural soil requirements of Act 250 that have been made over the years. As this committee knows, prime agricultural soils are important not just because they are the best soils for growing, but because they are finite – more cannot be made if they are lost.

Consistent with VNRC's position on protecting agricultural soils over the years, we are concerned about the exemption from the primary agricultural soil criterion of Act 250 proposed for the Franklin County State Airport. When development takes place outside of existing settlements *and* on prime agricultural soils, any loss of these soils must be mitigated in order to ensure the preservation of Vermont's agricultural land base.

VNRC does not support providing exceptions for any applicant that asks for one, though the specific case of the Franklin County State Airport may warrant flexibility. While an exemption is not an appropriate way to address this issue, an approach the Legislature has taken in the past in similar situations, such as industrial parks, is to allow for off-site mitigation at a ratio of 1:1 protected acres to acres of affected primary agricultural soil. This alternative recognizes the unique use of this land while still retaining a meaningful level of mitigation.

Thank you for your consideration,

Kati Gallagher
Vermont Natural Resources Council | Sustainable Communities Program Director