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H.606

Introduced by Representative Sheldon of Middlebury

Referred to Committee on

Date:

Subject: Conservation and development; land use; land conservation;  
biodiversity; community resilience

Statement of purpose of bill as introduced: This bill proposes to establish State goals of conserving 30 percent of the land of the State by 2030 and 50 percent by 2050.

An act relating to community resilience and biodiversity protection

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. SHORT TITLE

This Act may be cited as the “Community Resilience and Biodiversity Protection Act” or “CRBPA”.

Sec. 2. FINDINGS

The General Assembly finds that:

(1) Nature is facing a catastrophic loss of biodiversity, both globally and locally.

(2) According to the United Nations, a million species of plants and animals are threatened with extinction.

1           (3) In addition to its intrinsic value, biodiversity is essential to human  
2 survival.

3           (4) Human activity has altered almost 75 percent of the Earth's surface,  
4 squeezing wildlife and nature into ever-smaller natural areas of the planet,  
5 according to the United Nations.

6           (5) Further, the United Nations found that the health of ecosystems on  
7 which humans and all other species depend is deteriorating more rapidly than  
8 ever, affecting the very foundations of economies, livelihoods, food security,  
9 health, and quality of life worldwide.

10           (6) The United Nations ranks the causes of the drivers of changes in  
11 nature as: (1) changes in land and sea use, (2) direct exploitation of organisms,  
12 (3) climate change, (4) pollution, and (5) invasive alien species.

13           (7) The 2021 Vermont Climate Assessment highlights an increase in  
14 extreme weather events such as droughts and floods as a significant impact of  
15 climate change in Vermont and recommends nature-based solutions as a  
16 proven, low-cost strategy for climate adaptation and resilience.

17           (8) The 2017 Vermont Forest Action Plan found that fragmentation and  
18 parcelization represent major threats to forest health and productivity and  
19 exacerbate the impacts of climate change.

1           (9) The Nature Conservancy has developed the Resilient and Connected  
2           Landscapes projects and found that Vermont plays a key role in the  
3           conservation of biodiversity regionally.

4           (10) The Vermont Fish and Wildlife Department, working within the  
5           Agency of Natural Resources and with Vermont conservation organizations,  
6           has developed the Vermont Conservation Design, a vision to sustain the State’s  
7           ecologically functional landscape into the future.

8           (11) The initial Vermont Climate Action Plan calls for investing in  
9           strategic conservation to increase the pace of permanent conservation towards  
10          30 by 30 targets, with Vermont Conservation Design acting as the guiding plan  
11          for prioritization of efforts.

12          (12) Intact and connected ecosystems that are permanently protected and  
13          passively managed to increase in age and complexity support Vermont’s native  
14          biodiversity, reduce flood risks, mitigate drought, and sequester and store  
15          carbon.

16          (13) Vermont’s most effective and efficient contribution to conserving  
17          biological diversity and maintaining a landscape resilient to climate change is  
18          to conserve an intact and connected landscape.

1 Sec. 3. 10 V.S.A. chapter 89 is added to read:

2 Chapter 89. COMMUNITY RESILIENCY AND BIODIVERSITY

3 PROTECTION

4 § 2801. DEFINITIONS

5 As used in this section:

6 (1) “Biodiversity reserve” means an area having permanent protection  
7 from conversion of natural land cover and a mandated management plan in  
8 operation to maintain a natural state.

9 (2) “Ecological conservation area” means an area having permanent  
10 protection from conversion of natural land cover and a mandated management  
11 plan in operation for specific habitat improvement projects to maintain a  
12 primarily natural state.

13 (3) “Sustainable resource management area” means an area having  
14 permanent protection from conversion of natural land cover for the majority of  
15 the area but subject to long-term forest management.

16 §2802. CONSERVATION GOALS

17 (a) Thirty percent of Vermont’s total land area shall be conserved by 2030,  
18 and 50 percent of the State’s total land area by 2050. The Secretary of Natural  
19 Resources shall assist the State in achieving these goals. The land conserved  
20 shall include State, federal, municipal, and private land.

1        (b) Reaching 30 percent by 2030 and 50 percent by 2050 shall include a  
2        mix of biodiversity reserves, ecological conservation areas, and sustainable  
3        resource management areas. In order to support an ecologically functional  
4        landscape with sustainable production of natural resources and recreational  
5        opportunities, the percentages of each type of conservation area shall be  
6        determined by the goals within Vermont Conservation Design, including the  
7        use of biodiversity reserves to protect highest priority natural communities and  
8        maintain or restore old forests across at least nine percent of Vermont  
9        forestland Vermont Conservation Design, The Nature Conservancy's Resilient &  
10       Connected Network, and other conservation planning tools should be used as a  
11       guide during conservation plan development. Vermont Conservation Design in  
12       particular can be helpful because it sets science-based quantitative and distributional  
13       goals for maintaining and restoring an ecologically functional landscape using the  
14       full range of conservation and management tools.

15       §2803. CONSERVATION PLAN

16       (1) On or before July 15, 2023, the Secretary shall develop a conservation  
17       plan to implement Vermont Conservation Design to meet the goals established in  
18       section 2802 of this title. The plan shall be submitted to the House  
19       Committees on Natural Resources, Fish, and Wildlife, Agriculture and  
20       Forestry, and Energy and Technology and the Senate Committees on Natural

1 Resources and Energy, and Agriculture.

2 (2) The plan shall include:

3 (A) an initial inventory of the amount of land in Vermont that is  
4 permanently conserved, including public and private land, and recommendations  
5 regarding additional steps that may be needed to develop a tool to adequately track  
6 the amount and location of conserved land over time;

7 (B) an initial inventory of the amount of land in the conservation  
8 categories established in section 2801 of this title and an assessment of the best  
9 opportunities to meet adequate representation of all conservation categories on State,  
10 federal, municipal, and private land using Vermont Conservation Design as a guide;

11 (C) an evaluation of the impact of intergenerational land transfer trends;

12 (D) an assessment of how the goals of this chapter can be achieved and  
13 how State lands will be used to increase biodiversity reserves; focusing on the  
14 permanent conservation of thirty percent of the land base by 2030, and a broad  
15 suite of conservation tools to achieve 50% land conservation by 2050;

16 (E) an actionable conservation plan establishing how the goals will  
17 be achieved, using Vermont Conservation Design as a guide; and

18 (F) an inventory and assessment of existing programs that will be  
19 used to meet the goals of this chapter and recommendations for new programs and

1 funding that will be needed to meet the goals.

2 (3) In developing the plan, the Secretary shall hold not less than three public  
3 meetings on the plan and accept public comments. The Secretary shall convene  
4 and receive input from various stakeholders, including representatives from land  
5 conservation organizations, environmental organizations, the Vermont Housing and  
6 Conservation Board, working lands enterprises, outdoor recreation groups,  
7 indigenous groups, regional planning commissions, and relevant State and federal  
8 agencies.

9 (4) The conserved land inventory shall be updated annually to track  
10 progress toward meeting the goals of this chapter. In addition, the Agency of  
11 Natural Resources shall track the conversion of land on an annual basis to identify  
12 gaps to meeting Vermont Conservation Design goals. The Agency shall identify  
13 any necessary funding that is needed to develop these tracking tools.

14 Sec. 4. EFFECTIVE DATE

15 This act shall take effect on July 1, 2022.