

March 8<sup>th</sup>, 2021

Jon Leibowitz  
Executive Director  
Northeast Wilderness Trust  
17 State Street, Suite 302  
Montpelier, VT 05602

**Testimony to House Committee on Natural Resources, Fish, and Wildlife  
RE: Draft Changes to Vermont's Use Value Appraisal**

Chairwoman Sheldon and Members of the Committee:

Thank you for having me back before this committee to testify and to provide feedback on the draft UVA language. For the record, my name is Jon Leibowitz, and I'm here representing the Northeast Wilderness Trust where I serve as the Executive Director. The Wilderness Trust is a land trust based in Montpelier, VT that works across the Northeast. We are the only regional land trust in the Northeast that focuses exclusively on forever-wild conservation and rewilding. We currently protect about 40,000 acres of forever-wild lands across the region and we own two properties in Vermont and hold easements on several others here in the state.

As I presented a few weeks ago, wilderness is under-utilized as a conservation strategy in New England, including here in Vermont. Only about 3% of the landscape is permanently protected as wild, which includes public and private land, and science makes clear that we need more of it.

Over the past few weeks, you've had a number of expert witnesses testify to the science behind wildlands, so as to not repeat testimony already made, please allow me to summarize briefly. We know that old unmanaged forests contain massive carbon stocks stored in soils, litter, and above-ground wood—that **grow and diversify over time**. We also know that when that carbon is lost through timber harvest, the carbon is often **irrecoverable for a significant amount of time, often decades—an amount of time we simply don't have**. We also know through various research that the complex forest structure that is often present in unmanaged forests support higher densities of forest-breeding species, especially interior forest songbirds, snag-dependent woodpeckers, salamanders, arthropods, and mosses. In summary, and broadly speaking, wildlands store more carbon and harbor more diversity than woodlands. As we find ourselves staring at an extinction crisis and a climate crisis, it seems logical that we should find ways to encourage more of something that directly addresses both of those aforementioned crises.

The Use Value Appraisal Program is an amazing conservation tool that should be rightfully credited with keeping much of the Vermont landscape forested. Many Vermonters rely on Current Use so that they can afford to live on and steward their land. Because of its core importance to the State of Vermont, I recognize the trepidation that many have in proposing changes to it. For some that's because of political calculations and for others, that trepidation stems from a perception that any proposed change is a threat to a way of life that so many cherish, including myself. It's important to acknowledge those positions.

However, the changes being proposed are not an attack on managed woodlands and the time for political timidity has passed. Before us is an opportunity to make an incremental adjustment to Current Use that will complement, not supplant, the rich tradition of Vermont's managed woodlands. I speak before you today not coming from a perspective of anti-logging or anti-management by any means but of pro-wilderness. We need both.

Wildlands are a complementary and necessary conservation strategy along with managed woodlands. We need it all and current use is arguably the greatest tool in our toolbox to strike a more balanced approach to how our forested landscape is managed, in a holistic manner.

On that point, I applaud the work that Commissioner Snyder discussed in his previous testimony before this committee in considering new language within UVA to encourage more old forests. A more resilient future is one where our forests are left intact, or avoiding conversion as many call it, and one where we incentivize landowners to produce local wood products, provide essential habitat, and keep carbon in the ground. To achieve those multiple goals, we need well-managed forests, we need more old forests, and we need far more wild forests. We need to empower private landowners with a tool that gives them all of those choices, not just one of them. A slightly revised current Use can help us achieve that.

For many Vermonters, enrollment in current use is the difference between keeping their land intact, subdividing it, or selling it. Current Use is the difference between a Vermont of tomorrow still dominated by large tracts of forest or one dominated by more fragmentation and more scattered development. For many, enrollment in current use **is not** a choice –it is a necessity. Currently, that necessity means being forced to cut trees. For many, that is the correct choice, but for others, being forced to manage their forest for timber is painful. I talk to these landowners all too frequently. Those conversations inform my position to expand the opportunity to Vermonters that need current use to keep their forests as forests but also want to keep their forests as wild. Some Vermonters want to only “produce” wildlife habitat, clean water, and carbon storage, not lumber. What choices do they currently have?

It’s critical to note, that wildlands are nothing new to Current Use. Current Use already allows wildlands. As a 501(c)(3), Northeast Wilderness Trust can buy land right now, conserve it as forever-wild, and enroll wildlands in current use through the conservation land category.

Why is this option not available to all Vermonters?

Let’s expand the benefit that non-profit conservation organizations already enjoy to private landowners who choose to encumber their land with a forever-wild easement. To provide an option for some Vermonters who need current use to afford their land, but who face a heartbreaking decision between being forced to manage their land for timber or selling. This is not a radical shift being proposed but a logical extension of an already allowed use.

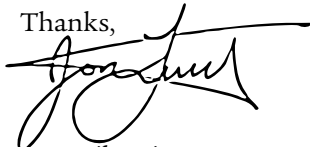
Some feedback on the proposed draft:

- In regards to the name of the “category” I recommend calling it wildlands versus open space.
- In regards to possibly changed statement of purpose, I recommend adding carbon storage, if new terms ultimately are added. Old and unmanaged forests continue to sequester incredible amounts of carbon, but it’s really the storage that is critical. From a carbon accounting perspective, old forests and their associated carbon storage are indispensable.
- In regards to location, I disagree with limiting eligibility to Mapped Highest Priority Areas of Vermont Conservation Design. VCD states, “allowing about 9% of Vermont’s forest (specifically, 15% of the matrix forest within the highest priority forest blocks) to become old forest will bring this missing component back to Vermont’s landscape and offer confidence that species that benefit from or depend on this condition can persist.” There is an emphasis within the highest priority forest blocks, but there are also old forest targets for each biophysical region at large within the state. Every old forest, no matter its location, excels at storing carbon, cleaning water, preventing erosion, providing habitat, among many other values. It would be also unfair to landowners who happen to own land in the wrong place but want to conserve their land as wild.

- In regards to the rate, I recommend that the UVA rate for the wildland category be set by the Current Use Advisory Board. Since wildlands that are already enrolled under the Conservation Land category by qualified organizations follow the forestland UVA rate, I recommend treating wildlands that are subject to an easement with the same rate.
- In regards to the Board, I strongly support adding new members to the Board, recognizing that the Commissioner of FPR already represents conserved natural forestland interests, but if a new category is created, having more members with this specific background could be helpful.
- In regards to the question of whether lands enrolled in this category can be removed from the Program, I suggest that they should have this option just like all other categories of enrollment, even though they are permanently conserved.

Thank you for giving me an opportunity to testify before you. I want to express my strong support for increasing incentives that promote permanent land conservation, including wildlands.

Thanks,



Jon Leibowitz