

Jonathan Gisbon
Testimony on H.126

Hello Chair Durfee,

I'm writing about H.126 which passed out of Amy Sheldon's Committee, and which your Committee is now considering. I hope you or your Committee Assistant Alaura Rich can post this on the Committee page and share with Committee members.

I am submitting these comments as a private individual and not on behalf of an organization or any organized lobbying effort. I have a graduate degree in natural resources management, and my wife and I have lived in Shrewsbury since 1982. We manage our 128-acre woodland under the Use Value Appraisal program, and we have enjoyed the use of Vermont's Federal and State forests and participated in decision making about their multiple use for 40 years. I have three comments.

First, I believe the Committee has received testimony that the conservation goals in this bill are artificially predetermined prescriptive, unnecessary, and based on a flawed understanding of forest dynamics, and will hinder and disrupt land conservation and planning efforts already underway. I could not disagree more with these representations. The goals in Sec. 2802 are ambitious, and meeting them will require participation of all affected parties and thoughtful implementation by the government, private and, non-profit sectors. But the challenge implicit in the 2802 target of conserving 30% of Vermont's landscape by 2030 and 50% by 2050 must be maintained. The definition of "conserved" in Sec. 2801, with its three categories and especially the "ecological reserve area", is scientifically and administratively sound, providing a framework for achieving these goals, and must likewise be maintained.

Second, however otherwise meritorious, the bill fails to reflect the urgency with which action is needed as we face the climate crisis and as lands which provide ecosystem benefits to society and preserve natural biodiversity continue to be lost.

An example in point is Coolidge State Forest in the towns of Shrewsbury, Mendon, and Plymouth. I've long been involved in matters relating to this State land, including the Department of Forests, Parks and Recreation (FPR)'s preparation of its 2008 Coolidge West Management Unit Plan. FPR has intensified its timber operations in Coolidge in the last several years. At this moment, a 180-acre logging operation pursuant to a 2021 timber sale is removing half a million board feet of mature sugar maple, ash, and yellow birch from the public land. On a portion of the sale area, on steep slopes above Route 100 and adjacent to the Tinker Brook State Natural Area, very large trees - some 80 to 100+ years old - have been taken from a "Rich Northern Hardwood Forest" natural community, an ecological classification that exists in only two locations (a total of 57 acres) on the entire 19,000+ acres of the Coolidge West. There is no evidence that FPR gave any consideration to the question of carbon storage capacity or whether this timber operation supported Vermont's carbon emission reduction goals in the Global Warming Solutions Act. The current sale area would have been a prime candidate site for designation as an ecological reserve area. There is no requirement for nor was any thought given to this possibility - which is now no longer an option.

A clear Legislative directive is needed in H.126 to require the Agency of Natural Resources to move forward, by date certain and with public participation in a rulemaking process, to identify

and propose designation of ecological reserve and biodiversity conservation areas **on State land**. Yes, an inventory process is needed first (Sec. 2803), but this does not need to be tied to nor wait on the elaborate 14-component Conservation Plan in Sec. 2804. VHCB is already undertaking such a conservation plan, and the responsibility for designating and managing conservation reserves on public land rests with ANR which already has a long-range planning process. A charge to ANR to undertake this specific initiative, consistent with but notwithstanding other inventory and planning provisions of the bill, can be added within or following Sections 2803 or 2804.

Third, just to address the issue of ANR capacity and necessary lead time - last year, the Legislature passed H.697 which directed the Dept. of Forests, Parks, and Recreation to add a category of "reserve forest land" to the Use Value Appraisal program with a requirement that FPR present a report with management standards for such land by Dec. 31, 2022, 10 months later, with the program to go into effect on July 1, 2023. The same all-hands-on-deck effort is now needed to give permanent protection to the most ecologically sensitive and climate and biodiversity significant areas on State land. ANR is reportedly engaged in an internal review of its land planning process and possible related rulemaking. This Committee should recognize and accelerate that process by adding an appropriate directive in H.126.

I am happy to take any questions or to suggest legislative language by e-mail or by telephone tomorrow. I appreciate your Committee's work and look forward to H.126 as above described being enacted in this Legislative session.

Sincerely,
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