

Summary of the House Committee on Agriculture, Food Resiliency, Forestry meeting on H-128

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H-128: An act relating to removing regulatory barriers for working lands businesses

- Reduces the amount of mitigation wood products manufacturers need to do for primary agricultural soils.
- Exempts small forest product processors from needing an Act 250 permit.
- Makes changes to the definition of accessory on-farm business and exempt those businesses from needing an Act 250 permit.
- Require electric generation facilities with a capacity greater than 500kW to get an Act 250 permit.

Testimony: The Committee heard testimony from a variety of lobbyists, business owners, and concerned citizens regarding the bill.

- Producers raised concerns about the current Act 250 permitting process.
 - Costs: Anecdotal cost to meet act 250 requirements range from \$60,000 to \$100,000.
 - Causes included hiring consultants, attorneys, scientists, purchasing land, paying fees, etc.
 - Time: Anecdotal lengths to receive an Act 250 permit ranged from a bit over a year to more than 2 years.
 - Deterrence: These burdens were cited as a major deterrent to development in Vermont. One witness, when speaking about his own Act 250 permitting process, said “most people would have quit.”
 - Vermont’s laws were contrasted to Maine’s. In Maine, permitting is handled mostly on the local municipal level and the cost of obtaining permits is far lower.
- Producers expressed broad support for H-128. A lobbyist for the industry described the law as “a good start.”
 - Suggestions:
 - Increasing the size threshold for a sawmill exempted from Act 250 permitting from 1.5 million board feet annually to 3.5 million board feet annually.
 - Redefining the size threshold for a forestry operation exempted from Act 250 permitting from “10,000 tons or less of bole wood, whole tree chips, or wood pellets” to also include “mulch” or potentially “forest products” more generally.