

Testimony on H. 126
Senate Natural Resources Committee
April 19, 2023
Jonathan Gibson

I live in Shrewsbury and have a graduate degree in natural resources management. My wife and I manage our 128-acre woodland under the Use Value Appraisal program. During our 40 years in Vermont, we have enjoyed becoming acquainted with our State and Federal forests and have participated in decision making about their multiple use, including especially the Coolidge State Forest that lies in Shrewsbury and two adjoining Rutland County towns. I am submitting these comments as a private individual and not on behalf of any organization.

When the Natural Resources Committee votes this week on the Community Resilience and Biodiversity Protection Act, H.126, you face a decision whether only to enact an extended time frame for climate action and nature preservation - or also effectively to combat the threats that presently exist.

The bill that passed the House calls for conserving 30% of Vermont's landscape by 2030 and 50% by 2050 and for permanent protection of "ecological reserve" and "biodiversity conservation" areas. Proponents extol it as a transformative step toward addressing "catastrophic loss of biodiversity" through ecosystem protection and "nature-based" solutions to the climate crisis.

But what does the legislation actually do? It requires an "inventory" of Vermont's existing conserved land and conservation policies and a comprehensive "Plan" to achieve the conservation goals. The Agency of Natural Resources (ANR) will prepare the Plan, which is not due until December 2025. It will then be submitted to the Legislature which will review and approve or revise the implementation measures in 2026. Afterwards, ANR might possibly act, perhaps through lengthy rulemaking, to designate permanent conservation areas on State land.

There is thus nothing in H.126 that will prevent the degradation and loss of significant and still-intact natural ecological areas over the next three or four years. A long lead-time planning exercise does not address the irreversible-in-our lifetime losses that can occur - or those that are in fact occurring, though you may not be aware, on State-owned land. A distressing example of this "inconvenient truth" is a current 180-acre logging operation on the Coolidge State Forest in Shrewsbury and Plymouth.

This 2021 multi-year timber sale will remove half a million board feet of mature sugar maple, ash, and yellow birch from the State forest. In a portion of the sale area, on steep slopes above Route 100 and immediately adjacent to the Tinker Brook State Natural Area, very large trees 80 to 100+ years old have been cut from the heart of a Rich Northern Hardwood Forest

natural community, an ecological classification that exists in only two locations, 57 acres in total, on the entire 19,000+ acres of the Coolidge West Management Unit.

Past public comment proposed "ecological reserve(s)" and asked that a portion of Coolidge State Forest be "left undisturbed and allowed to mature according to natural ecological processes...for ecological study and for future generations." This input was ignored, and the Department of Forests, Parks and Recreation (FPR) now takes no initiative to do any meaningful public outreach before planning or contracting for timber sales. The old forest in this sale area would have been a prime candidate site for designation as an ecological reserve, significant in size and quality and accessible to citizens and scientists. ANR-FPR is not presently required even to consider designating certain areas as permanent reserves, nor apparently was any such thought given to this possibility - a possibility which now no longer exists.

What does this sale have to do with the climate crisis? A Public Records Act request in late 2022 asked FPR to provide documentation of its analysis of the impacts of the sale for carbon storage or sequestration, the total volume of carbon to be removed from the State forest, and how the Department determined that this timber operation would support achievement of the carbon emission reduction goals set forth in the Global Warming Solutions Act and the Vermont Climate Action Plan. The Department's reply was a succinct "No responsive documents". This shows an appalling indifference, if not outright failure, to align the agency's timber management with our State's legislatively-mandated climate goals.

I would argue that however meritorious H.126 may be and however worthy of passage, there is a blind spot in the bill that begs to be fixed. State agencies, and especially our primary State environmental agency, ANR, cannot be allowed to circumvent, or worse, contravene, biodiversity goals and climate mandates with inadequate and adverse actions that escape public notice and legislative oversight. This Committee has the opportunity – and the obligation – to ensure that they do not.

Senator Bray and Committee members, I urge you to include a "do no harm" provision in H. 126. You can and should very clearly direct ANR, while the inventory and planning process is underway, to take no actions that preclude consideration of State land for permanent protection as ecological reserves or biodiversity conservation areas. Such an amendment will prevent loss of our fragile and finite natural resources before we have a plan and mechanisms in place through which permanently to protect these resources and to achieve our biodiversity and climate goals. I believe it is absolutely essential that you include such a provision before sending this bill to the full Senate for enactment this year.

Jonathan Gibson
Shrewsbury, Vermont 05738
(H) 802-492-3665