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H.276

Introduced by Representative Sheldon of Middlebury

Referred to Committee on

Date:

Subject: Conservation and development; State land; wildlands

Statement of purpose of bill as introduced: This bill proposes to designate certain lands as State wildlands and create a process for the designation of State wildlands in the future.

An act relating to the designation of State wildlands

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

Sec. 1. SHORT TITLE

This act may be cited as the “Vermont Climate Resilience and State Wildlands Act.”

Sec. 2. FINDINGS

The General Assembly finds:

(1) The planet is facing the consequences of climate change and the catastrophic loss of biodiversity, both globally and locally.

(2) Intact and connected ecosystems reduce flood risks, mitigate drought, sequester and store carbon, and support Vermont’s biodiversity and clean water.

1           (3) Vermont's most effective and efficient contribution to conserving  
2           biological diversity and maintaining a landscape resilient to climate change is  
3           to conserve an intact and connected landscape.

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

8           (5) Vermont Conservation Design finds that:

9           (A) historically, the vast majority of Vermont's landscape was old  
10          forest, and it is the original habitat condition for many species;

11          (B) the State's native flora and fauna that have been here prior to  
12          European settlement are adapted to this landscape of old, structurally complex  
13          forest punctuated by natural disturbance gaps and occasional natural openings  
14          such as wetlands or rock outcrops;

15          (C) the complex physical structure of old forests creates diverse  
16          habitats, many of which are absent or much less abundant in younger forests;

17          (D) as a result of the persistent structural and vegetative complexity  
18          above ground and the diverse biome belowground and associated complex  
19          biotic and abiotic relationships that develop over time, old forests also protect  
20          water quality, sequester and store carbon, provide opportunities for adaptation  
21          of species and community relationships to climate and other environmental

1 changes, and set an ecological benchmark against which to measure active  
2 management of Vermont's forests;

3 (E) although there are small patches of old forest scattered around the  
4 state, old forest is absent in Vermont as a functional component of the  
5 landscape;

6 (F) allowing about nine percent of Vermont's forest to become old  
7 forest will bring this missing component back to Vermont's landscape and  
8 offer confidence that species that benefit from or depend on this condition can  
9 persist; and

10 (G) in most forests, passive restoration will result in old forest  
11 conditions.

12 (6) Only approximately four percent of Vermont and three percent of  
13 New England are managed as ecological reserves as defined in 10 V.S.A.  
14 chapter 89, to assist with restoration of old forests.

15 (7) State lands provide only two percent of Vermont's average annual  
16 timber harvest volume.

17 (8) Ninety percent of State lands are located in forested headwater  
18 settings, which are particularly susceptible to generating runoff during storm  
19 events, given their topography and geologic setting.

1           (9) 2023 Acts and Resolves No. 59 called for prioritizing ecological  
2           reserve areas to protect highest priority natural communities and maintain or  
3           restore old forests.

4           (10) To meet the goals of 2023 Acts and Resolves No. 59, the State of  
5           Vermont requires a statutory landscape designation to facilitate the  
6           establishment of ecological reserves on State lands.

7           Sec. 3. 10 V.S.A. chapter 90 is created:

8                               CHAPTER 90. STATE WILDLANDS

9           § 2810. PURPOSE

10           The purpose of this chapter is to ensure, for the benefit of current and future  
11           generations of Vermonters, and for the entire community of life in the Green  
12           Mountain State, an enduring resource of publicly owned wildlands.

13           § 2811. DEFINITIONS

14           As used in this chapter:

15           (1) “Conversion” has the same meaning as in section 2801 of this title.

16           (2) “Core area” means an administrative land management designation  
17           used by the Agency of Natural Resources in Long Range Management Plans  
18           for State lands.

19           (3) “Highest priority natural communities and habitat features” means  
20           conservation targets, critical for an ecologically functional landscape, that are  
21           identified in the Agency of Natural Resource’s Vermont Conservation Design.

1           (4) “Land Management Classification 1.0, Highly Sensitive  
2           Management” means an administrative land management designation used by  
3           the Agency of Natural Resources in Long Range Management Plans for State  
4           lands.

5           (5) “Land Management Classification 4.0, Intensive Management”  
6           means an administrative land management designation used by the Vermont  
7           Agency of Natural Resources in Long Range Management Plans for State  
8           lands.

9           (6) “Natural area” has the same meaning as in section 2607 of this title.

10           (7) “Skiable line” means the path taken by a skier or rider as they ski  
11           through trees or around obstacles.

12           (8) “Wildlands” means a land management designation within the  
13           category of Ecological Reserves as defined in section 2802 of this title, of any  
14           size and current condition, permanently protected from conversion and  
15           explicitly intended and managed to allow natural processes to prevail.

16           § 2812. DESIGNATION OF STATE WILDLANDS

17           The following areas are designated as State wildlands, except as described  
18           in section 2814 of this chapter:

19           (1) all State-managed natural areas and core areas;

20           (2) all areas designated as Land Management Classification 1.0, Highly  
21           Sensitive Management as of January 1, 2025;

- 1           (3) all highest priority natural communities and habitat features
- 2           identified by Vermont Conservation Design on State lands;
- 3           (4) Bomoseen State Park;
- 4           (5) Camel's Hump State Park;
- 5           (6) Coolidge State Park;
- 6           (7) Elmore State Park;
- 7           (8) Green River Reservoir State Park;
- 8           (9) Mt. Ascutney State Park;
- 9           (10) New Discovery State Park;
- 10          (11) Camel's Hump State Forest;
- 11          (12) CC Putnam State Forest;
- 12          (13) Coolidge, Jeffords, and Aitken State Forests;
- 13          (14) Groton State Forest;
- 14          (15) Jay State Forest;
- 15          (16) Long Trail State Forest;
- 16          (17) LR Jones State Forest;
- 17          (18) Mt. Carmel State Forest;
- 18          (19) Mt. Mansfield State Forest;
- 19          (20) Okemo State Forest;
- 20          (21) Townshend State Forest;
- 21          (22) Victory State Forest;

1           (23) Willoughby State Forest; and

2           (24) Levi Pond Wildlife Management Area.

3       § 2813. MANAGEMENT OF STATE WILDLANDS

4           (a) Notwithstanding any other provision of law to the contrary, the Agency  
5 of Natural Resources (ANR) shall manage State wildlands as follows:

6           (1) The areas shall be permanently protected from conversion.

7           (2) ANR shall allow natural processes to prevail with minimal human  
8 interference.

9           (3) There shall be no vegetation management, including timber  
10 harvesting, pruning, cutting, herbicide application, salvage logging, or removal  
11 of diseased or infected trees.

12           (4) There shall be no alteration of surface waters, groundwater, or  
13 wetlands, including damming, draining, filling, diverting, or channelizing.

14           (b) This chapter shall not govern the Agency of Natural Resources'  
15 management of:

16           (1) trail-based recreation;

17           (2) existing Class A and B roads as of January 1, 2025, designated  
18 according to Department of Forests, Parks and Recreation Policy #13;

19           (3) designated backcountry ski zones, as of January 1, 2025, where  
20 vegetation may be managed to maintain existing skiable lines;

1           (4) hunting, fishing, foraging, gathering medicines, or practicing  
2           ceremony; and

3           (5) vegetation management in areas not listed in section 2812 of this  
4           chapter or designated pursuant to section 2815 of this chapter.

5           (c) Nothing in this chapter shall prevent the State from authorizing  
6           measures required to respond to emergencies involving the health and safety of  
7           persons.

8           § 2814. EXCLUSIONS

9           The following lands are excluded from wildlands designation in section  
10          2812 of this chapter:

11          (1) areas designated in a long-range management plan as of January 1,  
12          2025 as Land Management Classification 4.0, Intensive Management;

13          (2) areas within a Management Unit for which a long-range  
14          management plan does not exist, or for which the long-range management plan  
15          predates the Agency of Natural Resources Land Management Classification  
16          designations, but which meet the definition and intent for Land Management  
17          Classification 4.0, Intensive Management; and

18          (3) any areas where management as a wildland is legally precluded by  
19          deed or easement.



1     § 2815. FUTURE DESIGNATION OF WILDLANDS

2           (a) Upon future acquisition of parcels that adjoin any areas listed in section  
3     2812 of this chapter, or that are separated from those areas only by a road or  
4     right-of-way, the Agency of Natural Resources shall manage those areas as  
5     wildlands unless, after an opportunity for public comment and public hearing,  
6     based on substantial evidence, the Agency finds that doing so would not be  
7     consistent with the purpose of this chapter.

8           (b) Upon acquisition of future parcels that do not adjoin any areas listed in  
9     section 2812 of this chapter, or that are not separated from those areas only by  
10    a road or right-of-way, the Agency of Natural Resources shall inventory the  
11    qualities and characteristics of the acquired areas and shall manage these areas  
12    as wildlands if doing so would be consistent with the purpose of this chapter.

13          (c) The State shall not refuse to purchase or accept donated areas with a  
14    conservation easement, including forever-wild easements, without just cause.

15    Sec. 4. EFFECTIVE DATE

16          This act shall take effect on July 1, 2025.