



**Testimony of
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**Before the House Committee on Agriculture, Food Resiliency and Forestry the
Attorney General's Timber Trespass Enforcement Report
Tuesday, February 11, 2025**

Representative Durfee, Representative Surprenant and members of the House Committee on Agriculture, Food Resiliency and Forestry, my name is Dana Doran, and I am the Executive Director of the Professional Logging Contractors of the Northeast (PLC). It is a pleasure appearing before you today to testify on the results of the Attorney General Office's (AGO) Timber Trespass Enforcement Report, which was delivered to this Committee on January 15, 2025.

As background, the PLC is a trade association that was created in 1995 to represent logging and associated trucking contractors throughout the state of Maine. In May 2023, the membership voted to expand its presence and begin representing contractors in the region, including the state of Vermont. The PLC has three Board Members from Vermont, Sam Lincoln, Lincoln Farm Timber Harvesting, Randolph Center; Jack Bell, Longview Forest, Inc., Hartland; and Gabe Russo, Southwind Forestry, LLC, Pawlet and has 25 contractor members from the state of Vermont.

As this committee knows, timber harvesting and hauling are distinct and impactful components of Vermont's rural economy. Occupations from this industry are inextricably linked to the health and long-term management of Vermont's forests, which cover 75% of the state. The state's reliance on healthy forests requires focus and engagement on policies and programs that support a strong and vibrant forest economy.

During the previous legislative session, the PLC supported H.614, An Act Relating to Land Improvement Fraud and Timber Trespass, which ultimately recommended that the Attorney General (AG) work with stakeholders to write the report before you. Timber harvesters are not generally in favor of more government regulation; however, we believed then and still today that the legislation which was supported by this Committee last year was an important step forward to professionalize the industry in Vermont, protect landowners and ensure that this industry moves forward without a black eye that has festered here for decades.

This past summer and fall, Sam Lincoln, Lincoln Farm Timber Harvesting, myself and other stakeholders worked with Megan Hereth, Assistant Attorney General, to review and recommend the four pillars of the final report. We provided responses to questions, took Ms. Hereth to visit an active timber harvest, participated in a single stakeholder discussion and reviewed the draft report. However, the final report that was provided to this Committee was at no time reviewed by the group in a joint setting, nor was it released with any type of majority consensus. Thus, it is a report issued by the AGO, but it doesn't have noted consensus or support from the stakeholders jointly.

It was our goal to be sure that the final report was a thorough dissection of the issues pertaining to timber trespass and timber theft in Vermont, but provided solid recommendations that could be implemented or enacted to improve the situation in the state. We are very thankful to Ms. Hereth for her time and attention to the process, the issues and the narration of the final report. Ms. Hereth was very professional from start to finish and really tried to understand the situation as well as the issues that needed to be addressed to make forward progress.

Ms. Hereth provided a draft of the final report for me to review on January 2, 2025. The opinions and recommendations that we provided in writing to Ms. Hereth on January 12, 2025 still hold true and I think it's important for this Committee to understand our perspective on the final report.

In the introduction, the report succinctly lays out the four primary purposes for the study committee and the report back. However, we don't feel that the report provided equal weight to each of the four pillars. There was significant time and attention given to the landscape of complaints, the levels of enforcement and the outcomes (summary of the issues – pillar #1). However, the other three pillars (other states, policy recommendations and property seizures) are quite brief and relatively inconclusive. As a result, we don't feel that this report provided the Legislature nor the agencies within the Executive Branch a roadmap to move forward with changes. Instead, the recommendations section essentially calls for a two year pause to see what takes place as a result of the implementation of H. 614, an education and awareness campaign from the industry, enforcement ideas with no plan nor dedication of resources and a hope that awareness by stakeholders will lead to greater intake. While these "recommendations" could bear fruit, most are based upon a "possibility" and lack any type of ownership, direction or mapping.

In addition, we also believe that the report lacks the following specificity: 1) conclusions for each section or statutory questions for further inquiry; 2) the statute specifies, "a summary of mechanisms or alternatives utilized in other states to effectively enforce or prevent timber theft or similar crimes". The only comparative inquiry that was provided was from Maine and this information offered by the PLC. Was other comparative research done and are there other examples to examine; 3) there are no further recommendations other than waiting two years and a broad brush approach to education and/or case intake. It's not clear why harvest notification and/or trip tickets were not included or any other program, policy changes, staffing or any mention of budget estimates to solve the problem.; 4) there were no recommendations from the government agency stakeholders (FPR, State Police, ASAS, etc.), other than a reference to FPR issuing citations. Without some tangible input and recommendations from those statutorily charged with protecting forests and the public, this report essentially lacks traction to advance legislation or create meaningful change.

In the end, our organization feels strongly that to improve the image of the industry in Vermont, to gain the trust of landowners that logging contractors are stewards and not thieves, a coordinated and thoughtful approach to the issue of timber theft and trespass is vital. While this report was a good starting point, it does not provide the depth nor specificity to move forward expecting results. We would ask this Committee to think seriously about what is necessary to move forward and take our opinions and recommendations to heart. Thanks for the opportunity to speak before you today and I would be happy to answer any questions you might have.