

House Committee on Agriculture, Food Resiliency, and Forestry

January 9, 2026

Act 181 Wood Products Manufacturers Report

Janet Hurley, Chair
Kirsten Sultan, Board Member
Peter Gill, Executive Director

Overview...

- **Act 250 background**
- **Act 181 Status updates**
- **Wood Products Manufacturers Report**

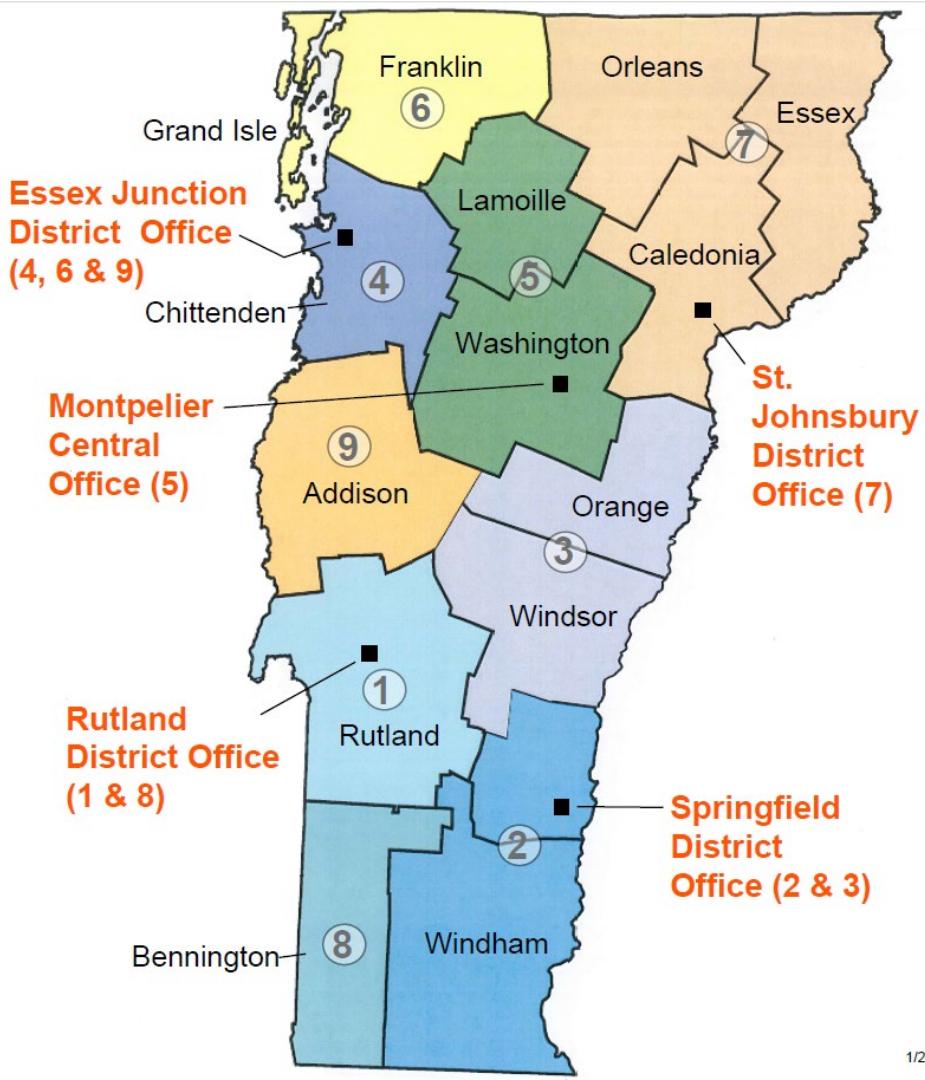
What is Act 250?

- Comprehensive statewide **permitting system** that **ensures development and subdivision projects conform to 32 standards** (including natural resource protections, historic, agricultural, transportation, government services, and energy use criteria).
- **Permit required** for projects of certain types, size, and location.
 - **6/10 lots**
 - **10 units**
 - Commercial operation on 1/10+ **acres or above 2,500 ft elevation**
 - Certain water withdrawals, oil extraction, etc.
- **No permit** for **farming**, logging, or **forestry below 2,500 ft.** elevation, among other specific exemptions including certain **housing projects**.

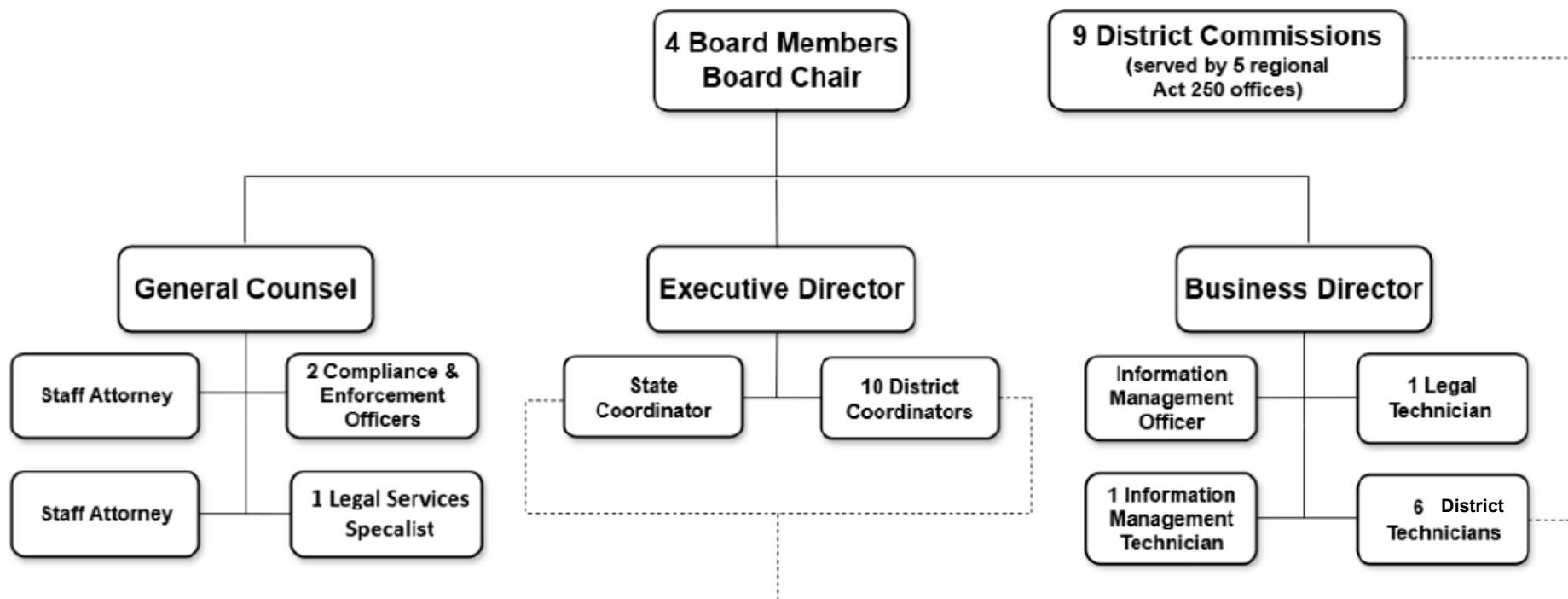
The five appointed members of the **Land Use Review Board (LURB)** oversee Vermont's statewide land use review process and the District Commissions.

District Commissions (appointed) review and issue Land Use Permits.

District Coordinators (staff) issue jurisdictional opinions (JOs) deciding whether a permit is needed.



Land Use Review Board

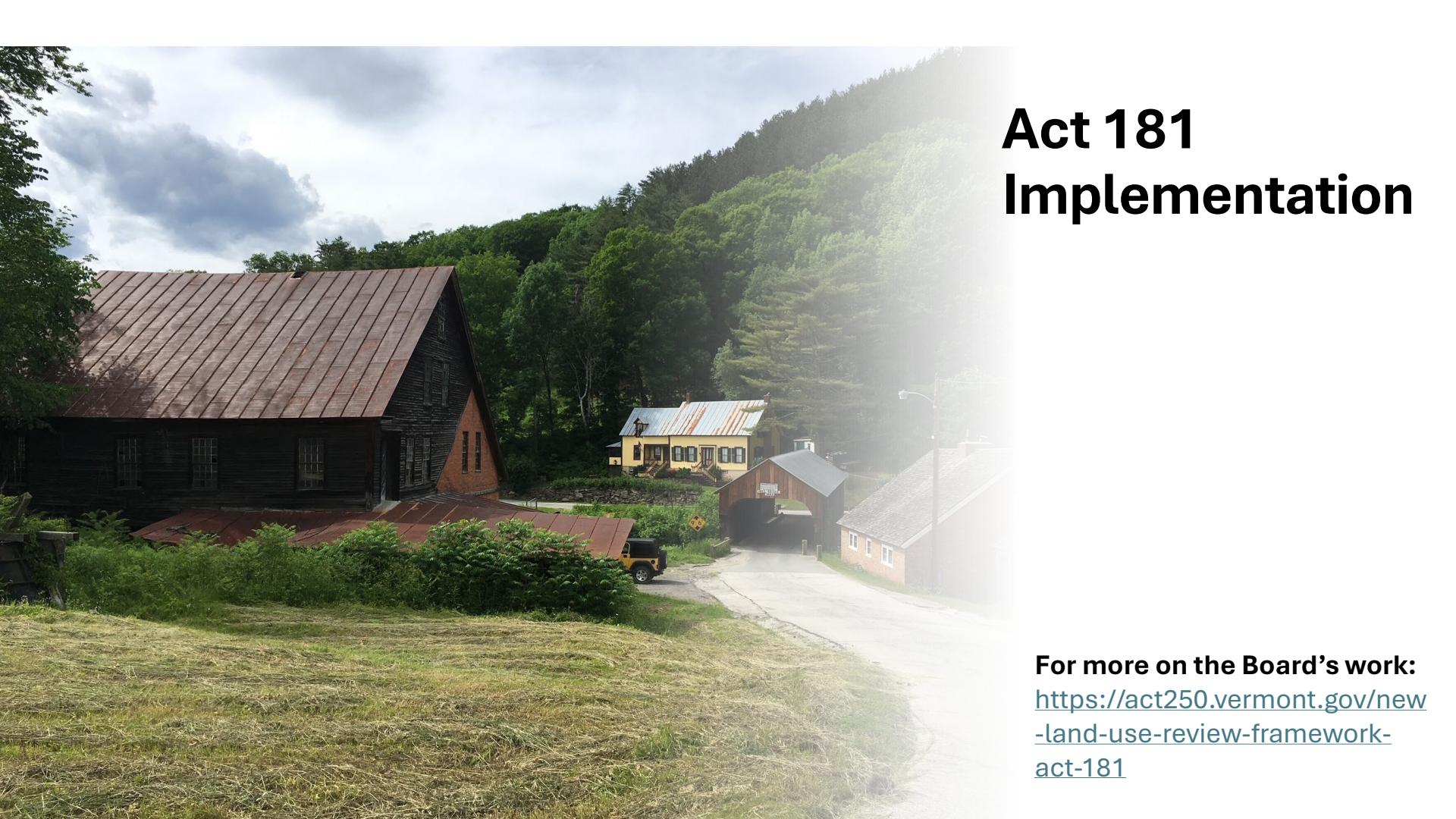


Permitting by the Numbers

- 350 to 400 permit decisions issued
 - ~5% go to a hearing (majors)
 - 0.2% denied
- 5-10 (1-3%) permit decisions appealed each year
- 270 Jurisdictional Opinions issued (2024)

Program Updates

- **Digitizing Permit Files:** More accessible permitting documents for the public. More efficient process.
- **Expanded permitting capacity:** Hired two permanent roving District Coordinators.
- **New Application form:** Launching January 15th focus on getting complete applications, better guidance for applicants.
- **ARPA Funded Permits:** 100 permits issued, Reached out to 500+ grantees; 16 related to housing development

A scenic view of a rural Vermont town. In the foreground, a large, dark wooden building with a steep, weathered roof stands on the left. A yellow jeep is parked on a dirt road in the middle ground. To the right, a covered bridge spans a stream, and further down the road, a yellow house with a red roof is visible. The background is a lush, green hillside covered in dense forest. The sky is overcast with dramatic, dark clouds.

Act 181 Implementation

For more on the Board's work:
<https://act250.vermont.gov/new-land-use-review-framework-act-181>

Act 181 Implementation-Completed Tasks

- ✓ Wood Products Manufacturers Report

Submitted June 30, 2025

- ✓ Appeals Report

Submitted November 14, 2025

- ✓ Regional Plan Review Process

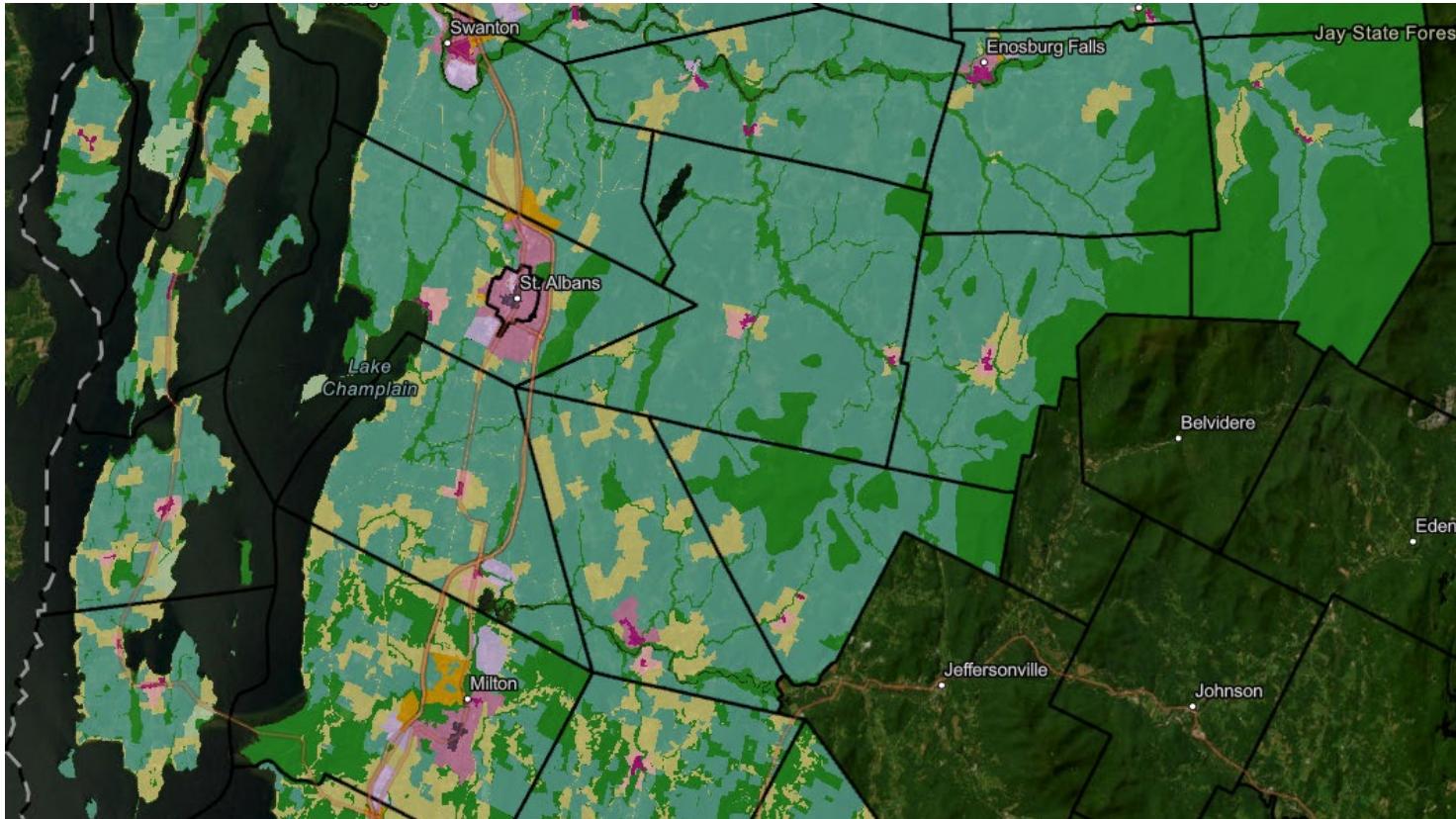
Application Guidance Adopted September 1, 2025

Preapplications Commenced Fall 2025

- ✓ Tier 1A Application Guidance

Adopted December 22, 2025

Regional Plan Review and Approval Process



Board created Regional Plan Map viewer:

<https://experience.arcgis.com/experience/58543fd6882d4bd6bd0b3008d98e874e>

Timelines

- Tier 3 Rule LCAR Submission February 1, 2026*
- Tier 2 Area Report February 15, 2026*
- Criterion 8(c) Rule LCAR Submission June 15, 2026*
- Road Construction Jurisdiction July 1, 2026
- Regional plans must be adopted December 31, 2026
- Community Engagement Plan (EJ law) July 1, 2027
- Interim Housing Exemptions expiring Jan-July 2027/2028
- Act 181 Implementation Report February 1, 2029

• *Requested Extension to September 30, 2026

Wood Products Manufacturers (WPM) Report

- Submitted on June 30, 2025

<https://act250.vermont.gov/wood-product-manufacturers-report>



Wood Products Manufacturers Report – Statutory Charge

- (a) The Land Use Review Board, in consultation with the Department of Forests, Parks and Recreation, shall convene a stakeholder group to report on how to address the Act 250 permitting process to better support wood products manufacturers and their role in the forest economy.
- (b) The group shall examine the Act 250 permitting process and identify how the minor permit process provided for in 10 V.S.A. §6084(g) has been working and whether there are shortcomings or challenges.
- (c) The group may look at permitting holistically to understand the role of permits from the Agency of Natural Resources, municipal permits, where they apply, and Act 250 permits and develop recommendations to find efficiencies in the entire process or recommend an alternative permitting process for wood products manufacturers.
- (d) On or before December 15, 2024, the Land Use Review Board shall submit the report to the House Committees on Agriculture, Food Resiliency, and Forestry and on Environment and Energy and the Senate Committee on Natural Resources and Energy

Wood Products Manufacturers Report (WPM) – Methodology

- Attachment B: Stakeholder Group

<https://act250.vermont.gov/sites/acttwofifty/files/documents/Wood%20Product%20Manufacturer%20Study%20Stakeholder%20Group.pdf>

- Broad range of invited participants
- Forests Parks & Recreation (FPR)
 - initiated the report development process
 - co-facilitated meetings, reviewed drafts
 - assisted and advised the Board
- Two half-day stakeholder meetings, in person and remote

Methodology Cont'd.

- Act 250 File Reviews (FPR, Board) of WPM applications
- Surveys of Act 250 applicants and permittees (all categories, WPM only)
- Supplemental Interviews with WPM
- Board public meeting
- 14-day public comment period
- Four draft reports considered prior to Board approval

Report Recommendations

1. **Develop a WPM Fact Sheet and Supplemental Guidance** to help ensure that WPM are aware of all benefits in place for this sector. This would include availability of the minor application process; one to one primary agricultural soils mitigation ratio; special provisions for hours of operation and delivery; the “Stonybrook” precedent, under which Act 250 jurisdiction may be limited to the project area (rather than the entire tract of land); and other existing provisions concerning logging and forestry operations in general.
2. Provide **additional training to Act 250 program staff** on the specific needs and provisions available to WPM applicants and potential applicants.
3. The Agency of Natural Resources (ANR) to **offer WPM permit coordination and support.**

Report Recommendations Continued

4. Update Act 250 Rule 19 so that **presumptions reflect current relevant ANR permits** and determine whether ancillary permits can be obtained after Act 250 permitting and whether ancillary permits may be dispositive.
5. Update Act 250 Rule 34 to **revise thresholds for substantial and material changes** to allow for changes to reduce impacts without the need for a permit or permit amendment.
6. Revise Act 250 Rule 34(D) to allow district coordinators to **issue administrative amendments for minor changes to WPM** projects.
7. Evaluate use of Rule 16(D) for **informal and non-adversarial resolution** of issues, develop guidance as applicable, and provide related training.

Report Recommendations Continued

8. Advocate for **funding permit specialists**, improved **web-based tools**, and/or **ombudspersons** with regulatory expertise to work across agencies.
9. Recommend that the **legislature extend exemptions to forestry and logging** like those that are available for farming under elevation 2,500 feet, provided existing permit conditions for permitted projects limiting tree cutting to address Act 250 criteria are not invalidated, and provided tree removal limits are available conditions for future projects to address Act 250 criteria.
10. Recommend that the **legislature make changes to Act 250 regulation of log and pulp concentration yards**.

Questions

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