

February 23, 2026

**ANR Proposed Modifications to LURB WPM Statutory Language
Recommendations**

BACKGROUND: On January 16, 2026, the Land Use Review Board (LURB) published a memo on their website containing “Wood Products Manufacturers Report Statutory Language Recommendations.” This memo was also provided to the House Committee on Agriculture, Food Resiliency, and Forestry during Testimony on February 5, 2026 and it builds on recommendations in the Act 181 Wood Products Manufacturers Report submitted to the Legislature in June of 2025.

FPR appreciates the LURB’s efforts toward strengthening statute by aligning language pertaining to forestry with that pertaining to agriculture and facilitating appropriate review for development without imposing undue burden on logging and forestry. The only significant area of disagreement is on the need for definitions as proposed by LURB, which is explained below.

For clarity, all edits proposed by ANR are in **red font**.

I. Proposed Change to Sec. #. 10 V.S.A. § 6001(3)(#)

LURB PROPOSAL

Sec. #. 10 V.S.A. § 6001(3)(#) is added to read:

(#) When development is proposed to occur on a parcel or tract of land that is devoted to logging and forestry activity as defined in subsection (##) of this section, only those portions of the parcel or the tract that support the development shall be subject to regulation under this chapter. Permits issued under this chapter shall not impose conditions on other portions of the parcel or tract of land that do not support the development and that restrict or conflict with acceptable management practices adopted by the Commissioner of Department of Forests, Parks and Recreation.

ANR PROPOSED EDITS TO LURB TEXT

Sec. #. 10 V.S.A. § 6001(3)(#) is added to read:

(#) When development is proposed to occur on a parcel or tract of land that is devoted to

logging and forestry activity ~~as defined in subsection (##) of this section~~ only those portions of the parcel or the tract that support the development or mitigation areas necessary for the development to comply with 10 V.S.A. § 6086, shall be subject to regulation under this chapter. Permits issued under this chapter shall not impose conditions on other portions of the parcel or tract of land that do not support the development or necessary mitigation areas and that restrict or conflict with logging or forestry activities, including the implementation of Acceptable Management Practices for Protecting Water Quality on Logging Jobs in Vermont. acceptable management practices adopted by the Commissioner of Department of Forests, Parks and Recreation. Any portion of the parcel or the tract that is used to produce wood products for a wood products manufacturer located elsewhere on the tract shall not constitute land that supports the development, unless it is also used for some other purpose that supports the development, including necessary mitigation areas.

II. Proposed Change to Sec. #. V.S.A. § 6001(##)

LURB PROPOSAL

Sec. #. 10 V.S.A. § 6001(##) is amended to read:

(##) "Logging" may not conflict with or violate any finding, conclusion, term or condition of an Act 250 permit with respect to any of the criteria specified in 10 V.S.A. § 6086(a)(1) through (10) and includes log and pulp concentration yards that comply with applicable acceptable management practices adopted by the Commissioner of Department of Forests, Parks and Recreation.

(##) "Forestry" means activities related to the management of forests, including a timber harvest; pruning; planting; reforestation; pest, disease, and invasive species control; wildlife habitat management; and fertilization that comply with acceptable management practices adopted by the Commissioner of Department of Forests, Parks and Recreation, and which do not conflict with or violate any finding, conclusion, term or condition of an Act 250 permit with respect to any of the criteria specified in 10 V.S.A. § 6086(a)(1) through (10).

ANR PROPOSED EDITS TO LURB TEXT

ANR does not support the creation of new definitions for logging and forestry in 10 VSA 6001, as the LURB proposed definitions are inconsistent with an existing statutory definition for “forestry operations” and risk being limiting and causing confusion for the sector. Furthermore, the June 2025 Act 181 Wood Products Manufacturers Report did not propose introducing definitions for these two terms, and these ideas have not been vetted with stakeholders in the same manner that the ten recommendations that form the basis for this report were. Here are some additional details about ANR’s concerns:

- **Proposed Logging Definition**

- The proposed definition of logging does not actually define logging but rather states that it can’t conflict with the conditions of an Act 250 permit. Defining logging in this manner weakens the existing exemption from Act 250 jurisdiction for logging and forestry below 2,500 feet.
- Including “log and pulp concentration yards” in a definition of logging is misleading as these are log transfer stations not directly related to actual logging.
- Referencing the Acceptable Management Practices in relation to “log and pulp concentration yards” is misleading as the AMPs do not apply at these sites.
- Referencing and including the AMPs in a definition essentially makes the AMPs mandatory, which is counter to their current status as voluntary (but serving as the required standard to avoid strict liability for water pollution violations).

- **Proposed Forestry Definition**

- There are currently multiple instances in existing statute that define forestry operations, such as 10 V.S.A. § 5401 (9), that should be used to provide consistency and avoid unintended consequences.
- If it is necessary to clarify that forestry operations do not include conversion of land to other non-forestry uses, such as development, in the Act 250 context, then perhaps a statement to this effect could be added in 10 V.S.A. § 6001. However, nothing prevents LURB from “enforcing on” a permit that does not authorize development if a permittee ultimately uses their forestry plan and management practices as a prelude to development. Furthermore, any qualifiers we could add would require us to define forestry and logging for the purposes of Act 250, which FPR thinks should be avoided since it will create confusion as stated above and could result in a definition that is unacceptable/conflicting with our statutory authority.

III. Proposed Change to Sec. #. 10 V.S.A. § 6001(44)

LURB PROPOSAL

Sec. #. 10 V.S.A. § 6001(44) is amended to read:

(44) “Wood products manufacturer” means a manufacturer that aggregates wood products from forestry operations and adds value through processing or marketing in the wood products supply chain or directly to consumers through retail sales. “Wood products manufacturer” includes sawmills; veneer mills; pulp mills; pellet mills; and producers of firewood, woodchips, mulch, and fuel wood; and log and pulp concentration yards. “Wood products manufacturer” does not include facilities that purchase, market, and resell finished goods, such as wood furniture, wood pellets, and milled lumber, without first receiving wood products from forestry operations.

ANR AGREES WITH THIS PROPOSED CHANGE.

IV. Proposed Change to Sec. #. 10 V.S.A. § 6081(#)

LURB PROPOSAL

Sec. #. 10 V.S.A. § 6081(#) is added to read:

(#)(1) No permit or permit amendment is required for logging and forestry below the elevation of 2,500 feet that will not conflict with or violate any finding, conclusion, term or condition of an Act 250 permit.

(2) Permits shall include a statement that logging is permitted on lands exempt from amendment jurisdiction under this subsection.

ANR PROPOSED EDITS TO LURB TEXT

(#)(1) No permit or permit amendment is required for logging and forestry below the elevation of 2,500 feet that will not conflict with ~~or violate any finding, conclusion, term or condition of an Act 250 permit~~ any permit condition issued pursuant to this chapter.

(2) Permits shall include a statement that logging ~~is permitted on lands and forestry activities consistent with this subsection and below the elevation of 2,500 feet are~~ exempt from amendment jurisdiction under this subsection.