To: Vermont House Committee on the Environment, Representative Amy Sheldon, Chair
From: George Springston
Date: January 15, 2026
Re: Proposed Changes to VT Wetland Rules per Governor's Executive Order 06-25 and Their Relationship to 10 VSA, Chapter 37, Subchapters 1, 3 and 4 (2023)

My Background.
I'm a resident of Plainfield and a Research Assistant Professor in the Department of Earth & Environmental Sciences at Norwich University. I have been studying Vermont's wetlands for over 30 years. I worked for over four years as an Assistant Wetland Coordinator for the VT Department of Environmental Conservation and since that time have engaged in wetland and geologic research throughout the entire state. I have visited many hundreds of wetlands in all of Vermont's large towns and cities and most of the smaller towns. Prior to my time in Vermont, I worked for four years on the National Wetlands Inventory in the Eastern U.S. and the Upper Midwest. Throughout my career I have specialized in using remote sensing techniques to identify wetlands and other landscape features. I am familiar with past and present techniques used for identification of wetlands through field and remote sensing techniques. This includes extensive use of high-resolution laser topographic data (Lidar) and orthophotos.

Testimony.
The changes to the Vermont Wetland Rules, which are currently being proposed by the Department of Environmental Conservation in response to Section 3.1 of Executive Order 06-25, should be rejected. These changes would dramatically reduce the protection given to wetlands in designated growth areas and areas exempt from Act 250 regulation. The Rules as originally written in 1990 were carefully crafted to provide critical protection of wetland functions and values and were improved further by the amendments up through 2023. The proposed changes would also dramatically reduce the protection of important wetland functions and values that are mandated by statute in 10 VSA, Chapter 37, Subchapter 3, Section 905b 18A (2023) and specified in Section 5 of the Vermont Wetland Rules. They would also appear to make it very difficult to achieve the stated policy goals in Subchapter 1 of the statute, which include a net gain of wetland acreage and a net environmental benefit to the State.

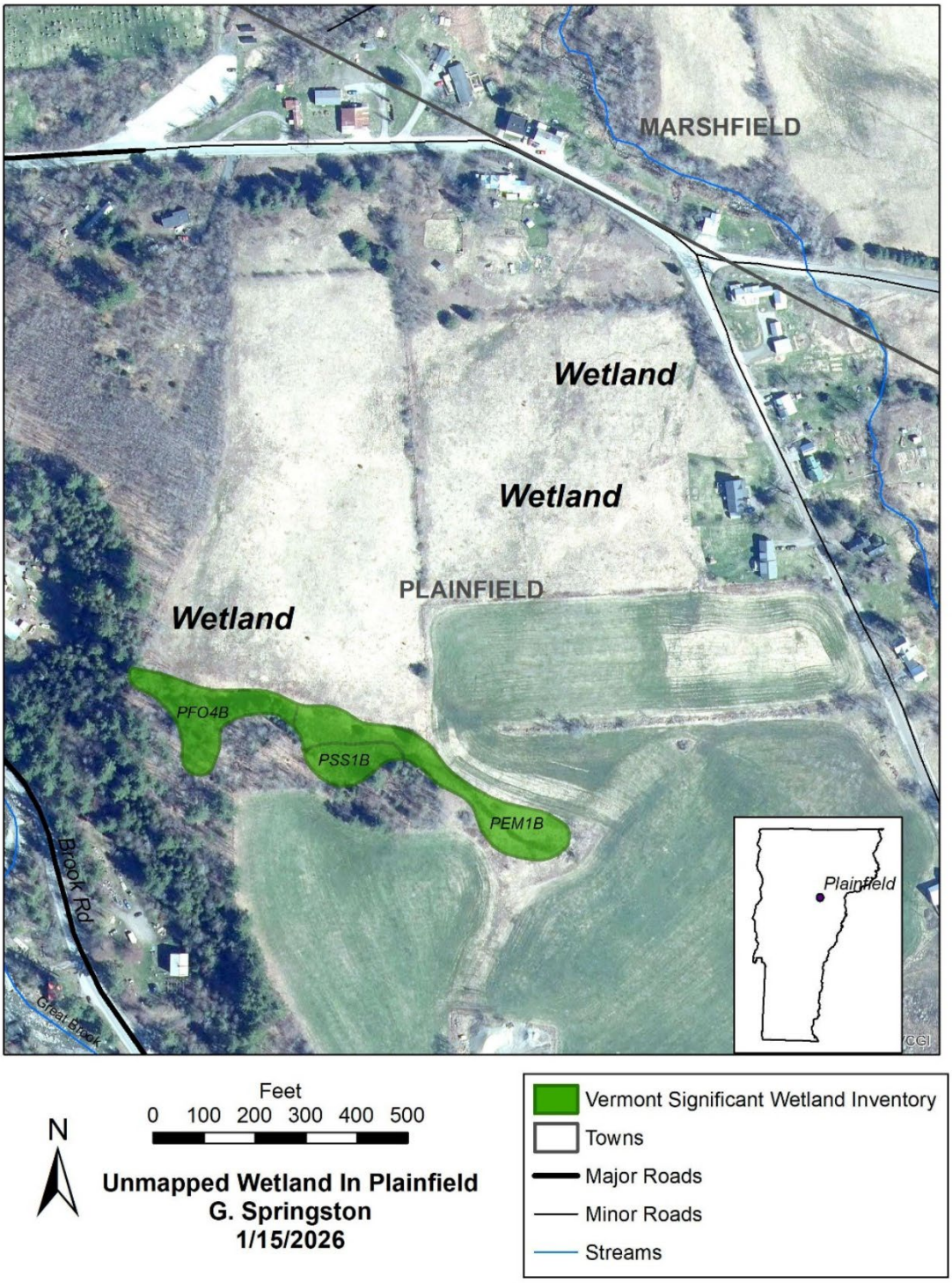
Mapped Versus Unmapped Wetlands. As currently written, the Rules specify that "[t]he Vermont Significant Wetland Inventory (VSWI) maps denote the approximate location and configuration of significant wetlands" (page 12). The Rules depend heavily on field

delineation to identify the actual wetland boundaries on the ground. This involves on-the-ground analysis of vegetation, soils, and hydrologic conditions. Under the current rules, contiguous wetlands (that is wetlands separated by features such as a road or railroad but connected by surface water to a mapped wetland) are considered part of the mapped wetland. The current Vermont Wetlands Rules provide that previously unmapped but significant wetlands can be added to regulatory maps once they are identified. The proposed changes would strip contiguous wetlands of protection and would base wetland locations solely on the Vermont Significant Wetland Inventory (VSWI) maps.

The VSWI maps are based on remote sensing techniques and although they have been substantially improved in recent years, these maps (and indeed any remote sensing products) are completely inadequate substitutes for on-the-ground wetland delineations. Indeed, the Vermont Wetland Rules specifically state "[t]he VSWI maps should not be relied upon to provide precise location or configuration of wetlands…" (page 12). The resulting boundaries will undoubtedly miss parts of the actual wetlands and include pieces of definite non-wetland within the so-called "wetland". This will result in less protection of the wetland functions and values mandated by statute and greater confusion for developers and regulators.

The map below shows an area I know well—it is directly across the street from our house on the edge of Plainfield village. The green polygons in the southern part of the map are Class II wetlands as shown on the current VSWI maps. There are also several acres of unmapped wetlands in the open fields to the north of the Class II wetlands. Their locations are roughly indicated by the labels "Wetlands". My wife and I have visited these many times, and they show strong evidence of wetland vegetation, soils, and hydrology, as well as clearly being significant for several of the functions and values specified in the Wetland Rules. My general observations of these wetlands have been confirmed by a recent on-the-ground wetland delineation by a private consultant.

Development in these wetlands in Plainfield would mean that instead of slowing or storing stormwater in the unmapped wetlands, more water would spill downhill to the nearby village only a few hundred feet to the west. This unintended consequence of relaxing the wetland rules to favor development would be repeated over and over in growth centers around the state. Wetlands shouldn't be thought of as obstacles to overcome. They are, among many other things, protective natural stormwater infrastructure.



Map of part of Plainfield showing VSWI wetlands in green with several acres of unmapped wetlands to the north indicated by “Wetland” labels.

My observations here are not intended as a criticism of the VSWI maps—they are intended to point out the fundamental limitations of our current wetland mapping methods and the need to define wetland boundaries based on field delineations.

50-Foot Buffer Rule. The 50-foot wetland buffer for Class II wetlands should not be reduced. The regulatory wetland buffer width of 50 feet was originally a compromise and is none too large as it is. Abundant research shows that 50 feet is less than adequate to fully protect many of the wetland functions and values as mandated in statute. The full 50-foot buffer width is especially important in residential areas, where intrusions into buffer zones are almost inevitable and a wider buffer serves to reduce the likelihood of intrusions into the actual wetland.

Conclusion. Many of Vermont's village centers are in and adjacent to the mid-size and larger river corridors, and the wetlands in these areas serve to filter out sediment and pollutants, slow down stormwater runoff, and provide flood storage, all functions of great importance to our communities. If we want to reduce the impacts of heavy rains and floods in our downtowns and village centers and protect water quality in our rivers and lakes, then we need to protect these wetlands. Ignoring unmapped and contiguous wetlands and reducing the buffer zones that help them to function is especially counterproductive to Vermont's goals for increasing flood resiliency.

The proposed changes to the Vermont Wetland Rules should be rejected. If the proposed changes are made, large areas of true wetlands that are significant for the functions and values specified in 10 VSA, Chapter 37, Subchapter 3, Section 905b 18A (2023) will be left unprotected and subject to development. As currently written, the Rules go a long way toward protecting critical wetland functions such as the slowing down of stormwater runoff and providing flood storage.