

State of Vermont
Commissioner's Office
Department of Forests, Parks & Recreation
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Agency of Natural Resources
Michael C. Snyder, Commissioner

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Dear Members of the Vermont Forest Economy,

During the 2017 legislative session, Act 47 was passed as a method to combine the many bills that have been proposed with potential changes to Act 250 and named “The Commission on Act 250: the Next 50 Years.” A study commission with six members from the General Assembly (three senators and three representatives) was assigned the task of holding hearings, taking public input and reporting back to the legislature on how to prepare Act 250 to regulate the next 50 years of land use and development in Vermont. Subsequently, Act 194 was passed in 2018, and in it there was a specific directive to the Commission to consider and report on the impact of Act 250 permit conditions on the processing of forest products in Vermont. The exact language in the bill and as passed into law is as follows:

The Commission on Act 250: the Next 50 Years (Commission) established under 2017 Acts and Resolves No. 47 (Act 47) shall review whether permit conditions in permits issued under 10 V.S.A. chapter 151 (Act 250) to forest processing operations negatively impact the ability of a forest processing operation to operate in an economically sustainable manner, including whether Act 250 permit conditions limit the ability of a forest processing operation to alter production or processing in order to respond to market conditions. If the Commission determines that Act 250 permit conditions have a significant negative economic impact on forestry processing operations, the Commission shall recommend alternatives for mitigating those negative economic impacts. The Commission shall include its findings and recommendation on this issue, if any, in the report due to the General Assembly on December 15, 2018 under Act 47.

Having strong markets for forest products is essential for adding economic value to raw commodities harvested from the land and keeps the supply chain intact all the way back to landowners and supports the land ownership patterns so beloved by Vermonters and guests. Though it is second nature to rural business and landowners, we believe and see it as a priority, that both the Commission and the legislature must hear and learn *more* about the impacts and connections between the loss of profitable markets for forest products and Act 250 permitting. They currently have an opportunity, with your input and the support of the Scott Administration, to consider these operations from a different perspective and value the significant role they play in keeping land undeveloped (by providing markets for working lands commodities) and to evaluate the logistical and weather-related challenges this sector faces that do not match up well with historical and current permit conditions. A few business owners and advocacy groups worked with FPR and testified in front of the legislature last winter and convinced legislators

that these issues should be taken up by the Commission, and now is your chance to help with that effort and importantly, to make positive change from it.

The Commission will take written comments from the forest economy to inform their report and answer the specific charges and questions in this directive. FPR has heard from forest economy business owners about Act 250 permitting issues including, but not limited to truck traffic, hours of operation, noise, prime agricultural soil mitigation, and others related to the industrial activity that is common to the processing of forest products at sawmills, log concentration yards, and firewood and chipping operations. We encourage you to submit thoughtful written comments to this Commission.

In your submission, it would be important for you to include:

- Information about where your business is, how long you've been in business, how many people you employ, how many people you do business with, and other things that give the reader a feel for your operation.
- Information about your experiences with Act 250 or how they've impacted your ability to operate or do business with an Act 250 permitted business. Specific examples are particularly helpful, but overly general or simply negative comments will not advance these issues.
- Possible new, creative solutions to the issues that are common among forest processing operations.

By **October 12th**, comments should be sent to: Act250Comments@leg.state.vt.us

Be sure to include this as the subject line of the email: **forest products processing**

When you submit these comments to the commission, please copy Michael.snyder@vermont.gov sam.lincoln@vermont.gov and billy.coster@vermont.gov so that FPR can maintain a record of who has communicated to the commission and what issues are out there that we may not have already heard about.

Thank you for your consideration of this matter. Please feel free to follow up with us with any questions.

Sincerely,



Michael C. Snyder, Commissioner

Sam Lincoln, Deputy Commissioner