

# Vermont Woodlands Association

## Public Policy Issue Brief: Protecting Woodland Owner's Right to Practice Forestry

### Background:

Because of the Use Value Appraisal (UVA) program, which provides fair taxation of forest and agricultural lands, and Vermont's well-developed professional forestry community, Vermont has millions of acres of forestland that are managed according to sound silvicultural standards that promote long-term stewardship and sustainability. Active forest management provides varied forest products that help support our rural economy, while protecting water quality, providing recreational opportunities and improving habitat for many wildlife species. Since forest management requires the periodic harvest of trees it is important that the right to harvest trees, using accepted silvicultural practices, and in full accordance with the Vermont water quality rules, not be subject to baseless, nuisance law suits or the enactment of restrictive local or municipal regulations, that unfairly target forestry operations. While the Vermont legislature enacted legislation in 2016 that limits the threat of restrictive municipal ordinances, the potential threat of nuisance lawsuits remains.

### Vermont Woodlands Association Policy:

Vermont Woodlands Association (VWA) supports policies and legislation that work to prevent unjustified nuisance lawsuits against woodland owners who are managing their forests in accordance with the Vermont Acceptable Management Practices for Protecting Water Quality on Logging Jobs in Vermont as adopted by the Commissioner of FPR, and implementing accepted silvicultural practices as described in a forest management plan, that adheres to the silviculture standards of the Vermont Use Value Appraisal program.

### Public Policy Goals:

Vermont Woodlands Association, working with its partners and existing networks, will advance policy initiatives that will:

- Educate the public and legislators that managing forests is good for forests, good for a healthy forest economy, and good for healthy forest ecosystems. It is also good for keeping forests as forests.
- Pass legislation that protects woodland owners from unjustified nuisance lawsuits resulting from lawful forest management activities. VWA recognizes that there may be a situation where a valid nuisance claim could exist. VWA supports legislation that would offer presumption of protection for landowners to help curtail nuisance lawsuits, but that would not preclude a legitimate nuisance claim from being filed.

### Policy Approval:

VWA is a non-profit (501(c)(3)) association dedicated to the health and enhancement of the working forest in Vermont. Through education, outreach, and advocacy we are a Voice for Healthy Forests in the Green Mountain State. Protecting Woodland Owners' Right to Practice Forestry was approved by the VWA Board of Directors on February 16, 2018.



Vermont Woodlands Association  
PO Box 6004, Rutland, VT 05702  
802-747-7900 [www.vermontwoodlands.org](http://www.vermontwoodlands.org)

