

Vermont Housing & Conservation Board
Conservation Issues Committee Meeting
DRAFT Minutes
October 25, 2021, 8:00 – 10:00 pm
via Zoom

Committee members present: Kate McCarthy, David Marvin, Neil Mickenberg, Diane Bothfeld, Billy Coster, Marie Audet

VHCB staff: Gus Seelig, Bill Dell’Isola, Julia Anderson, Mark Martin, Stacy Cibula, Karen Freeman, Liz Gleason, Jen Hollar, Elizabeth Egan, Kendall Lambert,

Others present: Jon Leibowitz, NEWT; Marc Lapin, Middlebury College; Keith Thompson, VT Dept. of Forest, Parks and Recreation; David Foster, Harvard Forest ; Tracy Zschau, VLT; Kate Wanner, TPL; Kate Sudhoff, FPR; Peg Merrens, UVLT; Jamey Fidel, VNRC; Liz Thompson, VLT; Kristen Sharpless, SLT; Bob Linck, NEWT; Evan Foster, VLT; Jon Binhammer, TNC; Jim Shallow, TNC; Becca Washburn, FPR; Mollie Flanigan GMC; Bob Zaino, F&W; Mike Debonis, GMC.

Call to Order – Chair Kate McCarthy called the meeting to order at 8:00 am.

Farmland Conservation Water Quality Assessments & Revised VHCB Policy – Stacy Cibula presented an overview of the VHCB water quality screening process for farm projects and the current policy. Staff is requesting the policy be revised to improve clarity on the screening process. The revision would add language that defines “good standing” (there is no active legal dispute against the land owner and they are in compliance with RAPs) as the same definition used by the Agency of Agriculture. It also states the screening will only consider conserved land or related other lands. Additionally, the revision addresses the fact that many farmers who are out of compliance resolve that issue prior to a formal plan being finalized. The proposed revision would remove the “plan” language so the policy recognizes that non-compliance resolution may occur during any phase of the process.

Neil expressed a concern about eliminating the language referencing the “plan”. He felt the new language could be vague. He asked if the plan language could be retained, but also add language that reflects violations can be resolved outside of the plan process. Diane discussed the process of identifying and resolving violations, and in many cases there is gray area, but agreed some changes may be in order on the proposal. Billy expressed support but concern that there may be situations where VHCB disburses funds to a farm where there may be violations that are not readily apparent or known by the land owner and or organizations. Diane acknowledged that there could be times when the process is not finished prior to closing, but the policy revision addresses that issue to the best it can. Stacy discussed the pre-application screening and that water quality issues are reviewed by partner organizations during that time. There was discussion on how violations are addressed once a farm is conserved. Diane discussed the regulatory requirements from the Agency of Ag. after the farm is conserved. Tracy discussed the review process that farms go through prior to conservation in addition to inspections by regulators. Gus noted that there is ample opportunity through the process between pre-application to closing to identify and filter out farms that have water quality violations or the potential for these violations. He discussed resources that partner organizations provide to farmers to address concerns.

Billy stated that the policy is properly written but requested it be modified to include a desk review of other lands owned by the farmer. Kate asked the committee to check back in 18-24 months to see

how the policy is working. Billy moved that the policy be recommended to the Board with said revisions. Neil seconded the motion. All committee members voted yes.

Wildlands Conservation – Karen gave an overview of the Forever Wild conservation easement and discussed how that differs from other conservation easements funded by VHCBC that allow for more active forest management. She reviewed the Vermont Conservation Design and the metric of having 9 percent of Vermont conserved as Old Growth. VHCBC staff initiated this conversation to share information and discuss how forever wild easements will fit into the VHCBC conservation portfolio, specifically in relation to climate change mitigation and the development of Old Growth forests in balance with public access and recreation and community support.

Jon Leibowitz opened the discussion reviewing NEWT organizational history in the Northeast. Most of their work to date has been done in states other than Vermont. He discussed management of forever wild conservation easements and the similarities of Forever Wild with other types of conservation management, including Wildlands, Core area, Wilderness, etc. Jon stated that these types of easements allow for limited management of invasive species and permit recreation. He mentioned the Core Area in West Mountain as an example of a type of forever wild model. Jon acknowledged the importance of providing flexibility in Forever Wild conservation easements for public access and recreation, and noted that they also work to remove some pre-existing human influences such as roads. Public access is generally limited to human powered on foot access, however some existing uses can be “grandfathered” in, but will not be increased.

Marc Lapin discussed the need for “intergenerationality”, a mixed age mosaic of forest types. Old Growth is a needed component of the matrix that is underrepresented. He noted that the science of forests is very young and complex. Marc stated the “precautionary principle” should be applied to forest management considerations. He briefly reviewed carbon sequestration of Old Growth forests and briefly discussed the value of coarse woody debris on other species, as well as the increased genetic diversity of old growth forests. He mentioned that the Vermont Conservation Design objectives allows landscape diversity, which should include old growth as well as managed lands. Keith Thompson stated that Vermont is lacking old forest and discussed how these old forests should be advanced in Vermont. He stressed the need for Forever Wild easements to be placed on high integrity forests. Marc acknowledged that forest economies are under stress from a lot of different angles conserving and managing forests needs to be done at a pace and scale that has an impact that doesn’t create unnecessary trade-offs with the forest economy. He said how forests are protected should allow options for the future.

David Foster spoke about integrated ecological research. Vast amounts of forest need to be conserved, as well as farmland and communities that depend on these landscapes. Since the Pleistocene (the last Ice Age), the predominant forest condition in Vermont has been in a Wildland capacity until Europeans arrived. Indigenous people did manage the land, however the scale was a light touch compared to now. Vermont has gone from almost 100% wildlands to 3% today. David spoke of the need for balance and advocated for both actively managed and forever wild conserved landscapes. It is generally accepted in the scientific community that Vermont needs between 9-10% of lands in a Forever Wild condition. He stressed that Wildlands should be accessible and include both small areas and vast tracts. David gave the example of the management styles of the Harvard Forest which are managed under 3 different categories. (Active management, research and forever wild).

David Marvin commented that most wildlands are high elevation and were originally marginalized

lands that were deemed too difficult to manage. He said he would like to see more diversity of location for wildland areas. Kate discussed the role of both types of management, and asked the Committee how the Board can determine the best path to support timber management while at the same time valuing forever wild lands. Billy stated ANR values old forest and the Vermont Conservation Design. He said that VHCB's role is as a partner in balancing the goals of having both forever wild and managed lands. He wants to ensure conserved lands have the flexibility to maintain forest health.

There was discussion of the goals of old forest and the Vermont Conservation Design. Keith discussed the need to understand the trade-off between the need for local communities to be able to manage forests for economic and recreation goals, and the ability to advance old forests. Jon Leibowitz discussed the fact that most designated wild lands are high elevation areas. There was agreement that more diverse locations should be allowed to grow Old Forests. The discussion should be based on how to balance all the values between all types of conservation. Marc discussed the fact that much of conservation is opportunistic. The conservation community need to take advantage of opportunities that present themselves. Gus asked how we engage local communities in the conversation, and questioned how we bring them to an understanding of the importance of conserving lands in a forever wild context. Gus stated that VHCB policy doesn't require community consent, but in order to have more projects community support is critical. Marc Lapin responded that conservation organizations need to reach out to local communities as early as possible when considering projects in those areas. He emphasized the need to communicate on a consistent basis and throughout the process.

Organic Dairy Transitions – Liz Gleason discussed the Horizon Organic dairies situation where 25 organic farms were dropped from their Horizon contract. Viability has been working with several of these farmers along with the Agency of Agriculture to review policy and processing infrastructure in Vermont. Eight of the farms have been conserved. Advocacy work will continue in this area.

Public Comment and Other Business – None

Meeting Adjourned at 10:01 am

Minutes submitted by Mark Martin