

**Vermont Housing & Conservation Board**  
Conservation Issues Committee Meeting Minutes  
March 9, 2021, 2:00 – 3:30 pm  
via Zoom

**Committee members present:** David Marvin, Neil Mickenberg, Tom Yahn, Kate McCarthy, Diane Bothfeld, Billy Coster

**VHCB staff:** Gus Seelig, Bill Dell’Isola, Ethan Parke, Mark Martin, Stacy Cibula, Karen Freeman, Liz Gleason, Jen Hollar

**Others present:** Gannon Osborne, VDFPR; Richarda Ericson and Steve Libby, VRC; Tracy Zschau and Maggie Donin, VLT; Bob Zaino VDFW; Lyn McNamara, TNC; Megan Chapman, UVLT

**Call to Order** – Chair David Marvin called the meeting to order at 2:00 pm.

**Public Outdoor Recreation Funding Policy** - Bill Dell’Isola presented an overview of the VHCB Public Outdoor Recreation Funding Policy and the Eco Assessment Guidelines. He highlighted the goals of these guiding documents in balancing outdoor recreation with ecological resource protection, providing for a variety of recreation activities, encouraging access for diverse users, enabling flexibility in project design and timeliness in response. This process has involved a high degree of partner participation which Bill thanked the partners for engaging in.

Tom asked if partners who charge fees supported the language in the policy and Bill responded affirmatively. Diane asked if the eco assessment process is intended for ag projects, Bill stated that the document is intended to provide guidance across all VHCB conservation projects, Karen noted that the farmland conservation process has an existing vetting process with partners that incorporates assessing ecological features which will continue. Billy remarked that the current draft looks great and that ANR staff has appreciated VHCB responding to their feedback comments in the revisions that have been made. He wanted to make sure the public access section of the policy comports with the state charging day use fees when the state parks are open for the season. He also wondered how the eco assessment guidelines are intended to be used. Gus stated that the guidelines are primarily intended to inform management planning, and with VHCB’s charge to respond in a timely way this process is intended to keep a project moving forward. Tom liked that the documents enable VHCB staff and Board to ask for a more thorough ecological assessment on a case-by-case basis.

Kate asked if structures include parking and if overnight accommodations could be considered. Bill responded yes to both questions and Billy mentioned that state lands provide overnight facilities. Kate suggested that the word “secondary” be taken out of the commercial activities section since a use could be tertiary and that “subordinate” covers that situation. Tom was in favor of including motorized recreation on a case-by-case basis but suggested that safety be added to that section. Neil wondered if the access fees section should have more detail. Bill explained that staff decided on less detail in the policy after receiving partner feedback. Tracy commented that too much detail makes having flexibility difficult and expressed VLT’s appreciation for where staff landed with these documents.

Gus mentioned the BIPOC access legislative bill language that would direct VHCB conservation easements on land that is owned publically or by a non-profit to allow pedestrian access by members of Vermont-recognized tribes to gather for noncommercial use medicines, natural foods, and ceremonial

and natural materials (not including standing timber). Gus asked for partner feedback. Lynn McNamara told the group that TNC is supportive and working with local tribes on a MOU on harvesting. Tracy said that VLT is incorporating similar rights into their work. David wanted to insure that species and fragile areas are protected and Ethan noted the stewardship implications with use agreements of who qualifies, what plants are considered traditional etc.

**Retro OPAV Project Funding Cap** – Mark gave an overview of the staff recommendation that the cap be increased from \$125,000 to \$185,000 for these projects. Billy asked how many get funded each year, Gus said typically 2 but we hope to be able to fund 3-4 this year with increased funding. Billy also wondered what the success rates have been for the farm businesses getting Retro OPAV funds. Maggie Donin said that the cost of farmland is the biggest challenge for new farmers and lower carrying costs on the land will make them more successful. She also noted that the OPAV creates opportunity for farm buyers to step in as owners. There was discussion about the OPAV on high value properties and while there is no guarantee that the existing operation will remain, the OPAV limits to whom the property can be sold. Diane mentioned that another outcome of the OPAV can be adding water quality protections and upgraded older easements. She noted that the Right of First Refusal in older easements without the OPAV do not address affordability or keeping farms available to farmers. Gus suggested that it will be good for the board to discuss whether the OPAV is an adequate tool for high value farms

**Other Policy Issues** - None

**Public Comment** - None

Meeting adjourned at 3:20 pm

Minutes submitted by Karen Freeman