

***FOREST GUILD STATEMENT OF SUPPORT FOR LEGISLATIVE STUDY OF
VERMONT'S USE VALUE APPRAISAL PROGRAM***

The Forest Guild is a group of professional foresters and resource specialists with a mission to promote ecologically, economically, and socially responsible forestry as a means of sustaining the integrity of forest ecosystems and the human communities dependent on them. The Forest Guild has sixty members in Vermont. The following document outlines the Vermont Forest Guild members' support for a legislative study of the Use Value Appraisal Program (UVA). Our particular area of interest is the forestland portion of the program.

The purposes for the act establishing the UVA in 1977 reads as follows:

“§ 3751. Statement of purpose

The purpose of this subchapter is to encourage and assist the maintenance of Vermont's productive agricultural and forest land; to encourage and assist in their conservation and preservation for future productive use and for the protection of natural ecological systems; to prevent the accelerated conversion of these lands to more intensive use by the pressure of property taxation at values incompatible with the productive capacity of the land; to achieve more equitable taxation for undeveloped lands; to encourage and assist in the preservation and enhancement of Vermont's scenic natural resources; and to enable the citizens of Vermont to plan its orderly growth in the face of increasing development pressures in the interests of the public health, safety and welfare. (Added 1977, No. 236 (Adj. Sess.), § 1.)”

Forest Guild members support the purposes of the program and believe that UVA has served the state well and should continue to do so in the future. While admittedly anecdotal, our members know firsthand that UVA has made it possible for many landowners to retain family lands and manage them well. Additionally, landowners who would have otherwise been unlikely to harvest have become advocates for managed forestland as well as the opportunities management activities have provided for individual recreational and wildlife habitat priorities. Absent the equitable taxation that UVA made possible, a good number of the enrolled properties would have in all likelihood been sold and or subdivided and developed.

Forest Guild members also know that we could do a better job on some of the purposes, particularly those associated with protection of natural ecological systems and the prevention of accelerated conversion. Each year we see enrolled lands removed from the program for development. In fact, there was a record level of withdrawal in 2006. We also know of landowners with parcels of undeveloped land who choose not to enroll in UVA despite their lack of interest in developing their lands. Additionally, we know that the current interpretation of statute is that all land that is considered to be productive for timber production must be managed for timber, independent of its ecological significance. This approach is not consistent with best practices. While timber management and protection of ecological attributes are often compatible, there are situations where timber management and habitat protection are in conflict. Forest Guild members believe UVA should prioritize putting forest health first by focusing on water, soil, biological diversity, carbon storage and forest vitality as key management strategies that are embraced in the UVA program.

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It's been thirty years since the inception of the UVA program. Given what we know about the role of Vermont's forests in our economy and culture, their vital significance in the areas of water quality, habitat protection and the potential for substantial carbon sequestration, we strongly urge the Vermont legislature to conduct a thorough and substantive review of the UVA, its effectiveness in achieving the purposes of the act and areas in need of improvement. In addition to what has been stated above, we urge you to consider including the following topics in a review of the UVA program:

- Is the program sufficiently staffed to be effective (e.g. enforcement, monitoring, and administration)?
- Are there adequate resources to evaluate compliance with the program?
- Is the program adequately funded? Are there funding options that could help expand landowner enrollment in the program?
- Is UVA sufficiently preventing conversion of land for development and more intensive use under the existing structure of the program?
- What factors are keeping qualified landowners from enrolling in the program?
- If enrolled landowners are removing lands from UVA, what factors are driving these withdrawals?
- Is the withdrawal penalty an effective measure for keeping lands enrolled in the program?
- Is UVA sufficiently prioritizing the protection of ecological systems on enrolled lands (one of the program's original stated purposes)?
- Do the silvicultural guidelines currently required by UVA adequately support management for ecological or other non-timber values, in addition to the timber resource?
- Should the protection of natural ecological systems be recognized as a stand alone value in the program, especially where the protection of natural ecological systems may conflict with the management of productive forest land?
- Are there alternative creative options, such as a tiered system with different enrollment categories, that might better promote the full range of forest values and encourage higher enrollment?

Thank you for your consideration of these recommendations. As individuals who are closely involved in Vermont's forests, Forest Guild members look forward to assisting in this effort.

Ehrhard Frost, Vermont State Coordinator

Bob Perschel, Northeast Region Director

Forest Guild UVA Working Group:

Jayson Benoit
Stacy Brown
Jamey Fidel, Chair
Nancy Patch
Carl Powden