

From: MacLean, Alex
Sent: Tuesday, May 29, 2012 3:31 PM
To: Markowitz, Deb
Subject: RE: New Regulation of Forestry

Give me a shout in the afternoon! Have fun in Lowell!

Alexandra MacLean
Secretary of Civil and Military Affairs
1-802-272-0443

From: Markowitz, Deb
Sent: Tuesday, May 29, 2012 3:29 PM
To: MacLean, Alex
Subject: Re: New Regulation of Forestry

I will be on a site visit to Lowell in the morning. I can call in the afternoon or can stop by at the end of the day.

Deb Markowitz, Secretary
Agency of Natural Resources

Protect, Respect, Enjoy

Sent from my iPhone. Please forgive brevity and typos.

On May 29, 2012, at 3:10 PM, "MacLean, Alex" <Alex.MacLean@state.vt.us> wrote:

> Deb -
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> Can we find a time to talk tomorrow?
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> Alexandra MacLean
> Secretary of Civil and Military Affairs
> 1-802-272-0443
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> From: Lofy, Bill
> Sent: Tuesday, May 29, 2012 1:58 PM
> To: MacLean, Alex
> Subject: FW: New Regulation of Forestry

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> From: William Sayre <wrsayre@sover.net<mailto:wrsayre@sover.net>>

> To: Bill Lofy <bill.lofy@state.vt.us<mailto:bill.lofy@state.vt.us>>

> Subject: New Regulation of Forestry

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> Dear Bill,

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> Thanks for meeting with me on Friday afternoon. Attached is the language that creates new regulation of forestry, and working forests. Regulation of the kind that is controversial in itself, but what is most disturbing and disappointing, is the way in which it got inserted into law, in the closing days of the legislative session. A way that has damaged greatly my trust in the Department and the Agency. Increasing the regulatory burden on forestry, despite the good intentions of those who would do so, tends to create unintended, but adverse, consequences for sustaining both the environment and for the forest economy. Working forests and forestry, produce many environmental benefits, much more so than most any alternative land uses. Increasing the regulatory burden on working forests, makes it less likely that these benefits will be sustained, not more so. Non-regulatory, positive, approaches work so much better, particularly when you are trying to build trust, and promote cooperative efforts.

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> Also, what is the serious environmental problem are we are trying to solve, one that would warrant creating this new law, especially in the way it was created, so quietly, at the end of the session, with little or no testimony from those who would be subject to the new law and regulation. The reason many of us are working together with the Department, to update a timber harvesting impact study, last done in the early 1990's, is that we understood the purpose of the study to be an objective and fair assessment of the environmental impacts of timber harvesting in Vermont. We are working to make the sample of harvests random and representative. And the measures of impact reasonable and meaningful. Then we could judge what problems there are, their significance, and the best way to address them. I have told many landowners, loggers, mills, and other industry people that they should participate willingly in the study, because they can, and should, trust the Department and the Agency. The way this legislation was handled has betrayed that trust. We count on the Department and the Agency to be fair. If the Department and Agency concluded that they could not wait for the timber harvesting impact study, and that we must have additional regulation now, it would have been fair to let us know, so that we could respond. On the other hand, if this new legislation was not your proposal, nor one that Department and Agency supported, then it would have been fair for the Department and the Agency to let the proposer, and other legislators, know that it would be best to await the results of the timber harvesting study, so we could better understand the nature and extent of any adverse effects, and adjust policy accordingly. Also it would have been fair for the Department to let the proposer, and other legislators, know that you are aware that there are those in the industry who feel quite strongly about additional regulation, and in fairness to them, there should be an opportunity for people being regulated by the new law to testify on it. Most all legislators are themselves quite fair, and want to give people a chance to testify on proposed legislation that will affect them. It has been my experience that most legislators recognize that this is essential for good lawmaking process, one that hopes to have broad support.

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> It is an irony, that after weeks and weeks of testimony and deliberation on the working lands bill, most everyone agreed that one of the most important goals of that legislation was to give greater recognition, and greater respect, to working forests, and to the people who work them.

And meanwhile, that this forest regulation legislation, would be handled the way it was, with so little notice, so little involvement, and so little regard for the people who would be regulated. The Department and the Agency should have called a time out, and honored the promise of the working lands bill. My faith and trust in the Department and Agency, and in their commitment to a fair process, has been shaken badly.

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> Sincerely,

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> Bill

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