

From: Coriell, Scott [Scott.Coriell@vermont.gov]
Sent: Tuesday, June 07, 2016 4:33 PM
To: Coriell, Scott
Subject: Bill Signed by Gov. Peter Shumlin

Today the Governor signed H.857, An act relating to timber harvesting, with the following message:

As part of signing H.857, I am directing the Secretary of Commerce and Community Development to work with the Secretary of Natural Resources to publish guidance for the appropriate implementation of Section 16 of the bill. Specifically, I direct ANR to work with ACCD to promulgate rules and revise ACCD's Planning Manual to include the following direction for planning commissions seeking to fulfill obligations under the Municipal and Regional Planning and Development Act, Chapter 117 of title 24.

1. **ANR Rules or Procedures:** ANR will promulgate a rule or procedure in order to define "high-value forest blocks" and "habitat connectors" as those limited areas of the state with demonstrated, science-based attributes and values of importance. ANR's rule or procedure will also identify areas of high-value forest and areas of habitat connectivity throughout the state, so that towns may satisfy the obligation to map those areas requiring "special consideration ... for the maintenance of forest blocks ... and habitat connectors ..." by incorporating ANR's guidance into town plans. This rule will provide clarity for towns regarding state-identified areas with the features and significance that H.857 seeks to protect, while ensuring that development opportunities exist outside those areas to the extent allowed by law.
2. **Model Bylaw:** ANR will work with ACCD to develop a model bylaw and formal guidance for towns seeking to implement the planning provisions in H.857 that will allow towns to adopt reasonable plan language that satisfies legal obligations as well as the goals of the local community.
3. **Guidance regarding Takings:** ANR will develop guidance to ensure that towns implementing H.857 avoid regulatory takings.
4. **Incorporation of Above in ACCD's Planning Manual:** ACCD will update its Planning Manual to reference and explain the above rule or procedure promulgated by ANR, the model bylaw, guidance regarding takings, and any other model language or information designed to ensure reasonable and practical implementation of section 16 of H.857.

My expectation is that the rules and direction from ACCD and ANR will help towns implement the planning sections of H.857 in a manner that both protects forests of high importance in our landscape while also honoring Vermont's longstanding tradition of remote and rural living.