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Notes from editor (not for publication):

Beautifully written and argued. Taking note for the news sections.

—Jeff



HEADLINE ELEMENTS:

####BEGIN HED####

1 Protecting the land must include protecting the people
2 who live on it

####END HED####

####BEGIN SUBHED####

3 As Act 181 eases regulatory burdens in Vermont's
4 downtowns, rural communities face a quieter and largely unseen
5 expansion of oversight — one that may cost us more than we can
6 afford

####END SUBHED####

7 TEXT BODY:

####BEGIN TEXT####

8 WE WAKE EACH MORNING 50 yards from our barnyard in
9 Townshend. From our window we watch the hills change with

10 the seasons — crocuses pushing through thawing soil in April,
11 red maples igniting in October.

12 In just a few weeks, our goats will begin giving birth, the
13 first kids spilling into the late-winter light. Our daughters, 9 and
14 5, are growing up here, learning the rhythms of land and animals
15 the way we have.

16 For 16 years we have owned and operated Big Picture
17 Farm — a goat dairy and confectionery. Our forest is enrolled in
18 Vermont’s Current Use Program. Our fields are working pasture.
19 This land is not speculative acreage. It is our livelihood, our
20 retirement, and — we hope — our children’s opportunity.

21 This month, after eight hours at Town Meeting, one quiet
22 statistic stayed with us: Last year, Townshend recorded roughly
23 three to four times as many deaths as births.

24 That number sits beneath nearly every challenge this
25 valley faces. Our towns are aging. Young families struggle to stay.
26 The tax base thins a little more each year.

27 Every piece of legislation right now should be measured
28 against a simple question: Does it make it easier or harder for
29 working families to build a life in rural Vermont?

30 It is against that question that we want to describe what
31 is quietly unfolding in the current revision of Act 181.

32 * * *

33 MUCH OF THE attention around Act 181 has focused on
34 its most visible provision: easing regulatory burdens in designated
35 downtowns, reducing the friction that has slowed housing where
36 infrastructure already exists. Those goals are important and long
37 overdue. We support them.

38 Less noticed is Tier 3 — a parallel process expanding Act
39 250 jurisdiction across wooded rural towns throughout the state,
40 mapped according to ecological corridor data. The draft maps are
41 publicly available at act250.vermont.gov. Most people whose
42 land falls within Tier 3 have no idea.

43 We didn't fully understand the implications ourselves
44 until we started thinking carefully about what we hoped to pass
45 on.

46 Over 16 years, this farm has been many things — a goat
47 dairy, a cheese operation, a caramel confectionery, a venue for
48 weddings and adventure dinners and wine tastings, a farm stay
49 where people come to spend a few days close to animals and the
50 rhythms of working land.

51 We have followed the land and the market and our own
52 instincts, pivoting when we needed to, adding what made sense,
53 letting go of what didn't. That capacity to evolve is not incidental
54 to our survival here. It is the reason we are still here.

55 We don't know yet what our daughters will want to do
56 with this land one day. We daydream about it sometimes — re-
57 establishing the old maple taps and sugarhouse that partly burned
58 before our time, building trails for cross-country skiing, planting a
59 Christmas tree farm, developing a more intentional lodge.

60 Some of those ideas will never happen. Others might.
61 The point is not any specific plan. The point is the freedom to
62 imagine, to respond, to adapt — to hand our daughters a living
63 farm rather than a stunted one.

64 * * *

65 WHEN LOUISA pulled up the Tier 3 map and traced our
66 woodlot, that freedom is what she saw being taken away.

67 Under the current draft, our woodlot falls within the
68 mapped area. Each of those future decisions would run through
69 Act 250 review — separately, expensively, uncertainly. The land
70 will still be theirs. But the ability to use it thoughtfully, to adapt it
71 to their lives, will have narrowed considerably before they ever
72 get the chance.

73 This is not an abstract concern. The wooded parcels
74 along rural roads — many of them recently timber harvested,
75 modestly priced, the lots that actually show up within reach of a
76 young family or a working couple trying to buy into a rural

77 community — are precisely the ones the Tier 3 methodology
78 targets.

79 The corridor mapping looks for intact forest on both sides
80 of roads. Those are the affordable parcels. Our friends and
81 neighbors own these kinds of lots. They are the entry point into
82 rural landownership for the workforce this valley desperately
83 needs. Under Tier 3, that entry point will get significantly more
84 complicated.

85 A neighboring family's land sits just outside the Tier 3
86 boundary. There is a technical explanation: Their connectivity
87 block is classified as "priority" rather than "highest priority" in
88 the underlying fish and wildlife dataset — a distinction that is real
89 within the model but invisible on the ground.

90 We are not suggesting their land should be treated
91 differently. We are saying ours shouldn't have to be. Their
92 children will inherit that land without the same regulatory burden
93 ours will. That difference — drawn by a line neither family can
94 see or easily explain — will compound over generations.

95 When Louisa finally put the map down, she said: *It was*
96 *already hard to imagine how young families were going to stay*
97 *here. This is going to seal their fate.*

98 * * *

99 THE BROADER PATTERN is visible to anyone who pulls up
100 the public maps at the same scale.

101 Townshend's working rural land is blanketed in Tier 3
102 corridors. Woodstock — one of the most sought-after and
103 expensive towns in Vermont — shows minimal coverage despite
104 an equally rural and forested landscape. Stowe — Vermont's most
105 developed resort community — shows almost none.

106 The regulatory weight does not follow development
107 pressure. It follows intactness. And intactness, in Vermont,
108 increasingly maps onto the towns that couldn't attract wealth, not
109 the ones that chose to resist development.

110 The Tier 3 map, in this sense, is not a map of ecological
111 risk. It is closer to a map of rural economic fragility, recast as a
112 conservation opportunity.

113 And Act 250, the instrument now being extended across
114 that fragility, is not a light touch. Even when a project receives
115 approval, the process introduces time, legal exposure, cost, and
116 uncertainty.

117 * * *

118 IT IS WORTH being precise: Agricultural and forestry
119 operations remain exempt from permitting, even within Tier 3.
120 The concern is about future flexibility — the ability to build,
121 adapt, and plan for succession.

122 For a well-resourced developer, regulatory friction is a
123 manageable cost. For a family farm or small rural enterprise, it
124 can be a genuine barrier.

125 A farmer friend put it plainly: “My woodlot is my 401(k).”

126 In rural Vermont, land is often a family’s primary asset,
127 borrowing base, retirement, and succession plan all at once. In
128 high-demand markets like Stowe, regulatory friction gets
129 absorbed — there is enough development pressure that buyers
130 accept the burden.

131 But in slow-growth towns like Townshend, where
132 demand is thin and buyers have alternatives, reduced flexibility
133 shows up directly in what a parcel is worth: a lower appraisal, a
134 smaller borrowing base, a harder succession. Land economics
135 research is clear on this.

136 For decades, Vermont has built effective conservation
137 through partnership — Current Use enrollment, conservation
138 easements, working lands programs — pairing ecological goals
139 with economic incentives rather than mandates. A third of
140 Vermont’s entire land area is enrolled voluntarily.

141 Yet the Tier 3 maps were built without overlaying that
142 data — publicly available, updated monthly, and simply not
143 consulted.

144 A parcel stewarded under an approved forest
145 management plan for 30 years is treated identically to one with
146 no stewardship history at all. The mapping is blind to the very
147 behavior Vermont’s conservation programs have spent decades
148 trying to encourage.

149 The Legislature is being asked to expand regulatory
150 jurisdiction over thousands of Vermont landowners on the basis
151 of half a map.

152 * * *

153 IF THE SPECIFIC CONCERN is fragmentation from new access
154 roads punching through intact corridors, Act 181 has already
155 addressed it. Also embedded in the legislation is a new
156 jurisdictional trigger taking effect July 1: Act 250 review for new
157 road construction over 800 feet, or combined road and driveway
158 over 2,000 feet — targeting precisely the infrastructure behavior
159 that poses the clearest corridor risk.

160 The fragmentation problem has a targeted answer already
161 in the legislation. The full Tier 3 overlay adds sweeping regulatory
162 burden without a clear accounting of what it adds that the road
163 rule does not.

164 If the Legislature determines it needs to go further — not
165 just preventing fragmentation but actively rewarding the
166 stewardship that keeps corridors intact — Vermont already knows
167 the shape of a better instrument for that, too.

168 In 2023, the state created a Reserve Forestland
169 subcategory within Current Use — a tiered incentive specifically
170 for ecologically sensitive forests. The corridor situation calls for
171 exactly the same logic extended one step further: a wildlife
172 corridor tier offering stronger tax relief for landowners whose
173 parcels fall within mapped corridors and who commit to
174 corridor-compatible stewardship.

175 If the concern is permanence, the incentive can deepen
176 over time and the penalty for withdrawal can scale with tenure —
177 the program becomes stickier the longer a landowner is in it,
178 without ever requiring a permit.

179 Rather than imposing new costs on the fragile rural
180 communities that have been doing the conservation work all
181 along, this approach compensates them for the public good they
182 are already providing. It sends revenue toward the communities
183 the maps reveal as economically fragile, rather than adding
184 burden to them and devaluing their land.

185 In most states, the strictest oversight falls where growth
186 pressure is highest.

187 In Townshend, the dominant pressure is not
188 fragmentation. It is the quiet arithmetic of 37 deaths and 12 births
189 last year.

190 We are trying to remain intact as communities as much
191 as landscapes. If we overlook those communities, then who are
192 we conserving Vermont for?

####END TEXT####

BIO/COATTAIL:

####BEGIN BIO/COATTAIL####

193 **LUCAS FARRELL** and **LOUISA CONRAD** operate Big
194 Picture Farm, a goat dairy and confectionery.

####END BIO/COATTAIL####

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