

INITIAL CLIMATE ACTION PLAN DISSENTING OPINIONS

Appendix 15

2021

Pathways for Adaptation and Building Resilience in Natural and Working Lands, Pathway 4, Strategy 2, Action C: Consider establishing a state policy of no net-loss of natural and working lands.

We dissent from the recommendation to consider establishing a state-wide goal of “no net loss” of natural and working lands, without the foundational building block: a clear definition of “natural lands.” Absent a functional definition of “natural lands,” the majority recommendation is overly broad, and overlooks how a “no net loss” goal is to be reconciled with the pressing needs to construct more housing and more renewable energy generation identified elsewhere in the plan. Additionally, similar to other states in the region, Vermont's working, cleared agricultural lands can offer ideal locations for the responsible siting of in-state renewable energy generation that will be required to meet Vermont's emissions reduction requirements, with energy projects potentially collocated with crop production and animal grazing and thus offering additional rural landowner revenue and improved ecosystem values beyond business as usual agricultural usage. The goal as presently articulated leaves little room for economic development in the rural parts of Vermont, where such activity is desperately needed. Thus, absent further refinement, the “no net loss” goal at its worst translates to a moratorium on future development that could damage Vermont’s ability to achieve sustainable prosperity. It also raises the prospect of hurting our efforts to mitigate climate change. Before advancing such an action, there is need for significant discussion and careful consideration around choices to protect natural and working lands and their carbon sequestration abilities, choices to use that land in other ways to promote emissions reductions, resiliency, adaption, and an equitable approach to economic development throughout our state.

Kristin Clouser, Secretary of Agency of Administration, Climate Council Chair

Julie Moore, Secretary of Agency of Natural Resources

Anson Tebbets, Secretary of Agency of Agriculture, Food and Markets

Erica Bornemann, Director of Vermont Emergency Management, Department of Public Safety, Rural Resilience and Adaptation Subcommittee Co-Chair

Joe Flynn, Secretary of the Agency of Transportation

June Tierney, Commissioner of the Department of Public Service

Lindsey Kurrle, Secretary of the Agency of Commerce and Community Development

Sean Brown, Commissioner of the Department for Children & Families, Agency of Human Services

Chad Farrell, Founder and Chief Executive Officer of Encore Renewable Energy, Council member appointed to represent the clean energy sector

Pathways for Adaptation and Building Resilience in Natural and Working Lands, Pathway 4, Strategy 2, Action d: Recommendation to Amend Use Value Appraisal (UVA) Program.

We dissent from the recommendation that the Legislature make significant changes to the Use Value Appraisal (UVA or current use) Program, most notably the dramatic expansion of the opportunity for privately held parcels with 'Forever Wild' easements to be enrolled in the UVA Program. Changes to the UVA program have significant implications and consequences for tax policy and revenue that require careful examination. In short, an apparently simple tweak can have dramatic, unforeseen impacts on this tax program, effecting both landowners enrolled in the UVA Program and, more broadly, all Vermont taxpayers.

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Sean Brown, Commissioner of the Department for Children & Families, Agency of Human Services

***Cross-Cutting Pathways, Compact Settlement, Pathway 1, Strategy 2, Action b:
Support the development of a statewide land use planning policy and
implementation plan.***

We dissent from the recommendation to engage in state-level land use planning. Vermonters have repeatedly rejected a centralized approach to land stewardship in the past and advancing this action would be a distraction from other important work needed to implement the Climate Action Plan (CAP). Local leadership is critical when deciding how to use and develop land. Over many decades, Vermont has put in place numerous avenues for addressing land use planning, such as Act 250, and regional and local planning bodies. While these existing approaches have challenges and flaws, they are consistent with Vermont's culture of respecting the will of local communities. Vermonters would be best served by the CAP focusing on measures that foster improved governmental coordination, which is both possible and necessary.

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Transportation Pathways for Mitigation, Pathway 1, Strategy 4, Action a: Join the Transportation and Climate Initiative Program (TCI-P) when regional market viability exists.

We dissent from the recommendation that the General Assembly spend time and resources during the coming session to pass legislation so that Vermont is “ready to act swiftly and join TCI-P as a participating jurisdiction.” Given the recent withdrawal of both Connecticut and Massachusetts from TCI-P, effectively rendering it infeasible, this recommendation is premature and, if implemented, would needlessly foreclose the consideration of alternatives to TCI that may prove more conducive to promoting the best interests of Vermont on the timeline demanded by the Global Warming Solutions Act for attaining the Greenhouse Gas (GHG) emissions reductions. This turn of events has also been instructive, as it has laid bare the risks associated with relying on plans for reducing transportation GHG emissions that are not within Vermont’s control, such as the evolving discourse and judgments about TCI in other jurisdictions. The majority rightly notes in the CAP that “the regional implementation timeline of the TCI-P remains uncertain” but stops short of acknowledging two critical implications of this uncertainty: first, that “uncertain” in fact may prove to be “never,” and second, that Vermont has no ability to predict or control whether or when there will be a TCI to join – a serious planning impediment when faced with statutory mandates for emissions reductions on a fixed timeline.

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