



## Vermont Current Use Report 2011

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### Modified Emerald Ash Borer Policy Released

A modified state policy on altering current use forest management plans to account for threats from the Emerald Ash Borer (EAB) appears to have satisfied concerns of consulting foresters and others who had objected when the initial state policy on the subject was released in September (see VCUR #17).

"After we sent out the modified policy [on Oct. 3] we heard back from some of the folks that had expressed concerns that they were now satisfied with the policy," state Director of Forests Steve Sinclair told VCUR.

Sinclair said the Department of Forests, Parks and Recreation (FPR) is developing a "Frequently Asked Questions" handout that will address issues and concerns surrounding EAB. It will also be soliciting input for a set of guidelines on EAB it is preparing for landowners and foresters.

The EAB is an Asian insect introduced in Michigan around 2002 that has killed tens of millions of ash trees in the Midwest, and appears to be moving toward Vermont. The insect can now be found west of the Hudson River as well as in the Montreal area.

Both the original and modified FPR memos on the subject state: "EAB poses a significant threat to Vermont's ash trees. When it becomes established in the state, it is expected to kill ash trees, resulting in economic losses and detrimental, lasting impact on forest ecosystems and urban and community treescapes."

The original Sept. 16 memo made it clear that pre-emptive salvage of ash on forestland enrolled in current use would not be allowed. Some foresters were concerned that this meant management plans could not mention EAB or change their approach to ash.

The modified memo of makes it clear FPR will approve current use forest management plans and plan amendments that treat ash in response to EAB, as long as they adhere to existing standards in the most recent [current use manual](#), which is available on FPR's website [www.vtfpr.org](http://www.vtfpr.org).

Current use is referred to as UVA (use value appraisal) in the following quote from the new memo: "FPR will not approve UVA plans or plan amendments that prescribe non-silvicultural salvage of ash trees or salvage prescriptions that identify the threat of EAB as the sole justification for harvesting ash."

The new memo also states: "Long-term silvicultural objectives and prescriptions that set stand objectives of reducing the percent of basal area composition for ash or propose a decrease in diameter objectives for ash will be accepted as long as they follow appropriate silvicultural guides and meet minimum standards for management, regeneration and plans."

Sinclair said FPR had recently sent three employees to a conference on EAB in Ohio. Recent findings about the insect will be incorporated into the forthcoming guidelines for landowners and foresters, he said.

"The insect has only been identified for eight years," Sinclair said. "We still have lots to learn."

### **Current Use News and Notes**

- Ed Larson, a consulting forester and long-time lobbyist for the Vermont Forest Products Association, has moved on to be executive director for the Barre Granite Association. In previous years, Larson had also represented and worked for the Current Use Tax Coalition. Larson told VCUR he will stay involved with forestry. He quipped about his new position in the granite industry: "I've already got sawdust in my blood, and now I've got rocks in my head."
- After Tropical Storm Irene hit Vermont, Gov. Peter Shumlin announced the state would send various state payments to towns ahead of schedule to help them manage their finances as they repair roads and other infrastructure damaged by the storm. One of the payments was a \$12.3 million current use reimbursement that normally goes out later in the year. The amount is meant to repay towns for the municipal tax revenues lost from land enrolled in current use. On the school tax side, the state makes no current use reimbursement; that "loss" is shared by all taxpayers who pay into the state Education Fund.
- Last summer, a subscriber asked us the following question: could he take out and develop two acres of land enrolled in current use and add another two acres he owned adjacent to his current use parcel to the program, all without paying a penalty? We later posed the question to Current Use Program Chief Elizabeth Hunt and learned the answer is "no." A penalty has to be paid on any enrolled land that is "developed," she said, even if an equivalent amount of land is being added to an enrolled parcel.
- A current use appeal involving Plum Creek, a real estate investment trust, could go to trial soon in Essex Superior Court. Last fall, the state kicked 56,000 acres of Plum Creek's land out of current use due to improper cutting on 140 acres of that land. Plum Creek later managed to get the court to stay the decision pending its appeal. According to a court clerk, the parties have been directed to complete their discovery by mid-November, at which time a status conference will be held at the court.

- Current use land values for agricultural (ag) land will probably decrease in 2012, if the Current Use Advisory Board adopts the suggestions of Sylvia Jensen, land use planner at the state Agriculture Department and Bill Johnson, Director of the Division of Property Valuation and Review. Lower current use values would mean lower tax bills for ag land owners, which would be good news for farmers, but would mean slightly higher taxes for other state taxpayers. Jensen said the drop could result from a change she and Johnson are recommending in the data set to be used in the ag land use value formula. She said the new data on farmland rental value is more extensive and more accurate than what has been used in the past. The Current Use Advisory Board will be meeting in January to adopt 2012 per acre values for ag land and forestland enrolled in current use.

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