

## TOWN OF MIDDLEBURY CONSERVATION COMMISSION

Monday, June 26, 2023

12:00 – 1:30 PM

In Person Location: Middlebury Town Office, or join by Zoom

### MINUTES

A L'Roe called the meeting to order at 12:10 pm

**Attendance:** A. L'Roe, C. Harden, A. Sheldon, J. Howarth, M. Anderson

Also present: David Sophrin (Assistant Town Manager).

Minutes from the last meeting ([April 2023](#)) were unanimously approved.

The May 2023 meeting, an outdoor gathering, did not have a quorum (A. L'Roe and C. Brooks attended) and no minutes were kept.

### Citizen Comments

David Sophrin, Assistant Town Manager as of Dec. 2022, joined the meeting as part of his effort to get to know Middlebury's town governance. CC (Conservation Commission) members introduced themselves to him.

Recent events:

- The Cornwall Conservation Commission, with biologist Greg Pask, recently organized a firefly event, although it was cancelled due to weather.
- Geothermal networking: M. Anderson talked to Mike Roy about geothermal networking. Some VT towns are considering this and he sees potential for Middlebury. A. Sheldon added that the legislature has a bill in the works to legislate network geothermal. Roy, a member of Middlebury's Energy Commission is building relationships with other commissions and plans to be the liason to the CC.
- C. Harden, C. Tate, and J. Howarth helped with Middlebury's Green-up Day, which was led by College student interns at MALT. CC involvement was greatly appreciated and Green-Up Day was a good CC outreach activity. Early next spring, the CC should reach out to MALT to again offer assistance.
- L'Roe attended a re-wilding event at the College. So far, they have been doing some baseline studies for re-wilding (birds, mostly).

## **Conservation Goal: Protect 30% of Vermont's lands by 2030 and 50% by 2050**

L'Roe congratulated State Rep. A. Sheldon for her leadership on H. 126, the Land Conservation Bill that establishes a goal of permanently conserving 30% of Vermont's total land area by 2030 and 50% by 2050. She intends to write an article for the *Addison Independent* about it. After her piece is published, the CC will have opportunity to write additional articles. Topics for follow-up pieces include the connection between conservation and climate change, the roles individuals who do or don't own land might play, and how the terms of the law are defined.

J. Howarth noted that Middlebury needs to determine exactly which of its protected lands are included in the calculation of 30% and 50%. If agricultural easements are included, Middlebury is already close to protecting 30% of its lands. A. Sheldon explained that the new law, based on conservation for biodiversity, does not include agricultural land, although some easements on agricultural lands that support biodiversity might be able to counted as the state develops definitions. As examples: LedgeEnd Farm would not count, working forest lands do count. The State has put out an RFP for someone to lead the state-wide inventory that the new law requires. Asked about the base area for analysis, she said that the intent of the legislation is to protect 30% (and 50%) of lands within each biophysical region. The State follows the ecological function approach of Vermont Conservation Design.

J. Howarth noted that the CC and the Conservation Atlas have been conservative about protected area definitions. The CC will discuss Middlebury's current level of protected lands at the July meeting. The 30% by 2030 and 50% by 2050 goals, established for the nation by President Biden, have already been adopted as goals of the CC.

## **Old Business**

The Conservation Plan:

–Update on PC presentations and next steps

J. Howarth spoke to the Planning Commission (PC) in June in the last of a series of meetings held to inform PC members about the logic behind developing conservation priorities and opportunities for conservation in Middlebury. His overall message was that we have plenty of information but need the help of the PC to turn it into policy, with the priority being to help the PC add a plan for forest blocks and habitat connectors to the Town Plan, as required by Act 171. In 2023, J. Howarth will work with J. Murray

and a Middlebury College student, who has already taken his Conservation Planning course, to draft this addition.

– Current status of the Conservation Plan.

D. Sophrin asked why develop a conservation plan. CC members responded with multiple reasons:

(1) Middlebury has a Conservation Fund, making it important to have a plan to use the fund strategically and wisely.

(2) Act 171 requires towns to address the protection of forest blocks and habitat connectors.

(3) Protecting property will require the help of the town (particularly the PC). Having a written plan will help the PC defend conservation initiatives.

CC members noted that achieving conservation goals is a long-term (decades into the future) undertaking, making it important to pass on the goals and the logic that has informed them to future decision makers. Developing a conservation plan was on the original to-do list of the Town Planner when the commission was formed.

An earlier Conservation Plan for Middlebury was led by A. Sheldon and produced by a group of College students in a 2014 January-term course. In hindsight, it seems likely that the 2014 plan did not lead to policy because it was long and covered some topics (based on student interest) that weren't statutorily required. Our neighboring towns do not have conservation plans, so a Middlebury plan could provide a model for them.

In a related discussion of the Town's Conservation Fund, CC members commented on an apparent gap in leadership for the fund (now over \$300,000) and suggested that someone in the CC should keep track of the fund balance and the sources of ongoing additions to the fund from the Battelle Trust and/or property taxes.

-Internal Conservation Plan and Goals (A. L'Roe)

The CC previously voted on goals for forest blocks but will need to finalize other goals at the next meeting.

**Next monthly meeting- Monday, July 17, 12:00 pm.**

To prepare for the July meeting, CC members are asked to (1) review and mark up the draft conservation recommendations circulated for comment ([PROPOSED Conservation Goals & Recommendations](#); material added to a former version is highlighted) and prepare to vote on them, and (2) prepare to discuss the status of conserved lands in Middlebury in relation to 30% by 2030 and 50% by 2050. Known problems of protected lands in the current Conservation Atlas ([Interactive Conservation Atlas \(will have additional updates\)](#)) are: (a) municipal land on the airstrip appears as protected and (b) the Three-Mile wildlife management area does not appear protected (the ag data from 2016 pre-dates its conservation status). Also noted: two groves of trees by Boardman St. and wooded patches adjacent to the golf course don't appear as forest.

J. Howarth pointed out (re act 171) that multiple maps exist. A role for our CC is to draw the map of habitat blocks and connectors and make recommendations about which blocks should be in the town plan. Current Forest District zoning is based on parcel boundaries rather than on ecological boundaries. Act 171 also requires habitat connectors: Arrowwood used least-path lines to delineate these, but J. Howarth recommends the more wildlife-relevant choice of identifying existing riparian zones as connectors (despite the fact that the State is not updating the surface water riparian layer, which is based on 30-m pixels and contains numerous errors).

The August meeting is scheduled for August 21, the third Monday.

L'Roe adjourned the meeting at 1:37 pm.