

Heavy Cutting:

Heavy Cutting (Act 15) is authorized by Title 10 VSA, Chapter 83, Section 2622.

<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=10&Chapter=83&Section=02622>

It states: The commissioner shall adopt rules to establish methods by which the harvest and utilization of timber in private and public forest land will be consistent with continuous forest growth, including reforestation, will prevent wasteful and dangerous forestry practices, will regulate heavy cutting to encourage good forestry management, will enable and assist landowners to practice good forestry management, and will conserve the natural resources consistent with the purposes and policies of this chapter, giving due consideration to the need to assure continuous supplies of forest products and to the rights of the owner or operator of the land. Such rules shall be advisory, and not mandatory, except that the rules adopted under Section 2625 of this title shall be mandatory, as shall other rules specifically authorized to be mandatory.

Positive outcomes: Act 15 (“Heavy Cutting Law”) has provided the mechanism for private landowners to notify the State when planning a forest harvest where over 40 acres of the harvest area will have a residual basal area that is below “C-line” stocking (regeneration harvests) based on the appropriate US Forest Service Silvicultural Guide for the stand(s) being treated. Landowners file an application with the Vermont Department of Forests, Parks & Recreation, providing the opportunity to discuss (and in many cases view) the proposed harvest with State forestry personnel.

Negative outcomes: The passage of Act 15 in 1998 created a degree of animosity between some individual loggers/logging associations and the forestry community as timber harvesters perceived that this was an attempt by foresters to control their activities.

Most effective: Act 15 requires landowners to justify the need, based on stand conditions, when planning a regeneration harvest. The law also provides an educational opportunity for landowners when meeting with State foresters during the application process.

Least effective: Permanent rules stipulating conditions regarding harvesting and post-harvest stand conditions were never developed for Act 15; temporary rules were simply adopted as permanent, and these rules do not adequately address the intent of the legislation. There is little follow-up on these harvests by State forestry personnel; the only way violations are discovered is when the general public perceives a problem with a harvesting operation and reports this to State forestry personnel.

Achieving sustainable management: Act 15 has been effective only in slowing the pace of liquidation harvesting and requiring landowners who wish to conduct regeneration harvests of greater than 40 acres to file their intent with the State. It has not “adequately allowed the achievement of sustainable forest management”.

Affect on private land ownership: The law deters landowners from some “liquidation harvesting” practices by requiring that stand conditions be appropriate for a regeneration harvest. This prevents some landowners from extracting the maximum value from their woodland with no regard for future forest growth. Otherwise, the law has had little affect on private land ownership.