

# Vermont Conservation: A Path Forward

*A policy brief on Acts 59 and 181, the data behind the conflict, and the three-part framework that resolves it*

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countusinvt.org · April 2026

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*61.3% of Vermont's land area — 3,615,600 acres — is already enrolled in Current Use or permanently conserved. The conflict of the past two years was about a definition, not about values. Vermont didn't fail at conservation. It miscounted it.*

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## 1. The Finding

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Using Vermont's own public datasets — the VCGI Use Value Appraisal parcel layer and the Vermont Protected Lands Database, processed in QGIS 3.44 — we calculated the deduplicated statewide area covered by enrolled or permanently conserved parcels. The result: 3,615,600 acres — 61.3% of Vermont's land area — is already enrolled in Current Use or permanently conserved.

This figure does not appear in Vermont's Conservation Plan inventory, Vermont's 30x30 accounting, or Act 181's Tier 3 mapping. It has never been calculated using parcel-level spatial data. It changes everything about what Vermont's conservation goals should look like and what kind of policy intervention the corridor actually needs.

Vermont is not at 27% conserved. It never was. The fight of the past two years — the Facebook groups, the Statehouse protests, the 9,000-member Vermont Act 181 group — was never about conservation versus development. It was about a single statutory standard that got the accounting wrong, and from that miscount, everything else followed.

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## 2. What the Data Shows

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Two spatial analyses — one of Vermont's highest priority wildlife corridor, one statewide — document what the current statutory framework cannot see.

**73%**  
*of the corridor  
already stewarded*

Across Vermont's 433 VCD Highest Priority Connectivity Blocks (2,837,622 acres total), 2,072,617 acres are already enrolled in Current Use or permanently conserved. The genuinely at-risk land is 765,005 acres — 27% — concentrated in specific resort communities where development pressure is real and documented.

**61.3%**  
*of Vermont already  
conserved statewide*

A deduplicated Union and Dissolve analysis of all enrolled Current Use parcels and the Vermont Protected Lands Database shows 3,615,600 acres — 61.3% of Vermont's 5,899,041-acre land area — is enrolled or permanently conserved. This is the first time this figure has been calculated using parcel-level spatial data.

**4–5%**  
*of the corridor has  
genuine development  
pressure*

Sub-25-acre, high-value parcels in resort communities represent roughly 4 to 5 percent of the corridor. Stowe averages \$95,398 per acre with 45% out-of-state ownership. Ludlow averages \$48,912 per acre with 87% out-of-state ownership. Tier 3, as currently drafted, applies to all 2.8 million corridor acres.

### The durability of enrolled working lands

Enrolled working lands are not temporary or conditional stewardship. They represent demonstrated, long-term commitment:

- More than half of enrolled corridor acres have been managed for over 20 years
- A quarter for more than 30 years
- The median enrollment date is 2008 — nearly two decades ago
- Statewide, enrollment has grown for 44 consecutive years in a program with no requirement to stay. Landowners can leave at any time. They don't.

This is not marginal conservation. It is the backbone of Vermont's working landscape — arguably the most durable voluntary conservation program of its kind in the country.

### The acreage threshold problem

Current Use requires a minimum of 25 acres to enroll — a threshold designed for timber production economics, not corridor ecology. At that threshold, only 9.5% of at-risk corridor parcels are eligible for the voluntary stewardship compact. Dropping the minimum to 10 acres within VCD priority corridor blocks would extend the voluntary pathway to parcels covering 84.5% of at-risk corridor acreage — while tripling the number of families who can participate.

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### 3. How the Error Happened

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The current situation is the product of a structural error, not bad intentions. Understanding the error is essential to correcting it.

#### Step 1 — Act 59’s aspirational definition

Act 59, passed in 2023, set Vermont’s 30x30 conservation goals and defined “conserved” as land permanently protected by deed restriction or fee acquisition. The drafters wanted an aspirational law — one that required Vermont to do something new rather than declaring victory over what already existed. To create that aspiration, they needed a standard that excluded enrolled working lands. They turned to Vermont Conservation Design as their scientific foundation.

But VCD’s data had always measured permanent protection as a proxy for development threat — where conservation investment was most urgently needed. The drafters read that implicit assumption as VCD’s definition of conservation. It wasn’t. VCD was a planning vision that explicitly recognized working lands, forest management, and landowner incentives as equivalent tools for achieving ecological function. Working lands were invisible in the data not because they didn’t count — but because no one had built a field for them.

#### Step 2 — Act 181’s statutory inheritance

Act 181, passed in 2024, explicitly incorporates Act 59’s conservation goals (§2802) into its own purpose (10 V.S.A. §6000). When LURB built the Tier 3 maps, it was legally pointed back to Act 59’s conservation vision, which pointed back to VCD, which pointed back to the same data infrastructure that couldn’t see enrolled working lands. The blindness was inherited by statute, not by choice.

#### Step 3 — The planning map converted to a regulatory map

LURB also made a second error: it converted an ecological quality map into a regulatory instrument without performing the step that conversion requires. VCD’s Highest Priority blocks were designated based on ecological quality and size — which blocks were largest, most intact, most connected. Not based on protection status. A regulatory map must ask not just “where are the ecological resources?” but “where is ecologically valuable land that actually lacks protection?” LURB never asked the second question. It treated ecological value and lack of protection as the same thing.

The result: a regulatory map that unintentionally manufactured a statewide development threat — when the genuine risk is concentrated in a handful of resort communities where development pressure is real and documented.

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### 4. Three Fixes

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The problem exists at three levels of Vermont’s land use framework. The fixes must move together. The window is narrow: LURB’s May 2026 draft and the Conservation Plan’s summer 2026 deadline are the two immediate pressure points. The Legislature reconvenes in January 2027.

# 1

## Fix the definition

Vermont Conservation Plan · Summer 2026

The Conservation Plan should recommend amending Act 59's §2801(6) to replace the permanence-only standard with a durability-and-function standard — consistent with what most comparable states have adopted. Land enrolled in long-term stewardship programs with enforceable commitments and demonstrated compliance should count toward Vermont's conservation goals.

With that correction, Vermont's baseline becomes visible: 61.3%, 3.6 million acres, already conserved. The Conservation Plan should then set goals that reflect it:

- **30% permanently conserved by 2030** — keeping the existing permanence goal and its urgency intact.
- **70% conservation mosaic by 2030** — enrolled working lands and permanently conserved lands counted together, requiring roughly 513,000 additional acres of new enrollment or protection above the 61.3% baseline.
- **80% conservation mosaic by 2050** — a generational commitment requiring approximately 1,100,000 additional acres over 25 years. These are harder goals, not softer. They require Vermont to steward the genuinely at-risk land rather than accumulating deed restrictions on land that was never at risk.

# 2

## Replace Tier 3 with the right instruments

LURB May Draft + Legislature · May 2026 / January 2027

Tier 3 should be repealed. The maps, as currently designed, are the wrong instrument for the corridor — a blanket regulatory tool applied to a targeted problem that voluntary stewardship, local zoning, targeted FMV easement acquisition, and the Forest Legacy Program are built to address.

Act 250 currently processes roughly 390 applications per year and approves 99.7% of them. Expanding Tier 3 jurisdiction would subject all landowners across 2.8 million acres to Act 250 review for qualifying activities — vastly expanding a system never designed to govern Vermont's working landscape. Where farm and forestry exemptions apply, they must still be claimed through the application process. The exemption is the destination. The process is the burden.

The replacement instruments:

- **Exclude enrolled corridor parcels entirely.** 23,778 enrolled parcels are already stewarded. Act 250 adds no conservation value and risks eroding the voluntary compact the corridor depends on.
- **Targeted local zoning investment** in the specific resort communities where fragmentation pressure is documented and development pressure is real — not a statewide regulatory tier covering 2.8 million acres.
- **Forest Legacy Program** through land trust partnerships for willing sellers — fair market value compensation, permanent protection, no regulatory burden.
- **Targeted FMV easement acquisition** for the highest-priority at-risk parcels in resort corridors where development pressure is immediate.

# 3

## Fill the enrollment gap — The Working Lands and Wildlife Corridor Act

Vermont Legislature · January 2027

The Legislature should pass the Vermont Working Lands and Wildlife Corridor Act, establishing a Wildlife Corridor Forestland category within Current Use — a third enrollment tier alongside Managed Forestland and Reserve Forestland, tied to ecological stewardship within VCD priority corridor blocks.

Act 181 already recognizes this logic. Its definition of habitat connector (10 V.S.A. §6001(47)) explicitly includes land used for farming, logging, and forestry. The statute already understands that working lands are the corridor. The enrollment system should reflect that.

The Act should include three essential design elements:

- **Repeal the roads rule as a standalone instrument** and embed road and access standards within the Wildlife Corridor Forestland stewardship plan. The stewardship plan becomes the instrument. Enrollment becomes the incentive. The corridor gets protected. The family gets recognized for what they were already doing.
- **Reduce the acreage minimum** for corridor-block parcels. Current Use requires 25 acres — designed for timber production, not corridor ecology. At that threshold, only 9.5% of at-risk corridor parcels are eligible. Dropping to 10 acres extends the voluntary pathway to parcels covering 84.5% of at-risk corridor acreage.
- **Provide meaningful incentive** for enrollment — enhanced use value benefit, stewardship payment, or recognition mechanism that makes the Wildlife Corridor Forestland tier genuinely attractive to the families currently shut out of the voluntary compact.

## 5. Goals That Reflect Reality

With the definition corrected, Vermont can set conservation goals commensurate with what it has actually built. The three-tier goal structure we propose:

Goal	Deadline	What it requires
<b>30% permanently conserved</b>	2030	Keeps the existing permanence goal intact. Maintains urgency for conservation investment on genuinely at-risk land. Estimated ~3-point gap from current permanently conserved baseline.
<b>70% conservation mosaic</b>	2030	Enrolled working lands and permanently conserved lands counted together. Requires ~513,000 additional acres of new enrollment or protection above the 61.3% baseline. Real new work required.
<b>80% conservation mosaic</b>	2050	A generational commitment requiring ~1,100,000 additional acres over 25 years. Genuine stretch goal. Requires Vermont to bring its genuinely at-risk landscape into durable stewardship.

These are not softer goals than the current ones. The 70% mosaic target alone requires more new stewardship than the entire genuinely at-risk corridor population — 765,005 acres — plus an additional 250,000 acres statewide. They are harder goals because they require Vermont to focus on the land that is actually at risk, rather than accumulating deed restrictions on land that was never at risk.

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## 6. Vermont’s Conservation Tradition

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Vermont’s conservation tradition was never either/or. It was always both: permanent protection where development pressure is real, and voluntary working lands stewardship where families are already doing the work. The Green Mountains were not saved by deed restrictions alone. They were saved by enrolled families who renewed their voluntary commitment year after year, in a program with no exit penalty, for 44 consecutive years of unbroken growth.

The conflict of the past two years turned those tools against each other. The data shows they were never opposed. In every conversation we’ve had — with Republicans, Democrats, and independents; with conservation organization leaders, VHCB staff, legislators, and working lands families — we’ve found the same thing: people who understand the landscape, who care about it, and who know that Vermont is capable of doing the harder work of acknowledgment.

The trap to avoid is the national one: turning this into a story about government overreach versus environmental extremism. That story serves no one in Vermont. It doesn’t protect the corridor. It doesn’t keep families on the land. Vermont has always done its politics differently — on the farm porch, across lines of party and profession, in the shared understanding that the landscape belongs to everyone who has helped keep it intact.

The legislators, the conservation organizations, the agencies — they have everything they need. The data exists. The pathway is clear. The goodwill is there. The question is whether Vermont uses this moment to write the right story, or lets someone else write it for us.

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## 7. Data Sources and Methodology

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All spatial analysis was conducted in QGIS 3.44 using publicly available Vermont state datasets. Full methodology documentation, including step-by-step QGIS procedures and known limitations, is available at [countusinvt.org/methodology](http://countusinvt.org/methodology).

Dataset	Source	URL / Notes
<b>Current Use Program Properties (April 1, 2026)</b>	VCGI / Vermont Open Geodata Portal	<a href="http://geodata.vermont.gov/datasets/VCGI::vt-data-current-use-program-properties/about">geodata.vermont.gov/datasets/VCGI::vt-data-current-use-program-properties/about</a>
<b>Vermont Protected Lands Database (VPLD)</b>	VCGI / Vermont Open Geodata Portal	<a href="http://geodata.vermont.gov/datasets/VCGI::vt-data-protected-lands/about">geodata.vermont.gov/datasets/VCGI::vt-data-protected-lands/about</a>
<b>VCD Highest Priority Connectivity Blocks</b>	VCGI / Vermont Open Geodata Portal	<a href="http://geodata.vermont.gov/datasets/VCGI::vermont-highest-priority-connectivity-blocks/about">geodata.vermont.gov/datasets/VCGI::vermont-highest-priority-connectivity-blocks/about</a>
<b>Vermont Statewide Parcels (Grand List-Joined)</b>	VCGI / Vermont Open Geodata Portal	<a href="http://geodata.vermont.gov">geodata.vermont.gov</a>

<b>Vermont State Boundary</b>	VCGI / Vermont Open Geodata Portal	<a href="https://geodata.vermont.gov/datasets/VCGI::vt-data-state-boundary-1/about">geodata.vermont.gov/datasets/VCGI::vt-data-state-boundary-1/about</a> — Land area: 5,899,041 acres (Census 2022 TIGER)
<b>Act 250 Annual Report (CY 2024)</b>	Land Use Review Board	<a href="https://legislature.vermont.gov/assets/Legislative-Reports/Annual-Report-2024_Final.pdf">legislature.vermont.gov/assets/Legislative-Reports/Annual-Report-2024_Final.pdf</a>
<b>Act 250 Processing Time</b>	Vermont DEC Permit Handbook	<a href="https://dec.vermont.gov/sites/dec/files/permit-handbook/sheet47.pdf">dec.vermont.gov/sites/dec/files/permit-handbook/sheet47.pdf</a>
<b>VCD Summary Report (2018)</b>	Vermont Fish & Wildlife Dept.	<a href="https://vtfishandwildlife.com/learn-more/vermont-conservation-design">vtfishandwildlife.com/learn-more/vermont-conservation-design</a>
<b>Statutory references</b>	Vermont Legislature	<a href="https://legislature.vermont.gov">legislature.vermont.gov</a> — Act 59 of 2023 (10 V.S.A. §§2801–2804); Act 181 of 2024 (10 V.S.A. §§6000–6001)

*QGIS project files, intermediate outputs, and the at-risk parcel CSV are available upon request. Contact: [lucas@bigpicturefarm.com](mailto:lucas@bigpicturefarm.com)*