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District**

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Comments on the Draft 2026 TRORC Regional Plan

Approved by the White River Natural Resources Conservation District
Board of Supervisors Meeting
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<https://www.whiterivernrcd.org/2026-10-15-board-meeting>

Summary

White River NRCDC supports many of the Plan's goals. However, we believe the Draft needs another round of substantive revision before adoption, for four connected reasons:

- **The law changed.** Act 152 (2026) repealed or revised key parts of Act 181 while the Plan was being drafted. The Plan should be updated to reflect current law.
- **The map rests on an uneven information base.** Ecological priorities are mapped in depth through Vermont Conservation Design. Agricultural, working-land, economic, and local knowledge is not mapped with comparable depth, yet both kinds of information are used to draw a single Future Land Use boundary.
- **Rural policies may limit the working landscape they aim to protect.** Some mandatory policies and the definition of "substantial regional impact" rely on use type and building size rather than actual regional effects.
- **Participation came too late to shape the Plan.** Existing local planning, including the District's own record, should have informed the Plan from the start rather than being restated after maps and policies were formed.

Principal requests

- Clearly identify which provisions State law requires, which are discretionary, and which are TRORC's own policy choices.
- Revisit the Future Land Use map, especially the line between Rural Conservation and Rural Agriculture and Forestry, using working-lands and local knowledge alongside ecological data.
- Tie mandatory regional policies and substantial-regional-impact thresholds to actual regional effects.
- Review and incorporate WRNRCDC's existing reports, and coordinate with Conservation Districts regularly.
- Provide a plain-language comparison of map and policy changes, conduct additional engagement, and bring a revised draft back for review before adoption.

The White River Natural Resources Conservation District (WRNRCD) Board of Supervisors and staff appreciate the opportunity to comment on the Draft 2026 Two Rivers-Ottawaquechee Regional Commission (TRORC) First Hearing Draft - 2026 Regional Plan.

For 86 years, White River NRCD has served as a locally led governmental body responsible for natural-resource conservation. Established under Vermont's Soil Conservation Act, Conservation Districts are governmental subdivisions of the State governed by a five-member elected Board of Supervisors. We bring together municipalities, farmers, landowners, State and federal agencies, and community partners around locally identified priorities for soil, water, agricultural lands, forests, and other natural resources. [10 V.S.A. Chapter 31—Vermont Conservation District Law.](#)

White River NRCD serves all or portions of 27 municipalities, 23 of which are also included in TRORC's list of 30 member towns. Because Conservation District boundaries are largely watershed-based rather than municipal, our two regional institutions serve many of the same communities, farms, forests, waters, and working landscapes through different but complementary statutory roles. The District brings an elected Board, longstanding local relationships, and an existing body of locally led planning through our Local Working Groups, Conservation Needs Assessments, Conservation Action Plans, watershed planning, and direct work with farmers, landowners, and municipalities.

TRORC first brought the formal draft to the District's attention on June 22, and the original comment period closed on August 11. Because the District had not been substantially involved in developing the earlier drafts, this was WRNRCD's first opportunity for substantive review, with approximately seven weeks available during our busiest field season and amid several simultaneous State planning and public-comment processes. We invited Chief Planner Kevin Geiger to our [July Board meeting](#) and appreciated his taking the time to walk our Board through parts of the Plan and answer questions.

These comments are being submitted after the original comment period and reflect an initial review by White River NRCD staff and Board. We ask that they be considered as part of the ongoing revision process. Our Board would welcome the opportunity to continue reviewing and providing input as the Plan is revised. We also ask TRORC to clarify the next steps, including when a revised draft may be available and what opportunities the District Board and public will have to review and respond before adoption.

The timing also shapes the scope of our review. White River NRCD recently completed a detailed review of DEC's Draft Basin 14 Tactical Basin Plan through a process in which District participation is funded and built into the planning process. Regional planning currently provides no comparable support for District participation, despite addressing many of the same natural resources and working landscapes and carrying potentially significant land-use consequences. These comments therefore focus on the areas where the District's statutory role, locally led planning, and direct experience can contribute most meaningfully. This comparison also reinforces one of our principal requests: earlier, sustained, and routine coordination between our two forms of regional government.

There is much in the Plan that advances goals we share. We also believe several important questions warrant another look before the Plan is finalized, particularly because Vermont’s land-use framework changed substantially while the Plan was being developed. At their core, these questions concern what kind of future we are planning for in rural Vermont, what decisions truly need to be made regionally, what information and knowledge are being used to make those decisions, and how we make them together.

1. State land-use law changed while the Plan was being developed. The Plan should be revised accordingly.

Section 1 — In brief

What we say

- Act 152 (2026) repealed the road rule, the Tier 3 framework, and the remaining Tier 2 provisions. It also changed timelines for forest-block and habitat-connector provisions. The Future Land Use framework and Tier 1 remain.
- The Regional Plan is not zoning, but it carries real weight. Its policies can override a municipal plan in Act 250 and other State proceedings when a project has “substantial regional impact.”
- A municipality having a commissioner on TRORC’s Board is not the same as that municipality adopting a policy through its own process.

What we ask

- Identify which provisions are required by law, which are authorized but discretionary, and which are independent regional choices.
- Reconsider policies that were built around repealed or changed Act 181 provisions, rather than carrying them forward automatically.
- Where a regional policy differs from a town’s adopted plan or zoning, explain what municipal input was received and what regional effect justifies the difference.
- For each substantial-regional-impact threshold, name the actual regional effect it addresses.

The Draft Regional Plan was developed during an unusually consequential period in Vermont land-use policy.

In 2024, Act 181 substantially restructured Vermont’s regional planning and Act 250 framework. One of its central changes was the creation of a standardized Future Land Use mapping system. Under this system, each Regional Planning Commission must map its region using State-defined categories that describe the intended future character and use of different areas. These include downtown and village centers, planned growth areas, and rural areas designated for agriculture and forestry, conservation, or other rural uses.

The Future Land Use map is prospective, not simply a record of current land cover. It identifies where growth should be concentrated, where working lands and rural economies should remain central, and where natural resources warrant special consideration. Once approved, it becomes part of the Regional Plan and helps shape future regional and municipal planning, State land-use designations, and aspects of Act 250 review. [24 V.S.A. § 4348a](#)

Act 181 also created a tier-based Act 250 system intended to connect some of these regional planning decisions more directly to Act 250 jurisdiction and exemptions.

Implementation of Act 181 generated extraordinary public engagement across Vermont. Vermonters raised concerns about the effects of the new framework on housing, farms and forests, rural communities, private land, municipal authority, and future development. People were paying attention because these decisions affect where and how Vermonters will be able to live, work, farm, build, invest, and steward land.

Many of the concerns raised through that statewide debate are also familiar to Conservation Districts. We have been hearing and documenting concerns for years about farm and forest viability, housing and succession, conservation and water quality, rural economic pressures, and the need to address ecological and human needs together rather than through separate planning systems.

In 2026, S.325 was enacted as Act 152, substantially revising implementation of Act 181. Among other changes, Act 152 repealed the new “road rule” Act 250 jurisdictional trigger and the Tier 3 framework, removed the remaining Tier 2 provisions, and changed the implementation timeline for certain forest-block and habitat-connector provisions. The Future Land Use framework and Tier 1 growth-area provisions remain. [Act 152—S.325](#)

Regional Planning Commissions therefore remain responsible for completing conforming Regional Plans and Future Land Use maps. But the statutory context in which this Draft was developed has changed materially.

TRORC should clearly identify which provisions of the Draft are required by current State law, which are authorized but discretionary, and which represent independent regional policy choices. Policies developed in response to provisions of Act 181 that have since been repealed or substantially changed should be reconsidered rather than carried forward automatically.

Regional policy can have real local consequences.

We acknowledge that the Regional Plan is not municipal zoning and does not itself rezone property. Municipalities retain their planning and zoning authority. Even so, the Plan’s policies carry legal and practical weight: they inform review and approval of municipal plans and can be given effect in specified State proceedings. Where a regional policy conflicts with a duly adopted municipal plan, the regional policy may be given effect if the project is shown to have a “substantial regional impact,” as defined in the Plan. [24 V.S.A. §§ 4348 and 4350](#)

That makes the Draft's mandatory policies and its definition of substantial regional impact consequential. Policies addressing density, building scale and location, subdivision design, commercial uses, and other development questions can affect how proposals for homes, farm processing or storage, employee or succession housing, rural businesses, and other enterprises are considered. They are not automatic prohibitions, but they help establish the policy framework for future municipal planning and State land-use decisions.

Vermont's planning statute directs that decisions be made at the "most local level possible commensurate with their impact." [24 V.S.A. § 4302](#) TRORC should therefore ensure that any mandatory regional policies are tied to effects that are genuinely regional in scale and explain why those matters require regional rules rather than municipal judgment.

Municipal representation is not the same as municipal approval.

TRORC's Board includes commissioners appointed by its member municipalities. That representation provides an important connection between regional and municipal government. But participation by an appointed commissioner on a regional board—or review of a draft map by a municipal planning commission—is not the same as a municipality formally adopting or amending its own plan or zoning through its statutory process. It does not necessarily establish that the municipality has agreed to every map boundary or mandatory policy ultimately included in the Regional Plan. [TRORC Board of Directors](#)

This distinction is especially important because the detailed work of drafting and mapping necessarily occurs through staff and committee processes before the full Board acts. Municipal representation provides oversight and a channel for communication, but the presence of a municipal representative on the Board does not by itself convert each resulting regional policy into a democratically adopted municipal policy.

We recognize that State law does not require every municipality to separately approve the Regional Plan. Our concern is that the Plan should clearly distinguish among policies that are required by State law, policies that reflect choices already made through adopted municipal plans or zoning, and policies that TRORC is choosing to establish at the regional level.

Where a regional policy differs from a municipality's adopted plan or zoning, TRORC should explain what municipal input was received, whether the municipality's legislative body expressly supported the change, and what actual regional effect justifies elevating the decision beyond the municipality. This is particularly important because a town may see a regional policy applied to a project even though the town itself did not adopt that policy locally.

White River NRCD is particularly attentive to the difference between regional participation and direct approval because Vermont law draws that distinction sharply in our own enabling statute. Conservation District supervisors have statutory authority to formulate land-use rules for conservation purposes. Before those rules can become ordinances, however, they must be approved by a majority of the District landowners present and voting in a referendum. [10 V.S.A. § 724](#)

We do not suggest that Conservation District and Regional Planning Commission authorities are identical. The comparison illustrates a broader principle: representation on a regional body is not necessarily the same as direct approval of prescriptive land-use policy, particularly where that policy may affect private land or be given priority over a municipality's own decisions.

TRORC should apply that same care to its definition of substantial regional impact. That definition should identify effects that extend beyond a municipality and genuinely require a regional response—not simply projects that exceed a particular size or involve a particular use. A project may be economically significant to a farm, family, business, or rural town without producing effects that warrant displacement of local decision-making.

For each use or development threshold identified as substantially regional, the Plan should name the actual regional effect—such as effects on regional infrastructure, traffic, housing, fragmentation, or markets—that justifies giving regional policy priority over the municipality's adopted policy.

2. The Future Land Use map needs a broader information base.

Section 2 — In brief

What we say

- Vermont Conservation Design (VCD) is a sound conservation-science framework, and State law requires its use. However, it was not designed to identify farm viability, food production, agricultural infrastructure, or the future potential of working lands.
- The statute also requires analysis of agricultural lands, the importance of agriculture to the region, agricultural services, and community character.
- TRORC's mapping method screens remote rural land for Rural Conservation first. Only land that does not qualify is then considered for Rural Agriculture and Forestry. The Draft places about 35% of the region in Rural Conservation.
- Working lands nearly always carry ecological value as well. Splitting them into separate categories risks recreating the silos that local planning has long asked to break down.
- Statewide, conservation mapping has advanced well ahead of agricultural planning. Act 152 itself calls for further study and engagement on working lands.
- Managed grasslands illustrate the gap. VCD treats bird habitat as their "primary function" and favors treeless fields. Grazing, silvopasture, and agroforestry, by contrast, can support both production and broader biodiversity.

What we ask

- Explain what agricultural, forestry, economic, municipal, and local information was considered alongside VCD, and how it affected the classifications.
- Test the initial Rural Conservation classifications against comparable working-lands information.

- Do not treat the classifications as settled or permanent while the underlying statewide questions remain open. We ask LURB to account for this imbalance in its review.

The District's central concern with the Future Land Use map is whether the information underlying it is sufficiently broad to support the decisions being made. Ecological priorities are represented through sophisticated statewide datasets and mapping tools, while agricultural systems, working-land viability, rural economies, active management, and local knowledge may not be represented with comparable depth. That imbalance becomes consequential when these different forms of information are used to draw a single Future Land Use boundary.

Vermont Conservation Design was developed for a particular purpose.

Vermont Conservation Design (VCD) predates the current regional land-use framework. Developed through Vermont Fish & Wildlife with The Nature Conservancy and other State and conservation partners, its initial landscape-scale work dates to approximately 2015, followed by additional work on natural communities and habitats published in 2018. VCD was developed as a science-based framework for identifying landscape, natural-community, habitat, and species features important to maintaining ecological function. BioFinder is a principal tool through which those priorities are mapped.

In short, VCD is a conservation-science framework for understanding and prioritizing ecological function.

A significant shift occurred when VCD became a required part of broader State conservation and land-use planning. In 2023, Act 59 placed VCD at the center of Vermont's statewide conservation-planning process, requiring VCD's conservation targets to guide implementation of the State's 30x30 and 50x50 conservation goals while also requiring consideration of agricultural lands, working forests, working-land enterprises, rural landowners, recreation, and access to land-based enterprises. In 2024, Act 181 carried VCD into the new regional planning framework, requiring the Regional Plan's "natural resources and working lands element" to be "based on ecosystem function" and "consistent with Vermont Conservation Design." [10 V.S.A. Chapter 89 24 V.S.A. § 4348a](#)

That expanded use makes the limits of the underlying framework important. VCD identifies and prioritizes forest blocks and connectivity, surface waters and riparian areas, natural communities, old and young forest, wetlands, vernal pools, aquatic habitats, grasslands, and other features important to ecological function and biodiversity. It does not similarly identify or rank land for food production, farm viability, agricultural infrastructure, access to markets and services, livestock and cropping systems, or the future productive potential of working lands. Even managed agricultural grasslands are evaluated principally for the habitat they provide to grassland-dependent birds. [VCD Natural Communities & Habitats Technical Report](#)

The concern is therefore not TRORC's use of VCD, which State law requires, but over-reliance on it to answer a broader land-use question. The ecological values VCD was designed to identify already have established criteria, statewide datasets, conservation targets, and mapped priorities. Many of the agricultural, economic, and working-land values that the Regional Plan must also consider do not have a comparable body of

mapped information. Without an equally deliberate working-land analysis, the values most readily represented in VCD can disproportionately shape the resulting map.

The Regional Plan's statutory charge is broader. In the same provision requiring the natural resources and working lands element to be “based on ecosystem function” and “consistent with Vermont Conservation Design,” the statute also requires identification of agricultural lands and areas with the potential to sustain agriculture. That agricultural analysis extends beyond prime agricultural soils to include “the importance of agriculture to the region or locality,” the availability of agricultural services and labor, and “the importance of the land, as agricultural land, to the character of the locality.” [24 V.S.A. § 4348a](#)

VCD is therefore a required input to TRORC's analysis, not the framework into which everything else must fit. The question for this Plan is what agricultural, forestry, economic, municipal, and locally developed information TRORC considered alongside VCD and how that information affected the resulting classifications in the proposed Land Use Maps.

How TRORC translates these inputs into Future Land Use classifications matters.

These differences in the information being brought into the analysis matter because TRORC must ultimately translate them into maps of the Future Land Use categories created by Act 181. For rural lands, two of those new categories are particularly important here: Rural Agriculture and Forestry and Rural Conservation. State law describes Rural Agriculture and Forestry as blocks of “forest or farmland that sustain resource industries” while also providing wildlife habitat and movement, recreation, flood storage, aquifer recharge, scenic beauty, and contributing to “economic well-being and quality of life.” Development in these areas is to be managed to “promote the working landscape and rural economy.” Rural Conservation, by comparison, identifies “areas of significant natural resources” requiring “special consideration” for aquifers, wetlands, forest blocks, wildlife habitat, habitat connectors, and other conservation purposes. [24 V.S.A. § 4348a](#)

The distinction has practical consequences because these categories establish the Regional Plan's policy for the future use and development of the land within them. TRORC describes Rural Agriculture and Forestry as the region's “working landscape,” where agriculture and forestry remain central to the intended future of the land. The Draft Plan places approximately 35 percent of the region in Rural Conservation and states that development there should occur “very carefully and in a very limited fashion.” [TRORC Draft Regional Plan — Land Use](#) For a farmer or forest landowner, the line between these categories—sometimes drawn across the same parcel or working landscape—can therefore affect whether future housing, infrastructure, businesses, subdivision, or other changes are viewed through a policy framework intended to support a working landscape or one intended to substantially limit development.

The map does not itself rezone a parcel or prohibit those future uses. But the classifications are not merely descriptive. The Future Land Use element is expressly concerned with the “present and prospective location, amount, intensity, and character” of land uses, and the Regional Plan informs subsequent planning and land-use decisions. The classification therefore helps establish the public-policy starting point from which future proposals for that land will be considered. [24 V.S.A. § 4348a](#)

That makes the methodology used to draw these boundaries important. The same land may meet the criteria for more than one Future Land Use category, but the map ultimately assigns it to one. TRORC uses a sequential “flow-chart approach” to make that determination and states that the order of the analysis “sets the priority.” In rural areas, “the most remote landscapes are screened first against the Rural Conservation criteria.” Land that does not meet multiple Rural Conservation criteria is then considered for Rural Agriculture and Forestry. *TRORC Regional Future Land Use Mapping Methodology*, p. 4. [TRORC Regional Future Land Use Mapping Methodology](#)

TRORC subsequently reviews the initial boundaries against housing targets, municipal plans, visual screening, and municipal comments. The remaining question is what comparable agricultural and working-land information was or will be used to test those initial classifications. [TRORC Regional Future Land Use Mapping Methodology](#)

That question is particularly important because working lands almost invariably carry ecological values alongside their agricultural and economic functions. A farm may contain forest blocks, habitat connectors, wetlands, riparian areas, perennial vegetation, and flood storage as part of the same actively managed landscape that produces food, supports livelihoods, and sustains those ecological functions. The presence of those ecological values should not push land toward a classification that narrows how its agricultural, forestry, economic, or ecological future is understood.

There is also a broader concern with treating conservation and working lands as spatially distinct futures. Through years of locally led planning, we have repeatedly heard the need to de-silo agriculture, forestry, and natural-resource conservation and plan more holistically across land uses. Our Local Working Groups and related recommendations have called for whole-farm approaches to conservation planning that start with the individual or family’s goals and consider the farm, forest, broader landscape, and natural resources together—rather than allowing separate land-use, program, regulatory, or resource classifications to primarily dictate how the land is understood or planned. [White River NRCD Reports](#).

Future Land Use mapping should be careful not to recreate those silos on the landscape. Food production, forestry, habitat, water, biodiversity, housing, rural livelihoods, and other uses can occur on the same property and change together over time. Dividing that property among different land-use and conservation classifications can make integrated planning—and understanding future options—more difficult. The question is not only which category the land most resembles today, but what options the classification preserves for tomorrow. Future Land Use planning should preserve the capacity of rural landscapes to evolve, not simply preserve their present appearance or divide their future functions into increasingly separate categories.

This challenge is not unique to TRORC’s methodology. It is occurring as Vermont develops several related frameworks for planning the future of these same rural landscapes. Act 59 established Ecological Reserve Areas, Biodiversity Conservation Areas, and Natural Resource Management Areas for statewide conservation planning and required an extensive public process to develop the State’s conservation plan. That process included many public meetings and surveys and specifically required consideration of agricultural lands, working forests, working-land enterprises, rural landowners, and other land uses and interests. [10 V.S.A. §](#)

[2804](#) Act 181 then established the separate Future Land Use categories of Rural Conservation and Rural Agriculture and Forestry. The categories do not directly correspond, despite addressing overlapping landscapes and natural-resource concerns. Yet the Legislature expressly connected them: Act 181 provides that Rural Conservation mapping and policies are “intended to help meet requirements of 10 V.S.A. chapter 89,” the Act 59 conservation law.

The additional work directed by S.325, enacted as Act 152 in 2026, indicates that, in the Legislature's view, substantial questions about these same landscapes still require further engagement and study. Act 152 directed the Natural Resources Conservation Council to contract with the Vermont Council on Rural Development and Vermont Association of Conservation Districts to develop recommendations for another statewide public-engagement plan concerning risks to agricultural and forest working lands and critical natural resources and the tools available to protect them. Elsewhere in the same Act, the Legislature separately directed LURB to study significant agricultural land-use questions under Act 250, including jurisdiction over commercial activities on farms and the effects of Act 250 mitigation actions on primary agricultural soils. [Act 152 of 2026](#). In other words, the same Legislature that set this new Future Land Use framework in motion has continued to call for additional engagement and study on fundamental questions affecting the rural lands now being classified. More broadly, the sequence reflects a recurring imbalance: natural-resource conservation has continued to advance through increasingly developed goals, classifications, data, and mapping, while agriculture and working lands are too often addressed later through additional study and engagement.

In important respects, the mapping has therefore moved ahead of the broader planning needed to support it. That matters here because Regional Planning Commissions must now draw consequential boundaries between Rural Conservation and Rural Agriculture and Forestry using the information and frameworks currently available. The concern is not that agricultural and ecological values are competing interests. It is that the Future Land Use map should not carry forward a process in which ecological priorities are already extensively mapped and defined while agriculture and working-land questions are still being sent through additional study and engagement.

TRORC's classifications—and LURB's review of them—should account for that imbalance rather than allow it to determine how the future of these rural landscapes are represented on the map. These classifications should not be treated as settled judgments or given greater certainty or permanence than the underlying analysis can support while the Legislature itself continues to call for further engagement and study on many of the relationships the maps are being asked to represent.

Managed agricultural grasslands illustrate why a broader lens matters.

Because Vermont Conservation Design provides an underlying ecological framework for the Regional Plan, it is important to understand what that framework is designed to see—and what may be missed when working lands are viewed through it without comparable agricultural analysis. State law requires the Regional Plan's natural resources and working lands element to be based on ecosystem function and consistent with VCD. The 2018 *Vermont Conservation Design: Natural Communities & Habitats Technical Report*, part of VCD's

underlying technical framework, illustrates the concern raised above about what can be missed without a comparably developed working-lands lens.

The report defines “managed agricultural grasslands” as “anthropogenic” lands generally cultivated for livestock forage, but identifies their “primary function” as habitat for grassland-dependent birds. Its conservation target for these lands is improving grassland-bird survival and productivity. For that purpose, VCD favors large fields that are “blocky or circular” and states: “Trees within the grassland will generally lower the habitat use and should be absent or limited to a small number of individual trees (not a treeline or island).”

From a working-lands perspective, it is striking to define bird habitat as the “primary function” of land cultivated for livestock forage. The forage itself is food for grazing animals, and much of Vermont's agricultural grassland remains grassland only because people continue to graze, cut, or otherwise manage it. VCD recognizes this dependence, stating that “The management regime of grasslands is essential” and identifying these fields as conservation targets only while they remain in active agricultural use. The result is a framework that sees the grassland primarily as bird habitat, while much of its agricultural function—and many of the ecological processes associated with that function—fall out of the analysis.

How that management occurs also matters. A hayfield may be kept open through repeated mechanical cutting, machinery, and fossil-fuel inputs. A pasture may remain open through grazing animals that consume perennial forage, convert it into food, return nutrients to the soil, and participate directly in the ecology of the grassland. Two fields may look similarly open through a habitat-mapping lens while functioning very differently as agricultural and ecological systems.

The treatment of trees makes the limits of that lens particularly clear. Trees may reduce the suitability of a field for particular grassland-dependent birds, but that is very different from saying that trees reduce the ecological or even bird-habitat value of the working landscape as a whole. Agroforestry research has found higher overall bird diversity in tree-integrated agricultural systems than in comparable open agricultural land, and research on silvopastoral systems specifically demonstrates that trees and even groups of trees within pasture can provide habitat structure, connectivity, food and shelter for wildlife, while supporting agricultural production. The tradeoff is among different habitat functions and species—not simply between “habitat” and “trees.”

That broader understanding is much closer to what our District has been advancing through locally led conservation planning. Silvopasture intentionally integrates trees, forage, and grazing animals within the same landscape. Agroforestry may deliberately establish trees, treelines, or tree islands for food and fodder, livestock shade and shelter, soil protection, water management, habitat, connectivity, and other functions. Contour and Keyline design may organize grazing, trees, and production around topography and water rather than compact field geometry, while multifunctional buffers and perennial crops add further structural and biological diversity. What appears less desirable through a metric favoring large, blocky, treeless grassland may be precisely the complexity we are trying to build into a productive, biodiverse, water-resilient working landscape.

The point is not that grassland-bird habitat is unimportant. It is that VCD is answering a narrower ecological question than a Regional Plan must answer. In this element, VCD asks what landscape characteristics best support particular grassland-dependent species. A Regional Plan must consider the same land as an integrated natural resources and working lands system—including food production, soils, water, biodiversity, habitat, and its capacity to change over time. Even from a biodiversity perspective, the landscape configuration preferred for grassland specialists is not necessarily the configuration that maximizes overall biodiversity. Research on agroforestry illustrates precisely this distinction: adding trees can disadvantage some open-habitat specialists while increasing habitat heterogeneity and supporting a broader bird community.

This is precisely why a comparably developed working-lands lens matters when VCD is carried into Future Land Use planning. Agriculture does not merely add an economic or production value to an otherwise complete ecological analysis; working-lands knowledge also contributes ecological information that this particular framework does not capture. VCD should inform the broader analysis for what it was designed to show, but the landscape configuration preferred for one habitat objective should not become the presumed ecological or conservation endpoint for working land.

3. Rural land-use policies should support the working landscape and rural economy they are intended to protect.

Section 3 — In brief

What we say

- The Plan shapes municipal plans, State agency plans, and Act 250, solid-waste, and Section 248 proceedings.
- The Draft’s definition of substantial regional impact includes “principal retail outside of core settlements” and commercial structures over 2,000 sq ft in Rural Conservation or 4,000 sq ft in Rural Agriculture and Forestry. Use type and building size alone do not show a regional effect.
- By statute, Rural Agriculture and Forestry is meant to promote the working landscape and rural economy, not freeze it.
- Farm housing, processing, storage, infrastructure, and complementary businesses often keep land working rather than converting it.
- Over decades, these policies could lock in today’s settlement pattern and limit future rural stores, services, and enterprises.

What we ask

- Reconsider the categorical thresholds for retail and building size, and tie regional review to actual effects such as traffic, infrastructure demand, fragmentation, or regional market draw.
- Distinguish development that converts or fragments working land from development that helps keep it working.

- Leave room for site-specific judgment, consistent with the statutory direction to decide matters at the most local level possible.

The Future Land Use classifications matter not only because of how they describe the intended future of the land, but because the Regional Plan helps establish the planning framework within which future municipal and State planning decisions will be made.

The Regional Plan does not function as municipal zoning, and adoption of the Plan does not itself prohibit ordinary development. Its influence is nevertheless broader than the State permitting proceedings in which its provisions have direct legal effect. Vermont law requires municipal plans to be compatible with the Regional Plan, and Regional Planning Commissions review municipal plans for that compatibility when approval is sought. RPCs also consult with municipalities on their planning efforts and may recommend amendments as municipal plans are updated. State agency land-use plans must likewise be compatible with regional plans and approved municipal plans. 24 V.S.A. §§ 4350, 4382; 3 V.S.A. § 4021.

The Plan also has more direct legal significance in specified State proceedings. Under 24 V.S.A. § 4348(o), regional-plan provisions are given effect, where relevant, in proceedings under Act 250, solid-waste law, and 30 V.S.A. § 248. Where a regional plan conflicts with a duly adopted municipal plan, the regional plan is given effect if the project has a “substantial regional impact” as determined by the definition in the regional plan.

TRORC's definition is therefore consequential. The Draft identifies some impacts that are readily regional in character, including effects on regional transportation and infrastructure, public services, housing, and employment. But it also defines projects as having substantial regional impact based on particular uses, locations, or building sizes. These include “principal retail outside of core settlements” and commercial development with structures exceeding 2,000 square feet in Rural Conservation or 4,000 square feet in Rural Agriculture and Forestry.

The District asks TRORC to reconsider whether those categorical thresholds necessarily establish a substantial regional impact. A project may be economically significant to a farm, family, or rural town without producing effects that are regional in scale. If the concern is traffic, infrastructure demand, fragmentation, regional market draw, or another regional effect, the Plan should address that effect as directly as possible.

This question is especially important in Rural Agriculture and Forestry. Vermont's statutory definition of that category is not a description of land where change should cease. It expressly calls for development to be carefully managed to “promote the working landscape and rural economy.” TRORC's own Economic Development chapter similarly recognizes that “Farm innovation and diversification is essential to our agricultural landscape,” identifying direct-to-consumer sales, on-farm events, farmers markets, agritourism, and value-added production among the ways farms are adapting to unstable traditional markets.

A working landscape is not a landscape on which nothing changes.

Farms need barns, greenhouses, processing and storage facilities, water systems, access, energy infrastructure, employee and family housing, value-added businesses, equipment, and sometimes entirely new enterprises. Forest businesses need access, infrastructure, markets, equipment, and flexibility in management. Families need succession options. Rural communities need housing, services, businesses, and people able to remain in the places where they work.

Physical development on a working landscape is not necessarily conversion of that landscape. In many cases, development is what keeps the larger acreage working. A home may allow the next generation to take over a farm. A processing or storage building may make an agricultural enterprise financially viable. A complementary business may provide income that keeps land from being sold or subdivided. Infrastructure may make a new grazing, agroforestry, forestry, or food-production system possible. The Plan should distinguish development that converts or fragments working land from development that enables its continued productive use.

The treatment of retail illustrates the broader concern. There are good reasons to prevent large-scale, automobile-oriented commercial development from sprawling across rural landscapes. But “principal retail” describes a type of activity, not its regional impact. A small rural general store and a regional shopping center may both have retail as their principal use while producing radically different effects on traffic, infrastructure, working lands, and surrounding communities. The same question applies to the Draft’s 2,000- and 4,000-square-foot commercial thresholds: what makes those particular building sizes, standing alone, substantially regional?

A Regional Plan should not inadvertently make today’s settlement pattern permanent. Its influence extends beyond individual permit proceedings because it becomes part of the framework against which future municipal planning is developed and reviewed. Where stores, businesses, housing, processing facilities, and other rural uses happen to exist today should not determine where they may ever exist in the future.

The consequences may not be obvious within the eight-year life of one Regional Plan. Over decades, however, repeatedly planning large portions of the region for little or no new retail or other commercial activity could affect whether new rural stores, food businesses, repair shops, farm markets, services, gathering places, or enterprises we cannot yet anticipate can emerge where people actually live and work. Agriculture, demographics, transportation, energy, technology, and local economies will change. Planning for rural character should not mean planning rural communities to remain economically static.

The same principle applies to building scale, siting, housing, and infrastructure. Avoiding unnecessary fragmentation of productive fields and forests is important, but generalized rules should not substitute for understanding how a working property actually functions. The appropriate location for a farm building, access, housing, processing facility, or other infrastructure may depend on soils, topography, drainage, water, existing infrastructure, livestock movement, field access, future expansion, and the design of the operation as a whole.

Vermont directs planning decisions to occur at the “most local level possible commensurate with their impact.” TRORC should apply that principle both to its rural land-use policies and to its definition of

substantial regional impact. What actual regional harm is each restriction intended to prevent, and which decisions truly require a regional rule rather than local judgment?

The Regional Plan should address impacts that warrant regional concern while preserving room for farms, forests, businesses, families, and rural communities to adapt over time. A working landscape must have room to keep working, changing, and supporting the people who depend on it.

4. Meaningful participation requires early engagement, due diligence, and institutional learning.

Section 4 — In brief

What we say

- Section 4348 now requires meaningful participation, as defined in Vermont’s Environmental Justice Law, from the outset of planning. The EJ Core Principles and Community Engagement Plan Guidance show what that standard looks like in practice.
- Regional plans must consider environmental benefits and burdens. LURB found the Draft does not yet show conformity with Goal 15.
- LURB also could not determine whether the participation requirement was met, particularly for the Future Land Use map and mandatory policies.
- Existing public input, including WRNRCD’s decades of locally led planning, should be used as knowledge rather than collected again.
- The District had about seven weeks to review the Draft during its busiest field season.

What we ask

- Use local knowledge early enough to shape the maps and policies.
- Review and incorporate WRNRCD’s reports and planning materials.
- Analyze how the Plan’s maps and policies combine on the same farms and communities, including how benefits and burdens are distributed.
- Provide a plain-language, side-by-side comparison of map and policy changes, as our Board requested in July.
- Conduct outreach through local networks such as town listservs, post offices, and general stores.
- Show what participants said, what was incorporated, what was not, and why.

The District’s concerns about process are closely connected to the substantive concerns above. Meaningful participation should help shape a Regional Plan while it is being developed—not simply provide an opportunity to react once its maps and policies are substantially formed.

That is now explicit in Vermont law. Section 4348 requires RPCs, “at the outset of the planning process and throughout the process,” to engage municipalities, citizens, and organizations through working sessions

suited to local needs. Those sessions must provide “meaningful participation as defined in 3 V.S.A. § 6002” and gather information “to be used in the development of the regional plan and future land use element.” [24 V.S.A. § 4348](#)

The definition incorporated by § 4348 comes from Vermont's 2022 Environmental Justice Law, which includes participation in needs assessment and planning, assistance that enables people to participate fully, and transparency about opportunities for input. [3 V.S.A. § 6002](#). As Vermont has implemented that law, the Environmental Justice Advisory Council and Interagency Committee have developed the [Core Principles of Community Engagement](#) and, more recently, detailed [Community Engagement Plan Guidance](#). Because regional-planning law expressly uses the same definition of meaningful participation, these materials provide useful context for what that standard looks like in practice. They are also directly relevant to LURB, which is a covered agency under the Environmental Justice Law. [3 V.S.A. § 6004](#).

One important principle is that people experience the combined effects of government decisions even when government organizes those decisions into separate programs and policy areas. A farmer does not experience agriculture, habitat, water, housing, economic development, and land use as separate layers. It is one farm. A rural community similarly experiences the combined result of decisions across all of those areas.

Government creates the silos; communities live with the combined result.

The Core Principles make this point explicitly: “Vermonters do not experience environmental injustices in the silos that the government operates within.” [Vermont Core Principles of Community Engagement](#).

Vermont's Environmental Justice Law established the State policy that environmental burdens should not fall disproportionately on particular populations and that environmental benefits should be equitably shared. It also requires covered State agencies, including LURB, to consider cumulative environmental burdens and access to environmental benefits in specified decisions. [3 V.S.A. §§ 6003–6004](#)

Regional-planning law now carries those concepts directly into preparation of Regional Plans. RPCs must consider the potential “environmental benefits and environmental burdens, as defined in 3 V.S.A. § 6002,” as well as the “probable social and economic benefits and consequences” of the proposed Plan. [24 V.S.A. § 4345a](#) State Planning Goal 15 likewise calls for the equitable distribution of environmental benefits and burdens “as described in 3 V.S.A. chapter 72.” [24 V.S.A. § 4302](#)

LURB has already identified this issue in its review, finding that the Draft did not yet demonstrate conformity with Goal 15 because it lacked analysis of the current distribution of environmental benefits and burdens across the region. [LURB Preapplication Response, RPC10-0001](#)

The Plan therefore cannot be evaluated one map layer, policy, or stated benefit at a time. A policy intended to produce an environmental benefit may also affect where housing can be built, whether a farm can diversify, where a rural business can locate, whether working land remains economically viable, or who bears the costs. The Plan should consider how these policies interact across the same farms, properties, and communities—and how the resulting benefits and burdens are distributed.

Meaningful participation is one way those relationships become visible. Farmers can explain how individual fields function within whole operations. Foresters can explain management potential. Municipalities can identify housing and infrastructure needs. Residents can explain how land is actually used. Conservation Districts can bring years of locally led natural-resource planning and implementation experience. TRORC should use that knowledge alongside statewide technical data early enough to inform the Plan's maps, classifications, and policies.

Existing public input should be treated as knowledge, not repeatedly recollected.

Meaningful participation also requires due diligence and institutional learning.

The [Core Principles of Community Engagement](#) begin with a simple instruction: “Don't reinvent the wheel.” They caution that failing to use and share prior public input can overburden communities, direct government to assess existing resources and determine how their findings should be incorporated, and instruct agencies to “do your homework” by learning about prior engagement. The more recent [Community Engagement Plan Guidance](#) builds on that approach by directing agencies to consider existing information, relationships, prior engagement, affected communities, and barriers to participation when planning engagement.

WRNRCD's existing planning and engagement record should be part of the information base for regional planning. For over eight decades, the District has documented and offered recommendations on many of the priorities now at issue—including working-land viability, soil and water concerns, reducing chemical dependency and expanding non-toxic approaches to land management, and the need to integrate conservation with farm and rural economic viability. We specifically ask TRORC to review the District's existing reports and planning materials as part of this process. [WRNRCD Reports](#). Reviewing and integrating that work and meaningfully consulting with the District at the outset would have allowed TRORC to begin with what local engagement had already established, rather than asking the District, its Board, and the public to restate it after the Plan was substantially developed. New engagement could then focus on what has changed, what is missing, and what remains unresolved.

Meaningful participation should build institutional knowledge, not repeatedly recollect it. Farmers, small-town officials, rural residents, and community organizations should not have to repeatedly provide the same information because public institutions have not incorporated one another's planning work. With 23 shared municipalities, WRNRCD and TRORC have a particular opportunity and responsibility to carry that knowledge forward.

People also need to understand the consequences of the map.

Meaningful participation requires more than notice of a proposed Plan or access to a GIS layer. If land changes classification, people should be able to interpret what changed and what that change could mean for future housing, businesses, agriculture, forestry, subdivision, infrastructure, or development.

TRORC should provide a clear, plain-language comparison between the existing and proposed Regional Plans showing both map changes and policy changes. The WRNRCD Board specifically requested this during its July discussion with TRORC.

The District also supports outreach through the communication systems rural communities actually use—including town listservs, post offices, general stores, and other local networks rather than relying primarily on formal notices and regional websites. This is consistent with § 4348's direction that working sessions “suit the needs of local people.” [24 V.S.A. § 4348](#)

Those opportunities should welcome questions, disagreement, and different perspectives. Meaningful participation does not require agreement. It requires that people have a meaningful opportunity to be heard and respected while their participation can still inform the Plan.

LURB's August 7 preapplication response reinforces this concern. LURB acknowledged TRORC's substantial outreach but also reported that constituencies believed they had not had adequate opportunity to participate, “particularly with respect to the draft regional future land use map and mandatory policies.” LURB concluded that it was “unable to determine whether the draft regional plan appears to meet” § 4348(a)'s participation requirement and requested additional evidence demonstrating meaningful engagement. It separately raised concerns about whether mandatory land-use restrictions had been developed with adequate input from affected landowners. [LURB Preapplication Response, RPC10-0001](#)

The District's own experience illustrates the timing problem. WRNRCD had just 7 weeks to review the Plan during our busiest field season, which did not allow sufficient time for staff review and full Board consideration. This letter therefore falls outside the original comment window. That itself underscores the need for additional time for affected institutions and communities to meaningfully review and respond to the Plan.

Those findings do not negate the outreach that has occurred. They identify what the remaining process needs to accomplish.

Finally, TRORC should show what participation changed or influenced in the Plan. Participants should be able to understand what information was received, what was incorporated, what was not, and why. The [Core Principles of Community Engagement](#) similarly caution against treating public comment as “one-off interactions” and call instead for ongoing dialogue and follow-up.

Regional planning should build each planning cycle on what has already been learned rather than beginning again with each new process.

5. The Plan needs another round of substantive revision before adoption.

Section 5 — In brief

What we say

- These concerns are connected. Agriculture and ecology, and local and regional government, are not opposing choices across most of the landscape we jointly serve.
- The Draft is not ready for adoption without substantial revision.

What we ask

- The full list of requests follows. In short: revisit the map and methodology, explain the classifications, use the District's record, reconsider the mandatory policies and thresholds, clarify what State law requires, analyze combined effects, engage further, coordinate regularly with Conservation Districts, and bring a revised draft back for review.

The concerns above are connected. A specialized ecological framework is now helping inform and shape a regional land-use system with consequences for farms, forests, housing, businesses, municipal authority, and rural economies. Hard classification lines are being drawn across landscapes whose functions overlap, and mandatory regional policies may then shape what happens within those lines.

White River NRCD is not asking TRORC to choose agriculture over ecology, economic development over conservation, or local government over regional cooperation. Those are false divisions for much of the landscape we jointly serve.

Soil health affects water. Grazing affects vegetation, habitat, food production, and farm economics. Trees can provide habitat and connectivity while producing food and fodder and protecting livestock. Housing affects whether people can continue farming, forestry, and conservation work. Farm economics affect whether land remains actively managed. Water and topography influence how farms should be designed. Forest succession changes the landscape whether a planning map changes or not.

The work before TRORC is therefore inherently integrative, and we do not believe the current Draft is ready for adoption without substantial revision.

Before moving toward adoption, White River NRCD asks TRORC to:

- revisit the Future Land Use map and mapping method, particularly the distinction between Rural Conservation and Rural Agriculture and Forestry, using agricultural, forestry, economic, municipal, and local knowledge alongside VCD and other ecological information;
- clearly explain how land was classified, including what information was used, how competing values were weighed, why remote rural lands were considered first for Rural Conservation, and what agricultural and working-lands information was used to review those initial classifications;
- review and incorporate WRNRCD's existing reports and planning materials and consult directly with the District, farmers, foresters, landowners, municipalities, and others who know these landscapes before treating the classifications as settled; [WRNRCD Reports](#)

- consider both current and future working-land uses at the scale of the whole farm, forest, or property; verify classifications on the ground; and reconsider boundaries that divide working properties without accounting for how they function as a whole;
- distinguish development that converts or fragments working land from development that helps keep it working, such as farm housing, processing and storage facilities, infrastructure, value-added businesses, and other enterprises that support farm and forest viability;
- reconsider the Plan’s mandatory regional policies and definition of substantial regional impact, including restrictions on “principal retail” and the 2,000- and 4,000-square-foot commercial thresholds. Regional review should be tied to actual regional effects—such as traffic, infrastructure demand, fragmentation, or regional market impacts—rather than use or building size alone;
- explain why particular decisions require regional rules rather than municipal judgment, and clarify what happens when a regional policy differs from a municipality’s adopted plan or zoning;
- clearly identify which provisions are required by current State law, which are allowed but not required, and which are independent choices by TRORC. Provisions developed in response to Act 181 requirements that Act 152 later repealed, delayed, or substantially changed should be removed or revised unless TRORC makes a clear decision to retain them as regional policy;
- analyze how the Plan’s maps and policies will affect the same farms, properties, and communities when considered together, including their effects on environmental benefits and burdens, housing, farm and forest viability, succession, businesses, infrastructure, and rural economic activity;
- provide a clear process for correcting data and classifications, along with a plain-language, side-by-side comparison showing what is changing in both the maps and the policies attached to them;
- conduct additional public engagement while the Plan can still be meaningfully changed, using the communication networks rural communities actually use and explaining what information was received, what was incorporated, what was not, and why;
- establish regular coordination with Conservation Districts in the covered region, during the current revision and from the beginning of future regional planning processes; and
- bring a substantially revised draft back for review before adoption, providing enough time for the District Board, municipalities, affected landowners, and the public to understand and respond to the changes.

Conclusion

White River NRCD supports the protection of Vermont’s soil, water, forests, habitat, biodiversity, farms, and rural communities. Our concern is that these functions cannot be planned well in isolation from one another.

A Future Land Use map should be capable of recognizing a farm that is simultaneously productive, biodiverse, forested, connected, inhabited, economically viable, and ecologically valuable. It should leave room for that farm to become more integrated over time—not force its future into a choice between conservation and production because the datasets or categories were built separately.

This is also the future we have heard people describe through our Districts' locally led planning efforts. Approaches such as contour farming begin with the shape and function of the land, its slopes, soils, and movement of water, and then organize fields, trees, grazing, habitat, food production, homes, and livelihoods around those relationships. That vision does not begin by separating forests from fields, or working lands from towns. It recognizes that their futures are connected. The Regional Plan should recognize and make room for that more integrated landscape.

Likewise, a Regional Plan should protect important resources without unnecessarily narrowing the ability of rural people to build homes, maintain businesses, transfer farms, invest in infrastructure, diversify operations, and adapt land management as environmental and economic conditions change.

These are not abstract distinctions. The Plan's classifications and policies will become part of the framework within which future municipal planning and State land-use decisions are made. A mapped boundary or mandatory policy can influence whether a home, farm enterprise, processing facility, business, subdivision, or other investment is supported. Over time, those individual decisions accumulate into the future shape of a rural landscape and economy. The Draft itself recognizes the importance of farm innovation and diversification, while the District's comments explain why development and land use changes can sometimes be what keeps working land working.

Vermont law asks TRORC to consider ecological function and Vermont Conservation Design. It also requires planning for natural resources and working lands, present and prospective land uses, the working landscape and rural economy, decisions at the appropriate governmental scale, and meaningful participation throughout development of the Plan. The central point of these comments is that those responsibilities need to be carried out together.

The District has already developed years of locally led knowledge about many of the landscapes and questions now before TRORC. That record should be reviewed and incorporated, not repeatedly recollected through new processes after major decisions have already been framed.

We therefore ask TRORC and LURB to take another substantive pass at the map, the rural policies, and the process that produced them before the Plan moves toward adoption and approval. Listen to the accumulated record. Use it. Show how it affected the Plan.

That will produce a stronger Regional Plan: one that protects ecological function while leaving room for working lands and rural communities to remain productive, inhabited, adaptable, and capable of becoming more integrated over time.