

Joint Statement of Commitment

Whereas:

- Vermont faces a housing shortage that exacerbates a set of challenges including declining K-12 enrollment, unhoused Vermonters and makes it harder for employers across every sector to attract and retain the staff needed for their businesses. Vermont's designated downtowns, and town and village centers are the most economically and environmentally sensible places to work to quickly increase Vermont's housing stocks;
- Providing housing closest to places of employment ensures shorter commuting times and reduces the loss of farmland and forests resulting from housing-sprawl;
- Focusing new homes in designated downtowns, and town and village centers will help the state achieve its climate goals as households living in these areas generally have much lower transportation emissions, and compact development in community centers reduces emissions and can build resilience;
- Vermont's wetlands can provide a variety of functions and values including essential flood storage and mitigation functions, drought resilience, improved water quality and important wildlife habitat. These wetland functions are particularly important as climate disruptions are resulting in increased frequency and intensity of weather events;
- The historic loss of as much as 35% of Vermont's wetlands due to draining, dredging, filling, or excavation tied to industrial, residential, and agricultural activities have reduced these beneficial functions and severe weather events have demonstrated the need to protect and restore significant wetlands;
- Many of Vermont's landmark policies, like the Vermont Housing and Conservation Act, were built on the correct premise - that thriving communities need both homes and working lands. Achieving both requires constant intentional attention to each - not choosing one over the other, but also making sure neither are an afterthought;
- It is important that wetlands-permitting be administered in a clear, consistent and timely manner to provide regulatory certainty for Vermonters and facilitate the construction of housing, especially in downtowns and town and village centers;
- Streamlining and improving current wetland mapping to accurately reflect wetland boundaries would provide regulatory certainty for landowners, homebuilders, and permitting agencies;
- Streamlining permitting in designated growth areas causes far less cumulative harm to Vermont's farms, forests, and natural resources than the sprawl of residential housing and infrastructure into undeveloped or underdeveloped areas in the broader Vermont landscape; and,
- For larger projects (involving more than one-half acre of impervious surface) that require stormwater permits from ANR, the stormwater permit may mitigate any loss of flood storage and water quality functions as result of development in the wetland buffer.

Now therefore, the Vermont Agency of Natural Resources, Let's Build Homes, Vermont Natural Resources Council, Conservation Law Foundation, and Lake Champlain Committee make the following commitments, subject to available resources:

- The parties commit to advancing Vermont's urgent need for more housing in downtowns and town and village centers (“developed areas”), while ensuring this growth is compatible with the protection and restoration of significant wetlands that are essential to the state's long-term resilience.
- The parties will implement their shared commitment by engaging in short, medium, and long-term actions, as follows:
 - Short-term (before the end of 2026):
 - Incorporate existing wetland delineations into the Wetlands Inventory within developed areas;
 - Set a 25-foot buffer within defined designated growth areas for projects registered with ANR on or before January 1, 2030 as set forth in the proposed amendments to the Vermont Wetland Rules effective August 8, 2026;
 - Shift resources to provide dedicated wetlands-permit assistance to proposed housing developments in developed areas; and,
 - Publish guidance on the wetland mitigation and compensation sequence contemplated in Vermont Wetland Rule Sections 9.5.b and c, which guidance will clearly identify the process applicants should follow and the information and proof necessary to demonstrate a project has practicably avoided and minimized wetland impacts and is eligible for mitigation or compensation during the state wetland permit application process.
 - Medium-term (before the end of December, 2027):
 - Develop a general permit (similar to a transmission line general permit) to allow for fast-tracking for housing and mixed-use development that includes housing with minor wetland impacts statewide;
 - Adopt a professional certification program to authorize private consultants to delineate and classify wetlands;
 - Adopt objective criteria to more consistently identify the functions and values of individual wetlands for purposes of mapping and permitting; and,
 - Invest in mapping of wetlands in designated areas with a goal of completing the mapping by December 2027.
 - Long-term:
 - Before January 1, 2030, ANR will review the impacts of setting a twenty-five-foot (25') buffer within designated growth areas as set forth in proposed amendments to the Vermont Wetland Rules, evaluate whether narrower buffers result in a loss of wetland functions, and determine when compensation should be required for the impact. ANR will also assess whether longer-term changes to buffer requirements in designated growth areas should be implemented;
 - Continue to improve wetland maps to reflect wetland delineation, including through improved digital-mapping and mapping by certified consultants as provided above, to minimize unmapped Class II wetlands with the goal of improving mapping to the point where they will serve as the primary basis

for regulatory review of wetlands in designated growth areas. Work together to formulate a legislative initiative to implement this goal;

- Encourage developers and certified consultants to include a review of existing mapped wetlands and/or delineations on or adjacent-to properties in developed areas, as a part of due diligence;
- Pursue legislative changes in 2027 session that facilitate housing and mixed-use development in designated areas without undue impacts on wetlands by codifying critical elements of this agreement that require legislative approval;
- Establish a streamlined wetland mitigation system for unavoidable buffer impacts resulting from housing and mixed-use development in designated growth areas; and,
- Provide guidance and technical assistance to local governments to assist with planning housing development and infrastructure for housing in non-wetland areas.

Signed:

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