

PETITION TO COMMENCE RULEMAKING & ENVIRONMENTAL REVIEW

WHEREAS the Worcester Range has been described by the Vermont Department of Fish and Wildlife as a “linchpin, ...the only place that’s left in central Vermont that is large in scale and almost completely unfragmented.”

WHEREAS the Worcester Range possesses remarkable ecological characteristics including its unfragmented habitat, history of passive management, intact watersheds, and geographic context that make it unique in Vermont and particularly worthy of conservation; and

WHEREAS these special ecological characteristics provide a wide range of environmental and economic benefits to the public, including flood and drought protection, clean air and water, recreation and tourism, endangered and threatened species protection, and habitat for a wide range of flora and fauna; and

WHEREAS the Worcester Range Management Unit is home to various endangered and threatened species including the Northern long-eared bat (*Myotis septentrionalis*), Indiana Bat (*Myotis sodalist*), Tri-colored Bat (*Perimyotis subflavus*), and Little Brown Bat (*Myotis lucifugus*); and

WHEREAS older forests contain unique habitat that supports plant and animal species that provide ecosystem services to the state economy, including bats and pollinators that benefit agricultural production; and

WHEREAS the watersheds within and downstream of the Worcester Range are owned by the State in trust for the public under the common law and the Vermont Constitution; and WHEREAS the Vermont Constitution requires that these lands must be managed for the common benefit;

WHEREAS the Agency of Natural Resources (“ANR”) has created a management plan (“the Plan”) that designates portions of the Worcester Range for timber harvesting; WHEREAS timber harvesting in accordance with ANR’s plan would severely harm the special ecological characteristics of the Worcester Range, and would deprive the public of many of the Worcester Range’s environmental and economic benefits while providing financial benefit to a small number of people at the expense of the public;

WHEREAS the Plan functions as a rule within the meaning of Vermont statutes but was not promulgated in compliance with Vermont statutes governing rulemaking;

WHEREAS ANR published the draft plan and held informal meetings with members of the public, but did not hold any public hearings at which members of the public could publicly address ANR and other members of the public as required by statute, did not perform environmental impact analysis and economic impact analysis and consideration of an alternative rule as required by statute, did not create an opportunity for public comments that were available to the public after receipt, did not address the State’s duties under the Constitution and the public

trust doctrine, and did not submit the proposed rule to the Legislative Committee on Administrative Rules and obtain that Committee's approval of the rule as required by statute.

WHEREAS, regardless of whether ANR has already violated Vermont law by failing to follow the statutory requirements for rulemaking, section 831(c) of the Vermont Administrative Procedure Act states that, where 25 or more persons request that an existing practice or procedure be adopted by rulemaking, the agency shall commence rulemaking, and by this Petition, the undersigned hereby make that request;

THEREFORE, the following 25 or more persons request that the Secretary of the Agency of Natural Resources or their designee, within 30 days, commence rulemaking to propose adopting the Worcester Range Management Plan as a rule.

___/s/___ **Linda Hults, 53 Hults Rd, Worcester, VT, 05682** ___4/21/25___

___/s/___ **Brian Tokar, 356 West Hill Rd., Worcester, VT, 05682** ___4/13/25___

___/s/___ **Allen Gilbert, 444 Hampshire Hill Rd., Worcester, VT 05682** ___4/12/25___

___/s/___ **Lila Richardson, 444 Hampshire Hill Rd., Worcester, VT 05682** ___4/12/25___

___/s/___ **Sandra Denner, 454 Hampshire Hill Rd, Worcester, VT 05682** ___4/12/25___

___/s/___ **Robert Carlson-Moeller, 456 Hampshire Hill Rd., Worcester, VT 05682** ___4/12/25___

___/s/___ **Dunja Carlson- Moeller, 456 Hampshire Hill Rd., Worcester, VT 05682** ___4/12/25___

___/s/___ **Lizabeth Moniz, 101 Frazier Road, Worcester, VT 05682** ___4/12/25___

___/s/___ **Katie Back, 406 Wood Rd, Worcester, VT 05682** ___4/12/25___

___/s/___ **Lynn A. Wild, 5 St. Paul Street, Montpelier, VT 05602** ___4/16/25___

___/s/___ **Ron Wild, 5 St. Paul Street, Montpelier, VT 05602** ___4/16/25___

___/s/___ **Myron Dorfman, 160 Shady Rill Rd, Montpelier VT 05602** ___4/16/25___

___/s/___ **Bodo Carey, 385 West Hill Rd, Worcester VT, 05682** ___4/16/25___

___/s/___ **Phyllis Rubenstein, 15 College Street, Montpelier, VT 05602**___4/16/25_

___/s/___ **Kathy A. Johnson, 3 Cedar Street #1, Montpelier VT, 05602**___4/16/25_

___/s/___ **Frank White, 519 Hampshire Hill Rd, Worcester, VT 05682**___4/16/25_

___/s/___ **Carolyn Peduzzi, 576 Hampshire Hill Rd, Worcester, VT 05682**___4/16/25_

___/s/___ **Cecile Green, 364 West Hill Rd, Worcester VT 05682**___4/19/25_

___/s/___ **Janet Thouron, 330 North Bear Swamp Rd, North Middlesex 05682**___4/19/25_

___/s/___ **John Thouron, 330 North Bear Swamp Rd, North Middlesex 05682**___4/19/25_

___/s/___ **Jeff Farber, 768 Stewart Road, Berlin, VT 05602**___4/19/25_

___/s/___ **Meredith Kitfield, 209 Barre Street, C 301, Montpelier, VT 05602**___4/18/25_

___/s/___ **Andrea L Stander, 5 St. Paul Street, Unit 1, Montpelier, VT 05602**___4/18/25_

___/s/___ **Faith Brown, 118 Al Shir Rd, Colchester, VT 05602**___4/18/25_

___/s/___ **Standing Trees, Zack Porter-Executive Director, PO Box 132, Montpelier, VT 05601**___4/21/25_

___/s/___ **Jonathan Carter, 27 Eastman Farm Rd., Burlington, VT 05408**___4/22/25_

___/s/___ **Alan Coulter, 1809 Quaker village Rd, Weybridge, VT 05753**___4/23/25_

___/s/___ **Mark Nelson, 289 Elzira Winter Road, Ripton, VT 05766**___4/23/25_

___/s/___ **Christopher Gish, 3727 VT-15, Cambridge, VT 05464**___4/23/25_