

PUBLIC RECORDS REQUEST

Submitted pursuant to the Vermont Public Records Act, 1 V.S.A. §§ 315–320

Two Rivers-Ottawaquechee Regional Commission

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Kevin Geiger, Peter Gregory
Two Rivers-Ottawaquechee Regional Commission
128 King Farm Road
Woodstock, Vermont 05091

Re: Records concerning the derivation of the Rural; general, Rural; agricultural and forestry, and Rural; conservation areas on the 2026 Draft Regional Future Land Use Map

To Kevin Geiger and Peter Gregory:

Pursuant to the Vermont Public Records Act, 1 V.S.A. §§ 315–320, I request copies of the public records described below.

Scope. This request is limited to three future land use areas on the 2026 Draft Regional Future Land Use Map, and to no others:

- (H) Rural; general, as defined at 24 V.S.A. § 4348a(a)(12)(H);
- (I) Rural; agricultural and forestry, as defined at 24 V.S.A. § 4348a(a)(12)(I); and
- (J) Rural; conservation, as defined at 24 V.S.A. § 4348a(a)(12)(J).

Where a record covers additional future land use areas, I request only the portions concerning these three, and I am content to receive the record in full if segregation is more burdensome than production.

Records requested

Part 1 — Criteria and method actually applied

1. Any written criteria, methodology, protocol, standard operating procedure, decision rule, staff guidance, or work plan used by TRORC to delineate Rural; general, Rural; agricultural and forestry, or Rural; conservation areas, in draft or final form, including any TRORC-specific document and any version of the Vermont Association of Planning and Development Agencies “Future Land Use Methodology and Process” that TRORC treated as governing, together with any record identifying the version used and the date it was adopted for TRORC’s work.

2. The technical GIS notes referenced in that methodology as available to assist with process and delineation, in every version held.
3. Any geoprocessing model, script, ModelBuilder model, Python, R, or SQL used to generate, screen, or edit the polygons for these three areas.
4. Records showing the numeric thresholds actually applied to these three areas, including any acreage minimum for tree canopy or agricultural land; any minimum wetland size; any elevation cutoff; any parcel size or shape screen; and any minimum mapping unit — together with records of any instance in which a threshold was varied, relaxed, or waived.
5. Records of the sequencing or priority rule applied where a parcel or area could have qualified for more than one of these three areas, and records of the decisions actually made in such cases.
6. Records identifying every departure from the statewide methodology in mapping these three areas and the reasoning for each.

Part 2 — Agricultural lands identification under 6 V.S.A. § 8

7. Any guidelines received or obtained from the Secretary of Agriculture, Food and Markets under 6 V.S.A. § 8(a), and any record of a request by TRORC for those guidelines.
8. Any specific criteria established by TRORC for identifying agricultural lands within the region, as contemplated by 6 V.S.A. § 8(b).
9. Records showing how TRORC addressed each of the five matters enumerated in 6 V.S.A. § 8(a) — (1) soil characteristics appropriate to agricultural land; (2) appropriate size of the parcel and use of adjacent land; (3) the importance of agriculture to the region or locality; (4) the availability and capacity of agricultural services and labor to support farming in the region; and (5) the importance of the land, as agricultural land, to the character of the locality. If any of the five was not separately addressed, I request records so indicating.
10. Any analysis, data, survey, interview record, or correspondence concerning agricultural services, agricultural labor supply, or the economic viability of farming in the region, prepared for or relied upon in the 2026 plan update.
11. Any communication between TRORC and the Agency of Agriculture, Food and Markets concerning the identification, mapping, or classification of agricultural land for the 2026 Regional Plan.

Part 3 — Working forest: how the boundary between (I) and (J) was drawn

12. The criteria, decision rule, or test TRORC applied to determine whether a given forest block was mapped as Rural; agricultural and forestry rather than Rural; conservation, and any record of that determination being made for particular blocks or parcels.
13. Records showing what evidence of active forest management TRORC gathered, considered, or relied upon, including but not limited to: Use Value Appraisal managed forestland enrollment; forest management plans approved by the Department of Forests, Parks and Recreation; county forester records or consultations; timber harvest, heavy cutting, or intent-to-cut notifications; Accepted Management Practices compliance records; sugarbush or maple operations; and the presence of forest roads, skid trails, or log landings.

14. Records concerning TRORC's use of Use Value Appraisal data in delineating these three areas, including whether UVA-enrolled managed forestland was mapped, screened, or excluded, and any record of the decision whether to use UVA data at all. The statewide methodology treats the mapping of UVA parcels as optional; I request records of how TRORC exercised that option.
15. Any analysis, data, or correspondence concerning the forest products industry in the region — including sawmills, loggers, truckers, foresters, firewood and pellet producers, maple operations, and the supply of harvestable timber — prepared for or relied upon in the 2026 plan update.
16. Records showing how TRORC gave effect to the provision in 24 V.S.A. § 4348a(a)(2)(C) contemplating policies encouraging active management of forest blocks for timber production, and to the State planning goal in 24 V.S.A. § 4302(c)(9) to encourage and strengthen forest industries, in allocating land among the three rural areas.
17. All records of TRORC's prior forest block, forest integrity, and forest fragmentation mapping and planning work, including work undertaken in connection with Act 171 of 2016 and any material underlying the forest blocks and forest fragmentation pages on TRORC's website, together with any record comparing, reconciling, or superseding that prior work in the course of preparing the 2026 future land use map.
18. Records showing whether and how TRORC distinguished between a forest block's ecological priority ranking and its status as working forest — including any record indicating that a parcel was mapped as Rural; conservation notwithstanding evidence of active forest management, and the reason.
19. Any guidance, correspondence, or training received from the Agency of Natural Resources, the Department of Forests, Parks and Recreation, or the Department of Fish and Wildlife concerning the mapping of forest blocks or habitat connectors for the 2026 Regional Plan, and any comments those entities submitted on the draft.
20. Records showing how TRORC applied the definitions in 24 V.S.A. § 4303 of "forest block" and "forest fragmentation," including any record addressing whether forestry operations exempt from regulation under 24 V.S.A. § 4413(d) were treated as fragmentation for mapping purposes.

Part 4 — The natural resources and working lands element

21. The map or maps constituting the natural resources and working lands element required by 24 V.S.A. § 4348a(a)(2), in every draft and final version, together with the underlying data.
22. Records showing how the three rural areas on the future land use map were derived from the elements of the plan, as 24 V.S.A. § 4348a(a)(12) requires — including any crosswalk, correspondence table, overlay analysis, or narrative connecting the (a)(2) element to the future land use polygons.
23. Records showing how TRORC determined that the element is "based on ecosystem function" and "consistent with Vermont Conservation Design," including which Vermont Conservation Design products, layers, or reports were used and how consistency was assessed.
24. Records identifying areas indicated under 24 V.S.A. § 4348a(a)(2)(B) as having the potential to sustain agriculture, and under § 4348a(a)(2)(C) as important forest blocks and habitat connectors, and records showing how each set of areas relates to the Rural; agricultural and forestry and Rural; conservation boundaries.

Part 5 — Rural; conservation: data sources and 10 V.S.A. chapter 89

25. Records identifying the "existing Agency of Natural Resources mapping" on which Rural; conservation areas were based, as 24 V.S.A. § 4348a(a)(12)(J) requires, specifying each ANR layer used, its vintage, and its scale or resolution.
26. Records showing the use of, and any thresholds applied to, the Vermont Protected Lands Database; Class 1 and Class 2 wetlands; Highest Priority Interior Forests; Highest Priority Connectivity Blocks; tree canopy or land cover data; and elevation data.
27. Records concerning the relationship between the Rural; conservation mapping and 10 V.S.A. chapter 89 (the Community Resilience and Biodiversity Protection Act, Act 59 of 2023), including any acreage target, percentage goal, conservation objective, or statewide or regional conservation figure considered in deciding how much land to map as Rural; conservation, and any communication with the Vermont Housing and Conservation Board, the Agency of Natural Resources, or any other entity on that subject.
28. Any communication with the Land Use Review Board, or internal record, concerning Tier 3 status, Tier 3 rulemaking, or the prospective use of Rural; conservation areas as the basis for future Tier 3 designation.
29. Any communication with a nongovernmental organization concerning the extent, location, or boundaries of Rural; conservation areas.

Part 6 — Rural; general as a residual category

30. Records showing how land was assigned to Rural; general — including whether it was assigned by the application of affirmative criteria or as the residue remaining after the other two rural areas were delineated — and records of the balancing among the three.
31. Records concerning any parcel or area moved between the three rural categories during drafting, and the reason for each change.

Part 7 — Data, edits, and provenance

32. A complete inventory of input data layers used in delineating these three areas, stating for each the source, vintage or publication date, scale or resolution of compilation, and any metadata held, including any FGDC or ISO 19115 metadata.
33. Versioned copies of the future land use feature class or shapefile as it existed at each significant stage of the 2026 update, together with any edit tracking, version history, or archive recording manual boundary changes within these three areas and identifying who made them.
34. Any record of field verification, site visit, ground-truthing, or landowner-supplied information used to check or correct the delineation of these three areas.
35. Any accuracy assessment, error analysis, sensitivity analysis, or quality control review of these three areas.

Part 8 — Conformance, impact, and Corinth

36. The report documenting conformance with the goals in 24 V.S.A. § 4302 and the plan elements in 24 V.S.A. § 4348a, required by § 4348(d)(1) prior to the first hearing and by § 4348(h)(1) upon

submission, in every draft and final version, and specifically those portions addressing § 4302(c)(9), § 4348a(a)(2), and § 4348a(a)(12)(H), (I), and (J).

37. Any analysis or discussion of "disproportionate impact" on individual municipalities in the allocation of land among the three rural areas, including any tabulation by municipality of land area or percentage of land area in each of the three, and any tabulation by municipality of land area by prospective Act 250 tier.
38. All records concerning the classification of land in the Town of Corinth into any of these three areas, including working or annotated maps, staff notes, correspondence with Corinth officials or residents, and any record of a request or objection concerning a Corinth parcel.
39. Any comments received from the Agency of Natural Resources, the Department of Forests, Parks and Recreation, the Agency of Agriculture, Food and Markets, the Department of Housing and Community Development, the Land Use Review Board, or any abutting regional planning commission concerning these three areas, including comments returned in response to the draft submitted under 24 V.S.A. § 4348(b).

Form of production and procedural matters

I ask that records be produced in native electronic format where they exist electronically, with GIS files produced as GIS files with attribute tables and metadata intact, and spreadsheets produced as spreadsheets rather than as printed or scanned images. Where records exist electronically, I request electronic delivery.

Under 1 V.S.A. § 318(a)(1), a response is due promptly, meaning not more than three business days from receipt. Under § 318(a)(2), failure to comply within the applicable time limit is deemed a denial. I raise these not to press but so the timeline is clear on both sides; if the volume warrants a rolling production, I am glad to arrange one, and I would rather have a workable schedule than a hurried response.

If the Commission holds no record responsive to a numbered item, I request a written certification to that effect as provided by 1 V.S.A. § 318(b), identified by item number. I understand the Act does not require an agency to create a record that does not exist. The absence of a record is itself information I am seeking, and I ask that it be stated rather than left to inference.

If any record is withheld as exempt, I ask that the Commission identify the record, cite the specific exemption relied upon, and release all reasonably segregable non-exempt portions. Please advise in advance if fees are expected to exceed \$25.00 and identify the basis for any charge.

Thank you for your attention to this request.

Respectfully,

Neil Ryan
Corinth, Vermont