

1 **Proposed Amendment # 5: Exemptions**

2 **ARTICLE IX. ADMINISTRATION & ENFORCEMENT**

3 **Section 9.2 Exemptions**

- 4 (1) ~~Accepted agricultural and best management practices (AAPs, BMPs),~~ **Required Agricultural**
5 **Practices (RAPs), as those practices are** defined by the Secretary of the Agency of Agriculture, Food
6 and Markets in accordance with the Act [§ 4413(d)] to include the construction of farm structures.
7 Written notification, including a sketch plan showing structure setback distances from road rights-of-
8 way, property lines, and surface waters shall be submitted to the Zoning Administrator prior to any
9 construction, as required under AAPs. Such structures shall meet all setback requirements under
10 these regulations, unless waived by the Secretary.
- 11
- 12 (2) ~~Accepted management practices (AMP) silviculture (forestry) practices, as defined by the~~
13 commissioner of Forest Parks and Recreation, including practices which are in compliance with the
14 Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont,
15 (AMPs) as adopted by the Commissioner of ~~Forests, Parks, and Recreation,~~ in accordance with the
16 Act [§ 4413(d)].
- 17 (3) Public utility power generating plants and transmission facilities regulated by the ~~Vermont Public~~
18 ~~Service Board~~ Vermont Public Utilities Commission [30 V.S.A. § 248], in accordance with the Act
19 [§ 4413(b)].
- 20
- 21 (4) Hunting, fishing and trapping on public or private land as specified under 24 V.S.A. § 2295. This
22 specifically does not include facilities that support such activities, such as firing ranges and rod and
23 gun or fish and game clubs, which are subject to these regulations.
- 24 (1)
- 25 (5) Forestry operations as defined by the state. (see 10.2 Definitions)

26 **10.2 Definitions:**

27 ~~Accepted Agricultural Practices (AAPs):~~ **Required Agricultural Practices” (RAPs)**

28 Accepted practices for agriculture, including farm structures other than dwellings, as currently defined by
29 the Secretary of the Vermont Agency of Agriculture, Food and Markets (see exemptions under Section
30 9.2). See also Agriculture, Farm Structure

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32 ~~Accepted agricultural and best management practices (AAPs, BMPs),~~ **Required Agricultural Practices**
33 **(RAPs), as those practices are** defined by the Secretary of the Agency of Agriculture, Food and Markets
34 in accordance with the Act [§ 4413(d)] to include the construction of farm structures. Written
35 notification, including a sketch plan showing structure setback distances from road rights-of-way,
36 property lines, and surface waters shall be submitted to the Zoning Administrator prior to any
37 construction, as required under AAPs. Such structures shall meet all setback requirements under these
38 regulations, unless waived by the Secretary.

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40 **Forestry Operation:** "Forestry operation" means activities related to the management
41 of forests, including a timber harvest; pruning; planting; reforestation; pest, disease, and
42 invasive species control; wildlife habitat management; and fertilization. "Forestry
43 operation" includes the primary processing of forest products of commercial value on a
44 parcel where the timber harvest occurs.