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RE: summary of testimony to Act 47 Commission on October 11, 2018

Summary of Act 250 related Trails/Wood Processing Facilities over the past 5 years

Data was gleaned from Coordinators' institutional knowledge of JOs/PRs and Permits regarding both Trails and Wood Processing Facilities for the last 5 years.

TRAILS (last 5 years):

- 31 permits issued.
- No denials.
- 2 pending applications.
- The vast majority of permits were issued very quickly. Average time to process applications was **84 days**. When one permit is taken out of the equation (which took 1159 days to process), the average processing time is **48 days**.
- **38 JOs/PRs in the last 5 years, 6 found jurisdiction**
 - Most JOs that found “no jurisdiction” are based on: 1) the threshold of municipal/state projects (including Vermont Trail System Trails) was not met, 2) the project consisted of routine maintenance, or 3) No material change to an existing project.
 - Jurisdiction found for:
 1. Change in use of down hill ski trails to summer use/mountain bike trails
 2. Construction of improvement for a commercial purpose (48x60 building for equipment)
 3. Material change (parking area, new trail and bridges)
 4. Material change (newly constructed trails)
 5. Material change (redesign and build new trail)
 6. Material change to existing trail (addition of a shooting range). Work to trail was found not to be jurisdictional.

WOOD PROCESSING FACILITIES (last 5 years):

- 7 permits issued. Most on relatively short order, but not nearly as quickly as the trail permits. Average time to process applications—**110 days**.
- 1 pending application, not issued yet.
- No denials.
- Half of the issued permits are in District 7—north east kingdom
- Of the permits reviewed, only 1 new permit has restrictions re: traffic (though an earlier permit in the Colton series does have traffic related conditions)

- Of the permits reviewed, 4 new permits have restrictions re: operating hours (though an earlier permit in the Colton series does have operating hours related conditions)
- About half of the permits issued have aesthetic related conditions
- **6 JOs/PRs in the last 5 years, 3 found jurisdiction**
 1. Wood Pellet processing facility found NOT to be a substantial change
 2. Manufacturing of wooden bowls and addition of container to hold woodchips for chip boiler NOT a material change.
 3. Renovate existing lumber mill and new shop/apartment and future garage is jurisdictional
 4. Use of 11 hp sawmill for use at projects at farm NOT a material change
 5. Proposed 24-person office building at old saw mill is jurisdictional
 6. Existing commercial sawmill is jurisdictional