

Act 250 Public Outreach Guidance

From Act 47

There are three phases to the Commission on Act 250 – preliminary meeting phase which is complete, public discussion phase (now), and a deliberation and report preparation phase.

The goal of this phase is to “Engage Vermonters on their priorities for the future of the Vermont landscape, including how to maintain Vermont’s environment and sense of place, and address relevant issues that have emerged since 1970.”

Answers to Paul’s Questions

The general Vermont public is the intended audience.

The public outreach will:

- Increase public awareness and understanding of the history of Act 250 and its relationship to other permit review (local) – in other words, what Act 250 is and is not. Many people are critical of “Act 250” due to one bad experience or even a bad experience with a local permit issue that gets conflated with Act 250. We hope to clear up some of the misunderstandings and misconceptions that are propagated by loud voices who are against land use regulation altogether or from people who have had one bad experience.
- Build awareness and understanding of the current challenges facing Vermont’s environment and land use planning (sub-committee topics) and allow the public an opportunity to weigh in on these and how we might address them (though not rank among them)

How will the public input be utilized?

- To confirm that we are looking at the right topics and identify if there are other areas we should include in our work.
- To get a sense of the public’s desire for more or less environmental protection through land use

Sub-committees

The sub-committees have done varying amounts of work but all have a start at answering the following questions for their subject area:

- Why are we looking at this issue?
- How often does the issue come up?
- How well is the Act currently doing at meeting the relevant goals to this issue?
- Do we need to revise jurisdiction, criteria and/or the Capability and Development Plan to better address the issue?
- Questions on this subject to ask the public that will engage them on it

The five sub-committees are:

Fragmentation and Settlement Patterns	Forest and habitat fragmentation issues; settlement pattern issues such as supporting designated centers; ridgelines; protection of natural resources
Climate Change	Potential changes to Act 250 to address climate change; ability to address today
Water Quality	Water quality issues facing Vermont and ways Act 250 can help address; evaluation of how well Act 250 currently addresses; science basis for existing Act 250 criteria on water quality
Appeals and Structure	Public participation; structure of NRB; de novo v. on the record; administrative or judicial appeal
Jurisdiction and Exemptions	Exemptions for farming and Section 248 projects; resource-based jurisdiction; releasing projects from jurisdiction

All of the sub-committees were asked to develop possible questions for the public outreach discussion and/or questionnaire. I think that the sub-committees will be the basis for the breakout sessions with the possible addition of one more that is more general in its focus around the Vermont landscape – how has it changed, what do people value or maybe that gets rolled into the other discussions.

There is strong general agreement in statute and among Vermonters around Vermont's goals of maintaining the working landscape and focusing development in our village centers. We do not anticipate spending time re-visiting that as a specific conversation. Of course, it may come up in the breakout sessions.