



**Legislative Commission on Act 250
Community Input Report
Rep. Amy Sheldon, Chair
October 17, 2018**

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EXECUTIVE SUMMARY

Cope & Associates, Inc. (COPE) was engaged by the Vermont Legislative Commission on Act 250 to fulfil the public outreach and input elements of their overall charge: to assess the impact of Act 250 to date, and to look forward to improving the legislation in the context of the changing landscape and climate conditions of the next 50 years.

The Commission membership afforded representation from around the state, with each member having experience with Act 250 and a clear desire to assess the effectiveness of its impact. This work was approached with an interest in leveraging the legislation's existing strengths, while seeking improvements and adaptations where gaps were identified, and always with an eye to the future role of legislation in governing land use.

This outreach and input provided a process where Vermonters could learn about Act 250's history to date, interact with information in conversation with fellow community members and business interests, and offer candid insights into both where the legislation meets or falls short of the needs of Vermonters, as well as their individual aspirations for meaningful use of the natural assets of the state.

A representative analysis of the data is presented in the following section, with raw and tabulated data included in appendices for more in-depth review. Comments from public forums, quantitative and anecdotal data from the survey, and comments from social media and email were all integrated into the report. COPE's role was explicitly to support data capture through community engagement; it is the Commission's role to integrate this information with other sources of input. As a result, no conclusions or recommendations are incorporated in this report. COPE is available as a resource should the Commission seek further analyses or recommendations.

Cope & Associates, Inc. wishes to acknowledge and thank all who participated on this project to make it successful: Members of the Vermont NRB, Regional Planning Commissions, and a large group of volunteers.

SCOPE & METHODOLOGY

About Public Outreach and Input

Public outreach and public input are distinctly different activities. Hence, the Commission approved a design that was different from a traditional town hall or open mic format, which lend themselves better to direct comment on localized issues. Instead, public forums were designed to be interactive, seeding some information about the history, intent and processes of Act 250, then engaging community members in a dialogue that encouraged appreciative inquiry, learning from others' perspectives, and weighing in with individual preferences and comments. A survey was created that delved deeper into the application and appeal processes, as well as continuing to gather input on the broader picture of what makes Vermont great with regard to its conservation of natural beauty while accommodating growth and economic development.

Cascading Communications

From the outset, the intent was to create a cascading communications plan to invite active public participation. A change management approach was used to develop a regular and iterative cadence of information, linked to a series of public forums. Learning and knowledge transfer from early forums fed into survey design and informed communications for upcoming forums. All communications were public record and anchored to a website specific to this purpose. Additional outlets included social media (Twitter and Facebook), statewide and local press in an attempt to promote interest and active participation.

Data Sources

Data to inform this report was gathered from a number of sources:

- Website (see Appendix A)
- Social media posts (see Appendix B)
- Public forums (see Appendix C)
- Statewide survey (see Appendix D)

Public Forums:

Public forums are a commonly used platform to invite comment. In this design, the Commission approved an alternative to a traditional open mic, in the interest of promoting a mix of both education and dialogue that supports public discourse, and inputs to inform the Commission's ultimate responsibility to report on potential legislation for the next 50 years. The challenge was to balance meaningful content with manageable limits on what information to use to prompt meaningful conversation. The Commission worked through various iterations before settling on an approach that seeded conversations around (1) public land use broadly in Vermont, (2) the impact of significant disruptors to the landscape (Climate Change and a need for expanding Infrastructure), and (3) Act 250 permitting process key elements. COPE uses a methodology, *The Big Deal*[™], which utilizes cards as a vehicle to introduce content and invoke appreciative inquiry from participants that is more focused on expressing interests, than on stating fixed positions (see Appendix E). The result was a multitude of rich dialogue facilitated at tables of a manageable group size and a heterogenous composition.

The Commission sought to offer locations across the state that would offer access without undue travel. Ultimately, six venues were selected and forums were held in accordance with a public calendar. Each was well-attended:

Location	Date	Number of Attendees
Springfield	June 27, 2018	44
Manchester	July 11, 2018	53
South Royalton	July 25, 2018	81
Island Pond	August 22, 2018	82
Rutland	September 05, 2018	80
Burlington	September 12, 2018	83

Springfield:



Manchester:



South Royalton:



Survey:

While the forums were designed to invite broad and free-thinking expressions on how to improve the impact of Act 250, the survey was designed to dive deeper into the mechanics and the pros and cons associated with the application and appeal processes. The Commission generated a number of drafts in seeking to create a meaningful data capture tool. The forums certainly improved survey response rate, with a total of 913 being submitted by the September closing date.

Of note, there was sufficient comments that suggest that the survey questions were too leading and therefore would result in the commission only hearing what they want to hear. While care was taken to remove bias from the questions in many iterations in design, COPE notes that the Commission comprised members who have experience with, and are routinely exposed to, the impacts of legislation broadly, and of Act 250 specifically. The challenge for the Commission was always to craft data capture mechanisms that allowed for a breadth of commentary, from broad issues of land use to specifics of processes as they play out across the state, recognizing that survey length is a factor that impacts response rate. From these comments about leading questions, we can imply that feelings run deep among survey respondents and forum participants, and that the legislation has an important role in the lives of Vermonters that has to be understood and governed.

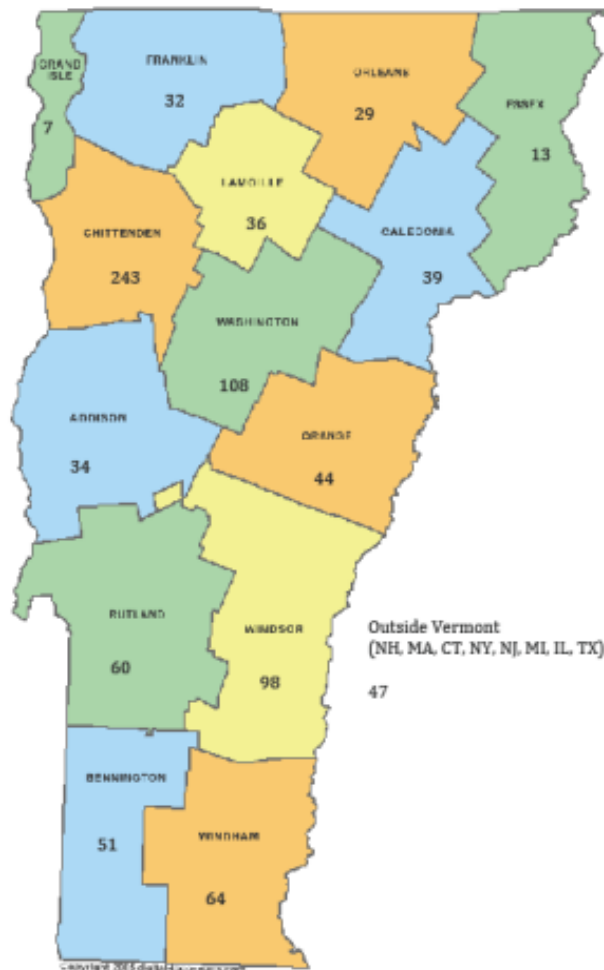
Other:

E-mail and social media posts were all welcomed and incorporated into the data set for this report.

While the data collected through these mechanisms cannot be termed significant statistically as the sample was not randomly generated, the volume of responses and inputs offers meaningful and broad sentiment and opinion from across the state.

DATA HIGHLIGHTS

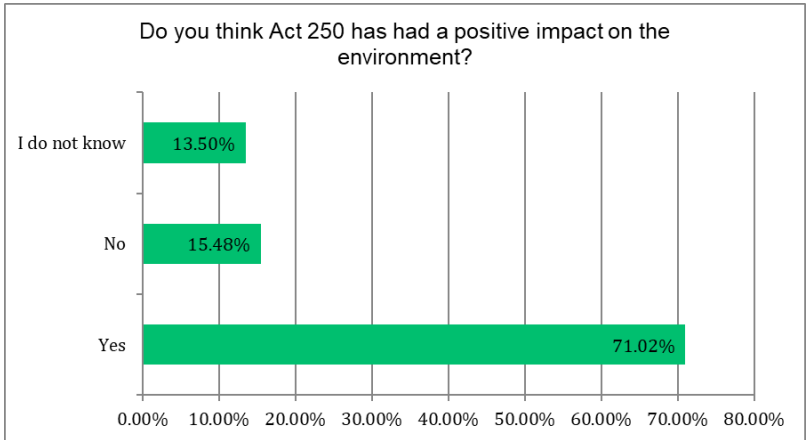
Data was analyzed across all inputs (public forums, online survey, and email submissions) to establish patterns or themes that represent enough weight of opinion to be considered by the Commission. The more prevalent information points are presented in this section of the report; full survey results are attached, both as the complete survey data (see Appendix F) and filtered by county (see Appendix G). A map of survey respondents is provided below by county:



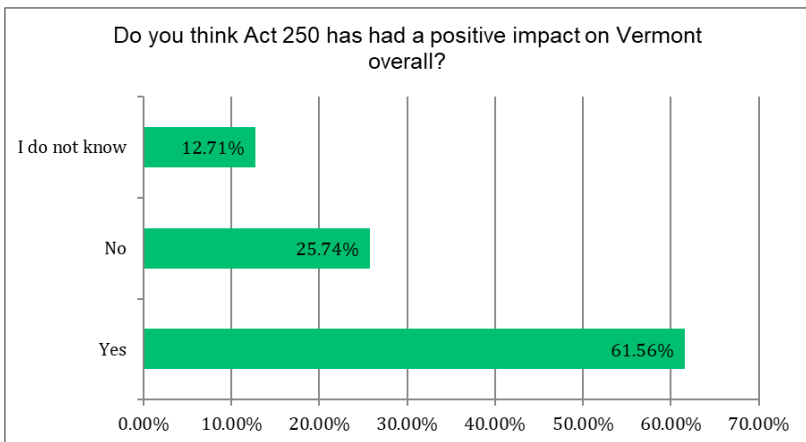
Anecdotal comments from both the online survey and public forums are woven into this analysis, with all narrative responses attached in full (see Appendix H); the same is the case for email responses (see Appendix I).

Broad Vermont Land Use Highlights:

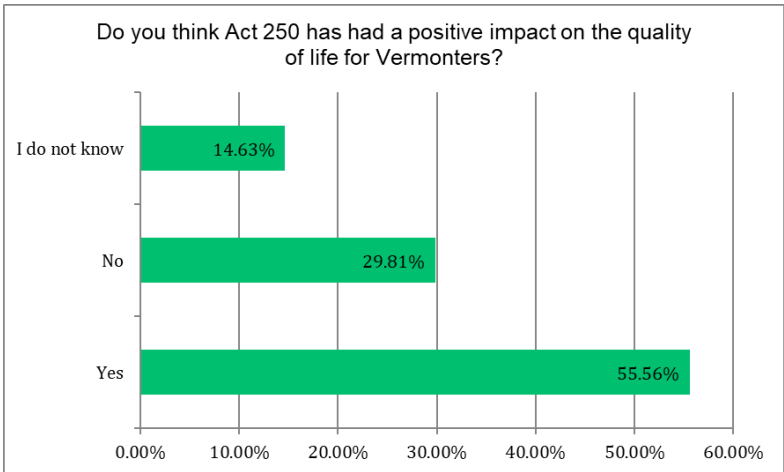
Data collection incorporated thoughts from all participants with regard to land use in Vermont that informs depth of feeling on the various ways that the landscape is used for conservation and economic purposes. This inherently lends itself to a better understanding of the trade-offs or the balance that Vermonters are interested or willing to accommodate on these two important elements of a healthy state.



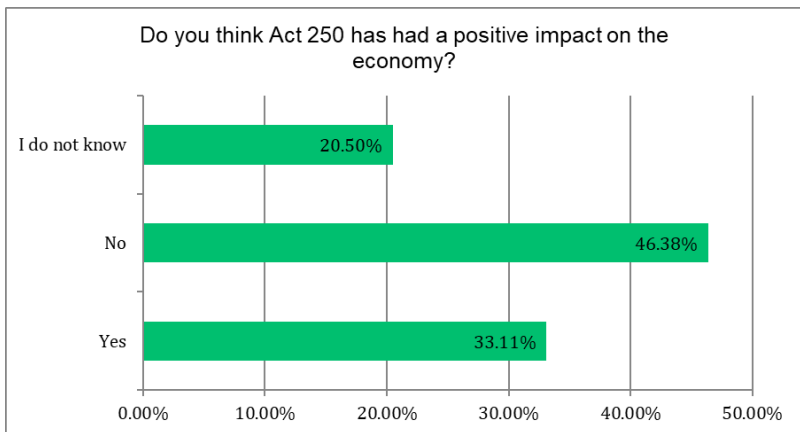
Overwhelmingly, respondents see Act 250 as having a positive impact on the environment. Narrative comments reinforce the quantitative survey data in speaking to the desire to maintain Vermont’s natural beauty and accessibility.



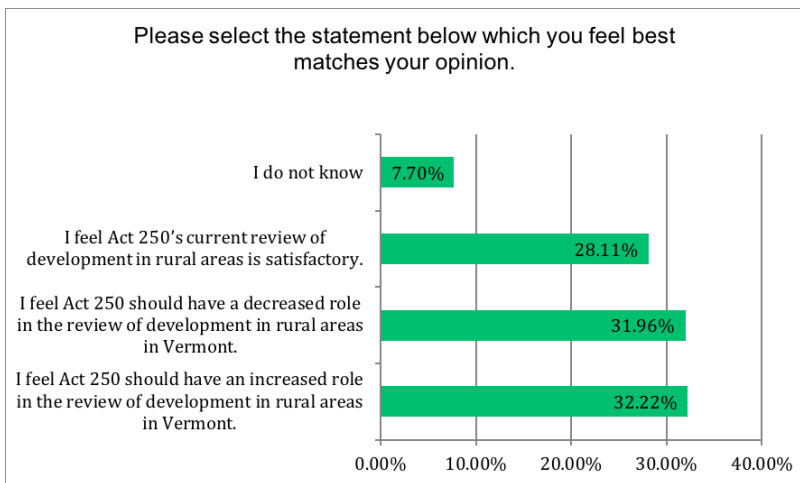
A majority of respondents also see Act 250 as having had a positive impact on Vermont overall. It is seen as legislation that promotes preservation of the best of Vermont and an expression of core values.



As the questions reframe this notion of impact a less significant majority view the impact on quality of life as positive. Over a quarter of respondents expressed a view that Act 250 has not had a positive impact on the life of Vermonters.

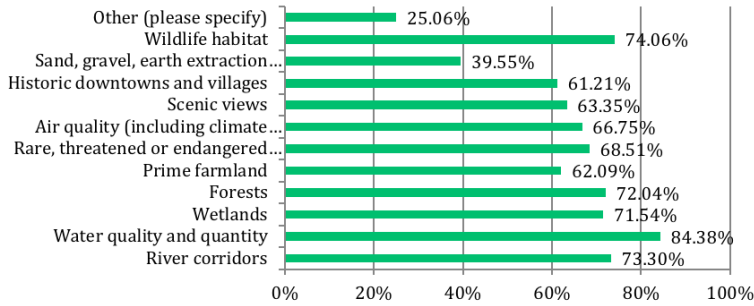


When the question turns to the impact of Act 250 on the economy, we see a different picture; almost half of respondents do not see Act 250 as having a positive impact on the economy.



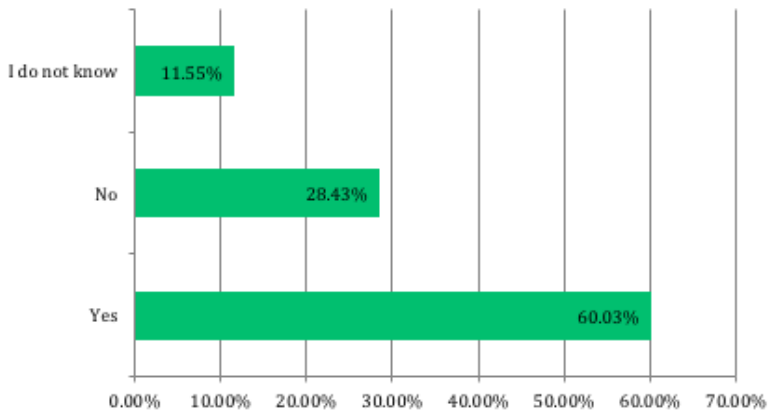
As the legislation affects development more specifically, there is again a large percentage of respondents who believe that Act 250 should have a lesser role in development review.

Which statewide resources should be protected for the present and future? Please select all that apply:

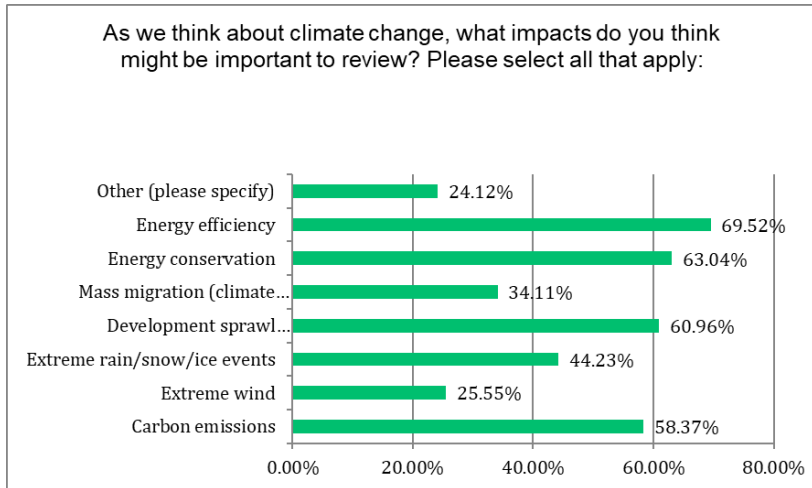


Regarding which resources are considered highest priority to protect, it is noteworthy that respondents saw value in all options listed, with a lesser concern for extraction. Comments here reference the exemptions and the lower priority placed on these aspects of legislative impact. Analysis of the responses to the “Other” option revealed that recreation and ecology were considered highly important to protect. Recreation refers to recreational opportunities such as trails and access for motorized vehicles such as four wheelers. Respondents felt that these opportunities were key to Vermont’s economy as they attract many tourists.

Should Act 250 apply to energy projects on ridgelines?



Ecology refers to protecting land features such as alpine zones, riparian zones, and ridgelines. When asked if Act 250 should apply to energy projects on ridgelines, on the online survey, 60% of respondents selected “Yes”, further indicating a desire to protect ridgelines, as suggested by the comments on the question above.



With regard to climate change, analysis of the “Other” option revealed that there is a subset of Vermonters that do not accept the rigor of climate change science and therefore think that Act 250 should have nothing to do with it.

Another large group thinks that infrastructure development will be key when it comes to climate change in Vermont. In particular, it will be important to further regulate energy efficiency, establish more renewable energy sources, and building connectivity like internet and roadways. Other topics of note in the

comments section include the importance of sequestering carbon, addressing mass migration issues, addressing the economic impacts of climate change, reducing flooding from extreme weather, and protecting ecology.

The last question in the survey invited a personal statement. Analysis of the comments regarding the question, “*What is one thing that you would like to change in Act 250?*” revealed a number of trends. General themes are presented in this section using comments representative of the tone of each cluster for the purpose of adding clarity; where a negative/ critical tone persisted, it is indicative from the chosen comments, in no particular order:

Accessibility:

- Act 250 hearings happen at inaccessible times
- The process is too complicated and difficult to understand for the average citizen
- The process is too long
- The process requires citizens to retain a lawyer, which leads to huge expenses

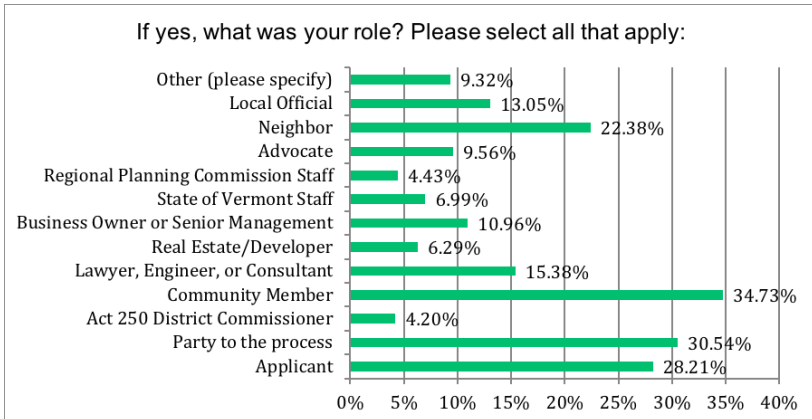
Voice:

- Act 250 needs more voice from local citizens during the process
- A citizen panel of evaluators should be reinstated, particularly during the appeals process

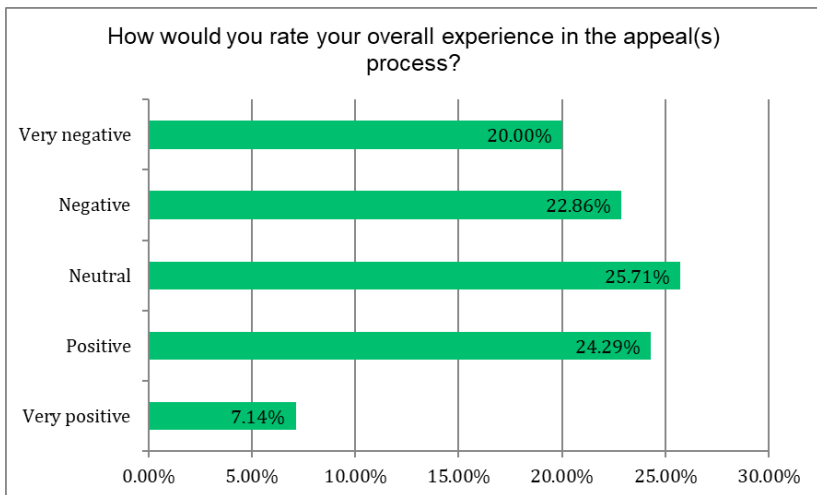
Effectiveness:

- It’s too easy to work around the regulations- we need stronger regulation and better enforcement
- There is a lot of concern about the “10-acre loophole”- i.e. the fact that projects under 10 acres do not fall under Act 250 jurisdiction- the regulations need to cover small projects as well as large
- Some regulations duplicate existing regulations, such as from the Agency of Natural Resources
- There needs to be more leniency with regulation over outdoor recreation opportunities
- There are concerns that Act 250 stifles small business- it needs to encourage some form of development so as not to drive business out of the state
- There are concerns that the assessments are not fair and equal
- Some respondents feel that the renewable energy requirements are too restrictive
- Some respondents feel that Act 250 needs to encourage growth in urban areas while protecting rural areas
- Act 250 needs to prevent further fragmentation of Vermont’s forests
- Act 250 needs to address climate change

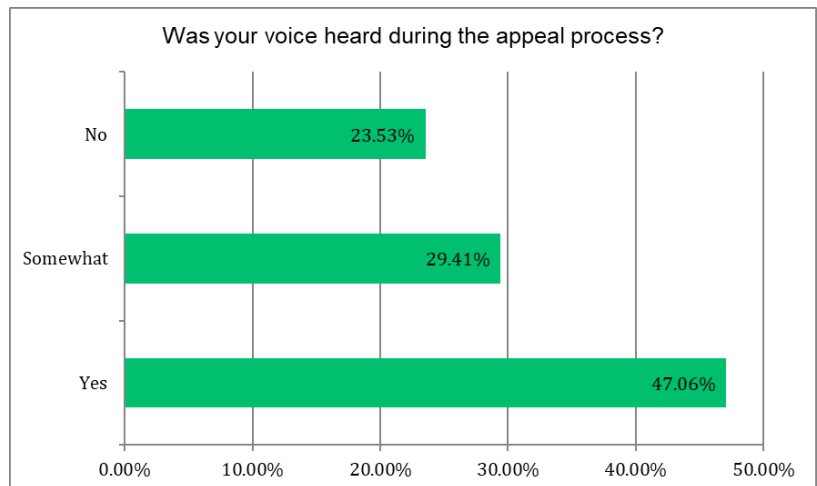
Act 250 Process Highlights (Statewide):



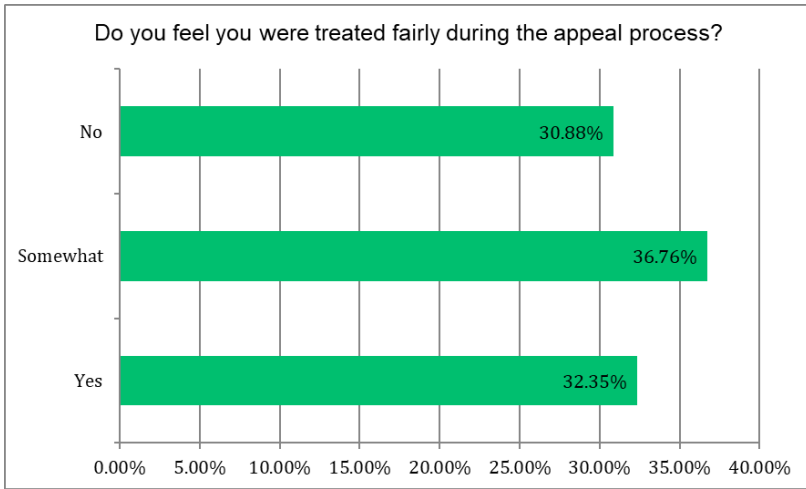
45.19% of survey respondents indicated that they had participated in Act 250 proceedings. Applicants were instructed to select all that apply, so we see double expression in the data to the left. Select highlights with supportive information from narrative data are presented below:



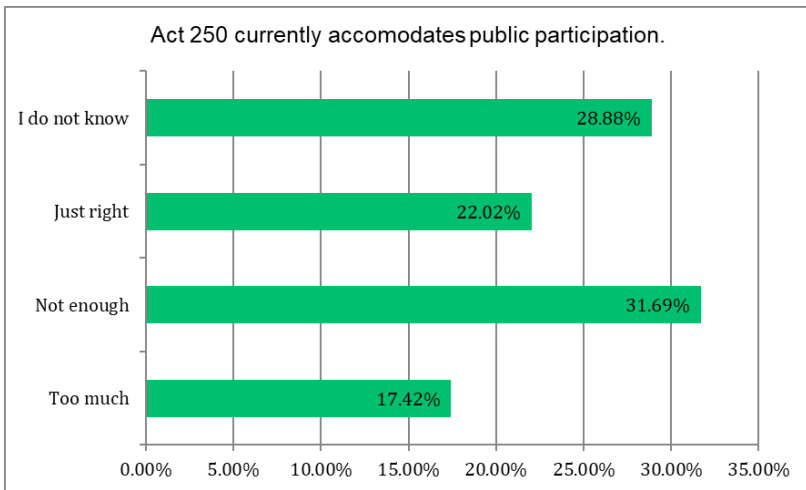
A still-sizeable 37.3% of respondents indicated they have participated in an appeals process. Responses here indicate an area of concern; almost 43% of respondents indicate they had a negative or very negative experience in the appeals process.



Similarly, less than half (47%) indicated that their voice was heard during the appeal process.



Further, over two-thirds of respondents indicated that they felt they were not, or only somewhat, treated fairly during the appeal process.

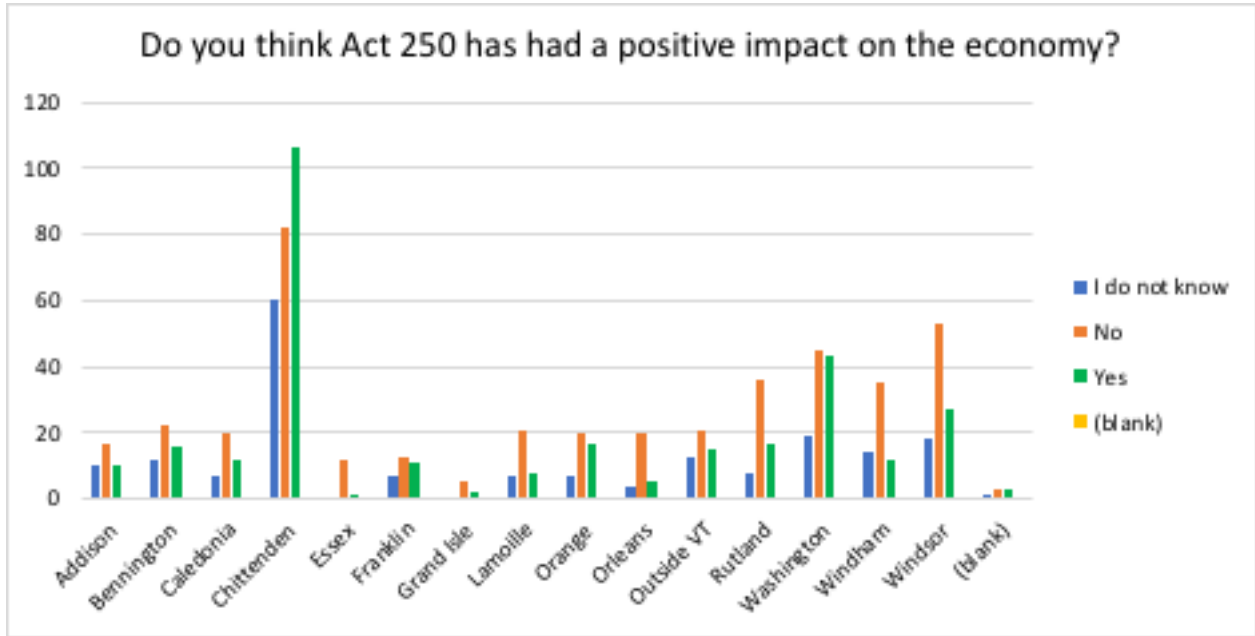


Beyond just the appeals process, respondents weighed in on the broader topic of accommodation of public participation. Results here were mixed, and from narrative comments, likely reflect the varying perspectives of the value of public participation in permitting processes.

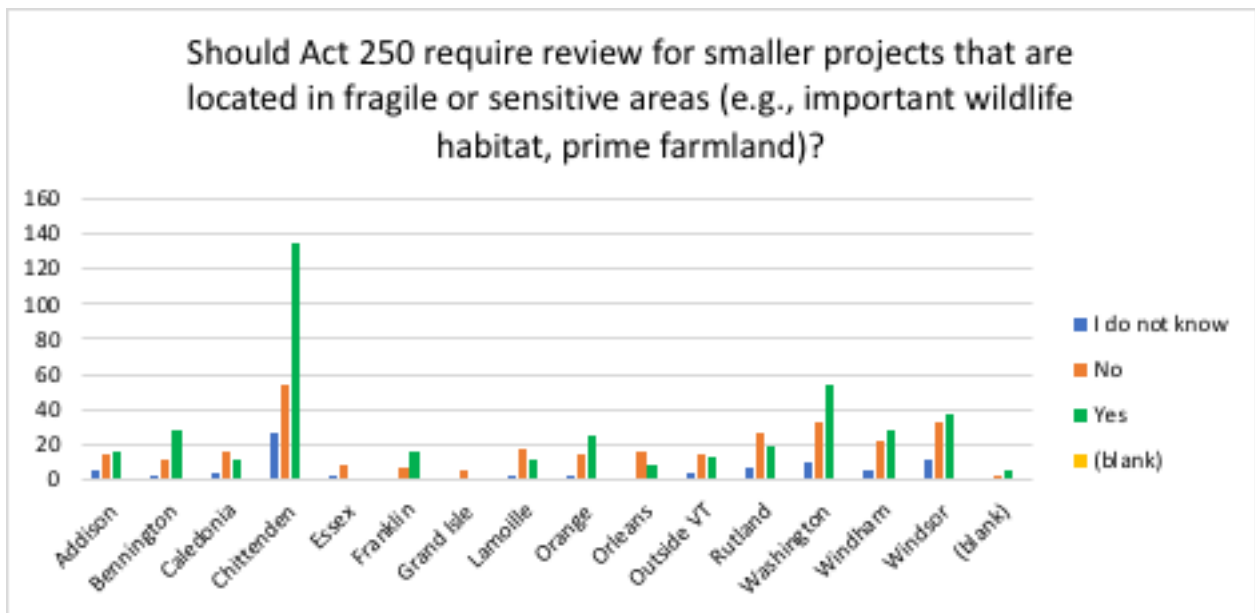
Act 250 Variance Highlights by County:

Act 250 is designed to be administered in a manner that reflects regional flavor within a common process and set of criteria. To capture any regional variances, data has been filtered by county, with select data and supporting narrative presented below.

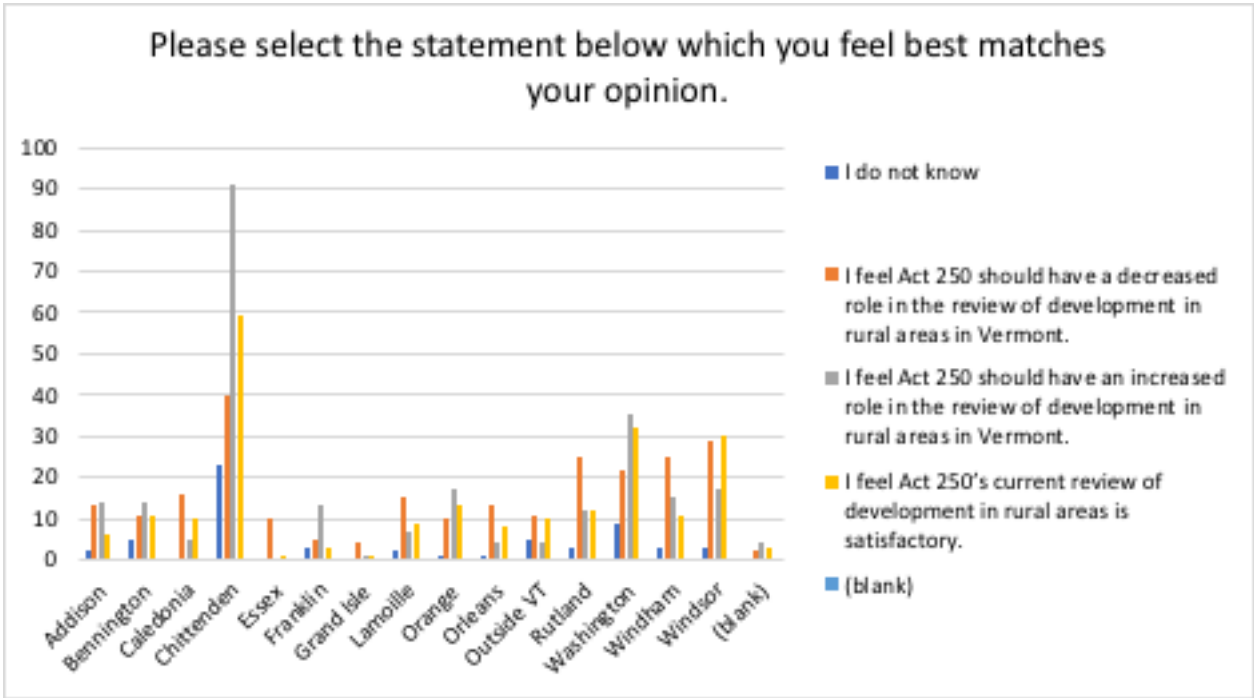
Aside from Chittenden County, all other counties reflect a greater number of respondents believe that Act 250 has not had a positive impact on the economy:



When asked about the jurisdiction of Act 250 specific to fragile or sensitive areas on a smaller project scale, 9/14 counties indicated that Act 250 should have this jurisdiction.



More broadly relating to rural areas, 7/14 counties had a higher response rate in support of an increased role in development review, 6/14 with a decreased role, and 1/14 indicating current state is satisfactory.

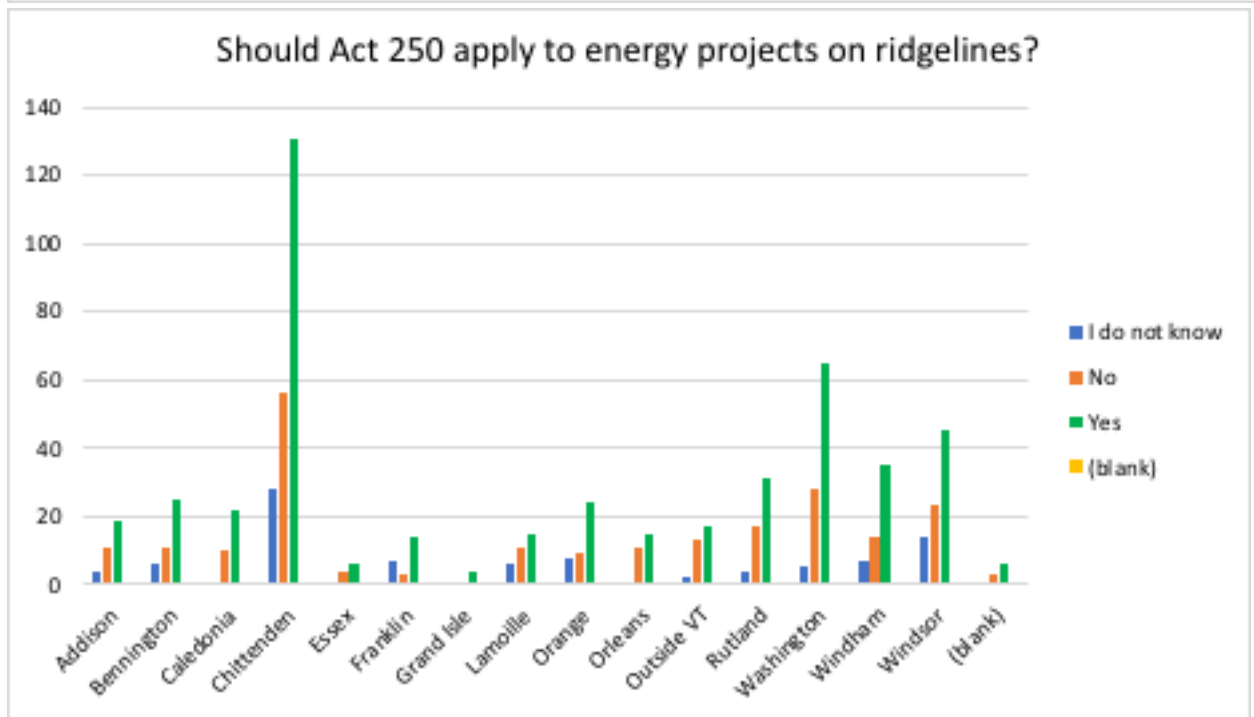
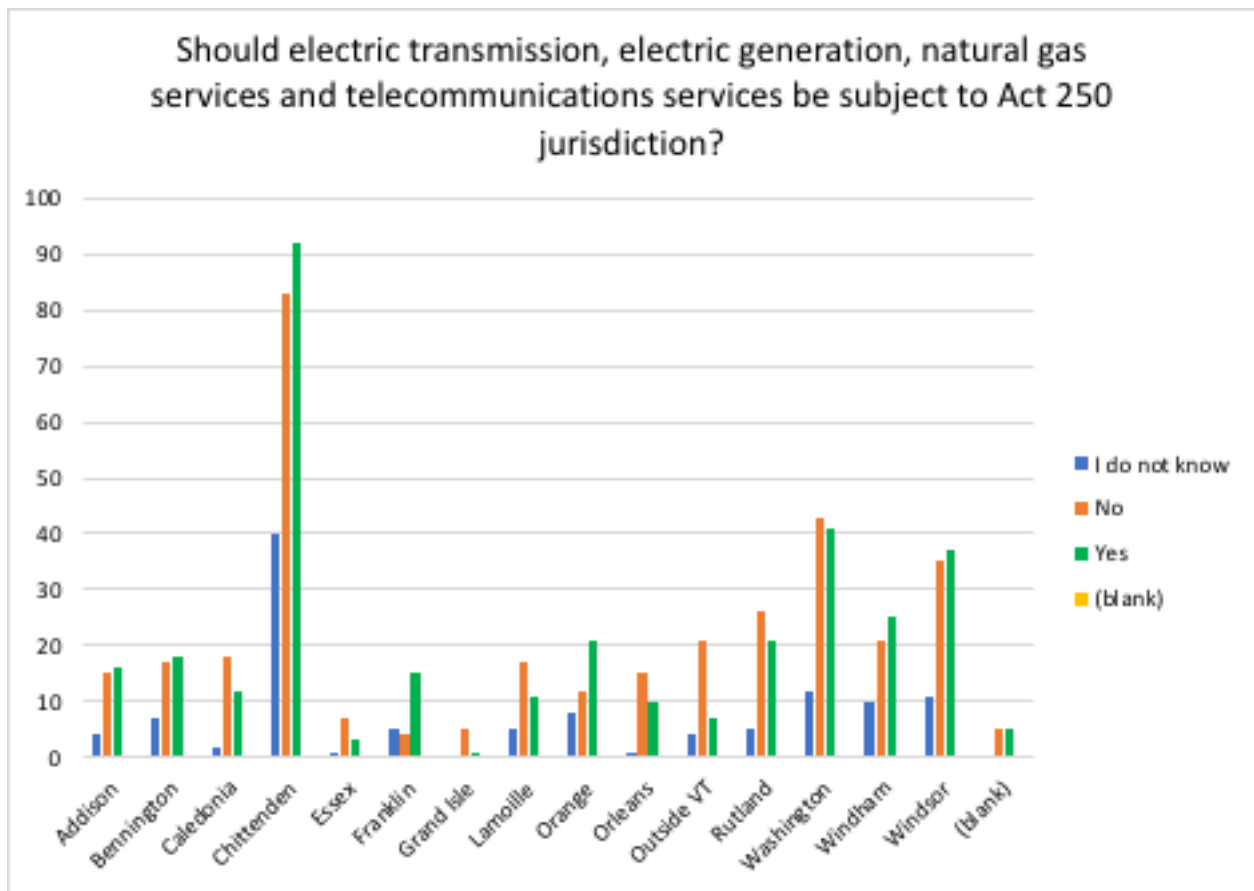


Forum Comment Themes by County:

Counties have been grouped according to their closest forum.

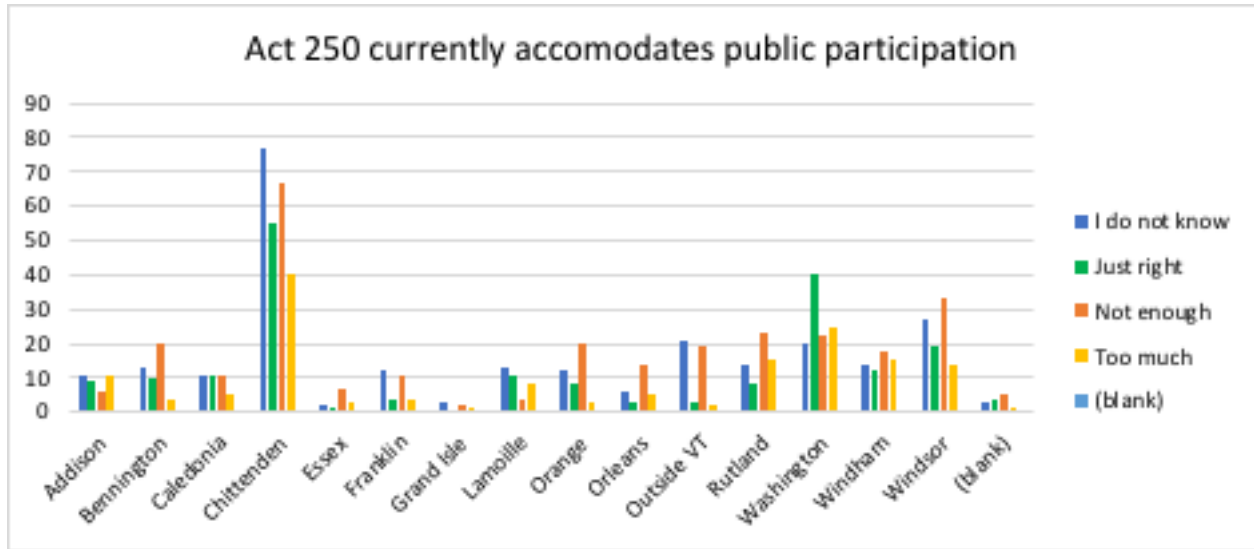
Springfield/South Royalton themes:

- Planning for the impacts from climate change is essential
- There should be more regulation on the energy industry and its impact on the environment- this is consistent with the data from the survey- a majority of respondents from Windsor, Windham, and Orange counties felt that electric transmission, generation, and natural gas services should be subject to Act 250 jurisdiction, as well as energy projects on ridgelines



- There needs to be more focus on economic development in order to keep people, especially young people, from leaving Vermont
- There should be more regulation preventing forest fragmentation

- The process should be less complex and should include more citizen involvement- a majority respondents to the online survey from Windham, Windsor, and Orange counties felt that Act 250 does not accommodate public participation enough



- There needs to be more consistency across the state regarding assessment of applications
- Quarries should not be exempt from regulation

Manchester themes:

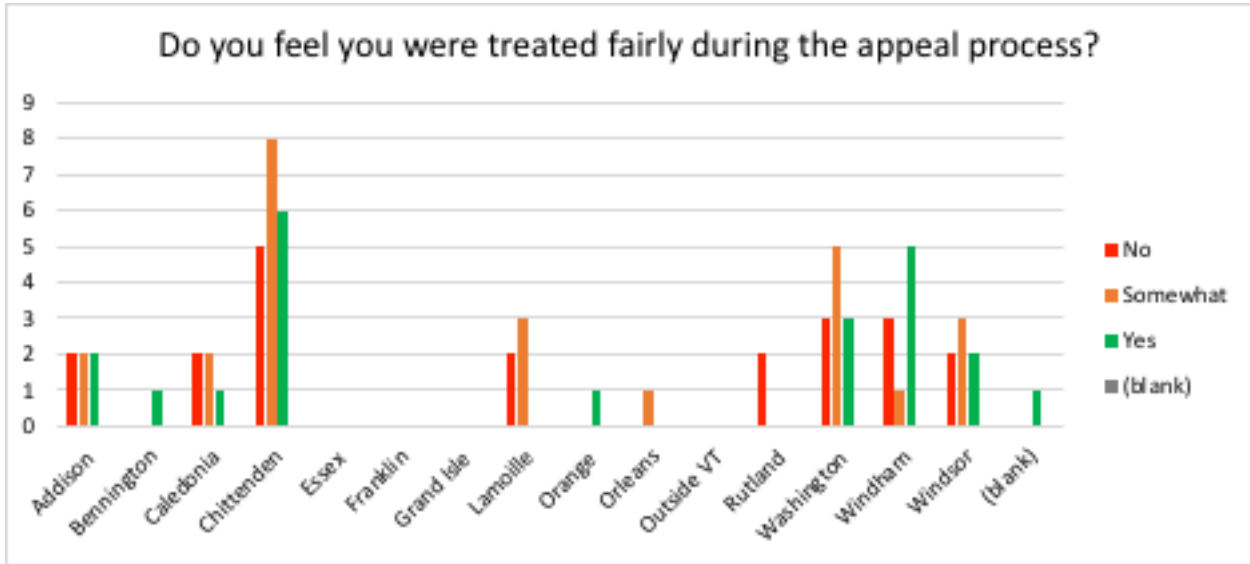
- There needs to be more consistent regulation across industries
- District coordinators have too much power

Island Pond themes:

- Maple operations are too big and have too large of an impact to be exempt from regulation
- There needs to be more regulation on the renewable energy industry (wind & solar)

Rutland themes:

- Redundant or duplicate regulation between the Agency of Natural Resources and Act 250 needs to be removed
- There needs to be fair and consistent review of Act 250 applications- on the online survey, a majority of respondents from Rutland county felt that they were not treated fairly during the appeals process
- The process needs to be more streamlined



Burlington themes:

- Remove redundancies with other state regulations (Agency of Natural Resources)
- There needs to be fair and consistent review of Act 250 applications- on the online survey, a majority of respondents from Chittenden county felt that they were treated somewhat fairly during the appeal process (see graph above)
- The process needs to be more streamlined

Statewide themes:

- Remove redundancies with other state regulations (Agency of Natural Resources)
- Review of Act 250 permit applications needs to be more consistent and fair across the state
- The process needs to become less complex and more streamlined for efficiency
- Current exemptions should be evaluated and/or removed, especially regarding the maple and energy industries

SUMMARY

COPE's role was three-fold in this aspect of the Vermont Legislative Commission on Act 250's mandate as defined in Vermont Act 47:

1. Develop and Implement an outreach plan;
2. Develop education materials; and
3. Execute a public engagement plan

Throughout the engagement, we observed the Commission's passion and desire to provide an informed, thoughtful and open-minded report to inform potential legislation that would support a robust and meaningful refresh of Act 250. Vermont, like all other communities, is experience shifts in climate, in demographics, and in the economic makeup in a Twenty-first Century global economy. Vermont is a patchwork of tight communities, with rich history, strong core values, and pragmatic solutions to problems. This important scope of work affecting vital elements of our lives is about a complex, dynamic and evolving confluence of needs, aspirations and perspectives. Inherently, there is conflict and tension. Additional information not referenced in the body of the report is available:

Citizens wanting to be contacted (Appendix J)

Public Forum Exit Preference Sheets (Appendix K)

This process, and the manner in which the Commission has approached its work with integrity and a spirit of inquiry, has invited public opinion in a spirit of understanding one another's underlying interests, rather than reacting to stated positions. This has allowed for open and civil engagement that has yielded rich discourse for consideration by the Commission in its final report. It has been a pleasure to support this essential process.

APPENDICES

Appendix A: Website



Appendix B: Social Media



Facebook



Twitter

Appendix C: Public Forum Comments

Springfield:

- 1) “More renewable energy generation is important to mitigate climate change”
- 2) “Get rid of de novo! You create a process that is based on discussion, input and hearings, and then in the end you throw all that away in an appeal? Doesn’t make sense. Keep context?”
- 3) “Thank you. Act 250 is a necessity for its protection of our state. Future planning given impact of climate change is essential. Forward thinking!”
- 4) “I have practiced engineering 34 years in VT and about 50 Act 250 projects and firmly believe in Act 250 in and the mechanical process works well. Please keep FTP and email submittals as I am [not] computer savvy and fancy software is problematic and not warranted.”
- 5) “Ideally [Act 250] should be regional & some consistency + predictability from region to region.”
- 6) “Imperative that Act 250 covers electrical facilities and its impact on VT.”
- 7) “I am concerned about losing almost 50 years of legal precedent depending upon what changes are made.”
- 8) “There is serious lack of support for applicants in the Act 250 process – in fact most Vermonters do not know what it is. The websites have broken links. Enforcement + regulations has greater emphasis than support to folks interested in protecting + building in Vermont.”
- 9) “Less focus on aesthetics and more focus on environmental data. And jobs for young people are important. Thank you.”
- 10) “I’m not sure you are asking the right questions. This process is too scripted and does not allow for new ideas.”
- 11) “Strengthening Act 250 to better protect Vermont’s natural resources is critical – increase jurisdiction to address forest fragmentation.”
- 12) *Renewable Energy Generation* should become DISRUPTOR and *Climate Change* should become STATEWIDE (Purple Card)
 - a. “All are worried about climate change.”
 - b. “Been dealing with climate change all along.”
 - c. Solar on existing structure, not land (renewables)
- 13) “Overall, we saw food moving up in importance [with the addition of climate change], as well as ecosystem protection.”
- 14) “Electric generation should NOT be on Act 250.”
- 15) “Settlement patterns – nice theoretical, but a challenge in rural areas.”
 - a. Would like to see a more “holistic approach”
- 16) Maintain the existing infrastructure
- 17) “Not dealing with infrastructure as a state.”
 - a. “Could not get permit for 91 today because 250.”
- 18) “Economic Development needed for infrastructure development.”

- 19) "Aesthetics" criteria seems very subjective for the public
- 20) Scenic & Natural Beauty – "doesn't pay taxes or support population."
- 21) Appeals process is pointless de novo makes no sense
- 22) Profile testimony/appeals are too time & paper intensive – whole process needs to be streamlined
- 23) Jurisdiction – How to relieve land of Act 250 requirements once applied?
- 24) Act 250 makes people/developers to "not want to do big projects"
 - a. "Do not need more regulation"
- 25) "Stats not reality – 30 days not realistic (even as coordinator)" – Bill Jewell
- 26) "Good ideas get drowned by regulation. Perhaps need ombudsmen."
 - a. "Any development is bad development."
- 27) "Where can you get an audience with the governor?"
- 28) "Exempt" needs to be re-examined
- 29) "Role of District Coordinator" can be too powerful, is it truly a citizen board?"
- 30) "Mining – we would have never had to go through Act 250."
- 31) "Most problems with ANR, not Act 250."
- 32) "A bit of propaganda for existing law is one concern."
- 33) Forest Productivity – what guiding principles exist to guide development so that the forests regenerate and support biodiversity?
- 34) How do we get staff and commissioners to respond in a timely manner?
- 35) Why does Act 250 not address rural, scattered residential development? It should be strengthened to address forest fragmentation.

Manchester:

- 1) "Please consider our ecosystem as the overriding concern – it makes the rest of [the] others work"
- 2) "Why hasn't the per diem paid to the commissioners changes in 25 years?"
- 3) "This forum and process makes no sense. Awkward, missed the point subverts meaningful discussion."
- 4) "Act 250 – missing words like logic, reasonable, balance, and fairness. People are leaving Vermont. Where is the opportunity? Cost of permitting and cost of doing business – too costly!"
- 5) "Agriculture and forest industry need to meet the same standards of environmental protection as other industries."
- 6) "I worry criteria 9L (strip development) will disadvantage small communities by forcing commercial development away from them (and their grand list) toward larger communities."
- 7) "I don't believe projects should be stopped by anybody just because they don't like it."
- 8) "Use science to determine criteria and decisions."
- 9) "1 – Updated easier process. 2 – Think covered by other state agencies. 3 – Would be nice because areas are so different – but difficult to implement."
- 10) "The district coordinator has too much control over the process. Additional, more localized coordinators would help!"

- 11) "Overall this process did not work for me. It assumes we know very little about Act 250 instead of asking what we feel is valuable."
- 12) "As I was recently part of an Act 250 process that took 5 ½ years to resolve, it seems more staff are needed to facilitate project review rather than adding restrictions on appeals to their reports."
- 13) "I feel more resources need to be available to guide applicants through the process correctly then allowing them to proceed and find problem/issue after issue. Which slows the permitting process."
- 14) Unequal enforcement – farmers cause a lot of environmental impact, yet they get away versus ski areas that can not
 - a. Agricultural regulations impact the whole state
 - b. Farmers don't want to be regulated
- 15) Integrate fully into the review process – criteria looks at the local view; climate change is a more of a global view
- 16) Act 250 takes too long
- 17) Why isn't our state agency looking at impacts?
 - a. Too much of a burden on the citizens
- 18) Permitting is pricey "cost of doing business in Vermont"
 - a. There is a cost associated with allowing voice and access with lawyers
 - b. Permits have become too hard, technical, and expensive to pursue without a consultant
- 19) Vermont is not economic development friendly
- 20) "Act 250 is unique and people come here because of our environment." – Martha Heilemann
- 21) Have to develop the state, in order to create jobs and improve the opportunity for development
 - a. Developers want to know what their getting into
 - b. Easing [Act 250] process would help Economic Development, but criteria is still important
- 22) Ecosystem Protection is covered by other sources
- 23) "Resilient Communities" are necessary for Vermont's future
 - a. Ability to withstand disruptors (climate change/infrastructure) and stay flexible during changes within their community
- 24) Infrastructure challenges climate change (one card)
 - a. Hard infrastructure and natural infrastructure (river meandering)
- 25) Act 250 should be targeted for each district versus statewide
 - a. Need a statewide plan for synchronicity, but that's impractical
- 26) Focus on infrastructure that separates the land (major highways and man-made water sources)
- 27) Small business can make a large impact together, just as a large business
- 28) Act 250 costs are only a portion of the environmental permitting process
- 29) District Coordinator grew too much power (one person)
- 30) Access and voice is what makes Vermont special
- 31) "Please don't scrap Act 250; it's more positive than negative."

- 32) "If you take care of agricultural & forest productivity and economic development, then they will take care of the rest [of the Statewide Cards]."
- 33) Problems with access include non-experts providing inaccurate information – people trying to exploit Act 250

South Royalton:

1. Disagreement about the cards NOT the content
2. Look at Settlement Patterns – Students are leaving Vermont
3. People are trying to get around Act 250
4. Act 250 is one of three of the greatest pieces of Vermont legislation
 - However, it is not fulfilling its original intention
5. Act 250 does not involve the people – few people have the means to vote against a project
6. Forests are not adequately addressed in Act 250
7. Ecosystem protection is not the right language
8. "feels like a game"
9. Scenic & natural beauty is kind of archaic – people aren't coming to Vermont
10. Climate change is too vague – unknown impacts
11. "Right now pushback is not around the law, it's around the complexity
12. Purely discussing the Act 250 process from the beginning would have been more helpful
13. Act 250 should function more as a clearing house for ANR and other state permitting processes. Streamlining would help alleviate opposition for the Act 250 process.
14. Why are forest production and agriculture treated as separate factors from economic development?
15. The National Forest Service feel they have the ability to issue permits on NIFS lands and an Act 250 permit is not required. Owners or permit holders are forced to apply to both NFS and Act 250.
16. Please communicate better with the public. What is the next step? What happened to the event at VLS in spring? What happened to those comments?
17. Competence of soils should be always considered along with infrastructure.
18. Would like to see more efficiency and predictability in the process. Less duplication with ANR and other permits – use these to satisfy some of the (applicable) criteria. Have appeals be heard on the record vs. De novo.
19. Act 250 is important to Vermont. We need to maintain its relevance and effectiveness as the world changes. Public access must be maintained. We also need to make hard decisions and protect key resources like river corridors (development should be prohibited) and forests (we need to be very careful) and Act 250 should look at forests. Please also consider revising the legal-fiction of the process by revisiting something like the E-board. Also please consider removing exemptions for state quarries.
20. Act 250 needs to protect ecosystems as a top priority: -the environment is the basis for all economies. We need healthy people, sufficient food, clean air, less flooding and less stress on our social and

economic systems. Healthy people = a stronger economy. –Compact settlement patterns are also dependent on a healthy ecosystem so as to balance population with nature for the health of all. – Promoting, compact settlement is indeed a boom to our ecosystem and our environment.

21. It is possible to have Act 250 star projects – and publish information/photos of the BEST Act 250 projects for each region, each year? This would inform and inspire comparable projects that promote Act 250 goals and desirable economic development and environmental stewardship.
22. My biggest question is how the Act 250 application can be different for different categories of development, aka small scale, large scale, agricultural, rural, etc.?
23. My one greatest concern with the future of the Act 250 process is that it be used for guide and enhance rural economic development – not stop it!
24. How will you incorporate environmental justice principals into the criteria?
25. Group Question: Why does Act 250 continue to follow a piece of property it has sold?
26. Group Question: Could there be a *certification process so that if a project was approved locally it can be exempt or expedited for those aspects under Act 250? (*Certification of rigorous municipal zoning process and by laws)
27. Group Question: How can Act 250 require that a project both acknowledge and contribute to its impact on education and the health of a community?
28. Would like Act 250 to be managed more locally or statewide, rather than regionally.
29. In regards to question one: “Impacts all but special consideration needed to preserve natural beauty and agricultural concerns.” In regards to question 3: “Regional planning has a better idea on the health of the area involved whereas the municipals may be short sighted.” In regards to question 4: “We need to protect the vanishing regions and not be so much in a hurry to chase the almighty dollar.” Final Comments: “Close the loopholes. Developers are able to get around the rules too easily – look at how the unpermitted developments solved their problem.”
30. In regards to question two: “Permit applications shouldn’t be one-size-fits-all, there needs to be different applications for different types.”
31. “I would love to see the bill be a vehicle for economic development rather than an inhibitor in an already difficult environment for small businesses, individuals, and non-profits.”
32. “This process needs much attention. The consensus at our table is that the specific cards, their explanations, and process issues are quite flawed.”
33. “Clean water is too important to be reckless with.”
34. “ATV, Snowmobiles, horses, there are so many uses/interests to encourage growth. Act 250 should be aware of “economics,” large business farms – should they be exempt?
35. “Act 250 should decrease duplication with other local and state permit process and should be more focused on incremental impacts of growth and strengthen the need of regional planning.”
36. Regarding question 4: “Increase ability of neighbors to understand and engage in process.”
37. “Uncertain as to what question 4 means, it is saying that more people should be voicing opinions on projects that they have no connection with?”

38. Regarding question 2: "Some projects need to be looked at, others no longer do."
39. Regarding questions 2: "Commercial scale renewable energy projects in particular when it comes to permit applications."
40. "I'd like to understand where "economic development" as used here tonight, factors into the Act 250 process, which is intended to "protect the environment" when large economic developments are proposed."
41. "What are the metrics for performance in processing Act 250 permits? Accountability!!"
42. "The legislature and agency employees who are responsible for evaluating Act 250 applications should be facilitating these forums. Addressing process in efficiencies and meetings outlined timelines needs to have higher accountability."
43. Regarding question 1: "Updates in Act 250 in response to climate change need to be intimately tied to public transportation, maintaining settlement patters, land use planning, etc."
44. Regarding questions 2: "More types of permit applications would need more staff if it goes that way."
45. Regarding questions 2: "Expand permit applications for solar arrays greater than 10 acres."
46. "Would like to know how Act 250 will be updated and strengthened in response to climate change data, how would this be addressed?"
47. Regarding question 1: "Legislature should look at other issues than Act 250 to address climate change."
48. Regarding question 2: "No, Act 250 shouldn't cover more types of development because it's too slow and drawn out process."
49. "Regarding question 3 – I think it should be more regionally managed if the regional plans are strengthened."
50. "Act 250 is already managed regionally – 9 district commissions – but there needs to be more consistency between the district commissions processes."
51. "Permit costs and time is a concern to me. Projects that support the working landscape should be supported by Act 250 and the State in general. The commission should work to keep landowners involved in the process."
52. "My tendency was to rank the cards in a circle, then create web linkages between them. The Impact cards were technical in nature, and I felt less secure in rating them."
53. "Be consistent in district offices who process and approve Act 250 permitting."
54. "It would be great if the methodology of the choice of cards was explained/presented. Additionally, what will be the outcome of this aggregation?"
55. Regarding question 1: "there's existing language in the law that could be applied, but the law needs to add in new language to specifically address multiple aspects of climate change under several criteria."
56. Regarding question 2: "Some exemptions, like state quarries, were simply political and should be repealed. Development in large forest and agricultural traits should be ID'd and covered."
57. Regarding question 3: "They're all important and need to be integrated, along with planning – better communication and coordination."
58. Regarding question 4: "Any way I can help regain its hero status – until I die."

59. "When it comes to more types of permitting applications, get rid of exemptions and create tiers of review."
60. "#1: I'd like to see a limit to appeals (forcing stronger and focused applications). #2: Might we consider eliminating ALL EXEMPTIONS and covering up with a simplified review system for smaller projects. #3: Need to come up with a more constructive term for economic development as we need income to live sustainably."
61. "The response to climate change data should include social, economic, environmental, and agro ecological, as well as access equity."
62. "I trust this is the first step in a very complicated process and rash decisions will be made (witnessed Act 46 backlash threatening communities)."
63. "I am approaching the end of my life so these questions are better considered by younger folks and I hope they are up to the task!"
64. "Act 250 is managed regionally at the district commission level. Eliminate Act 250 criteria that are already covered by ANR permits."
65. "I would like Act 250 to encompass a projects likely impact on and contribution to the education and the health of the community."
66. "When it comes to updating Act 250 in response to climate change data, it is an impossible question, no objective guidance. More types of permit applications for energy generation siting and size. This was an interesting but very frustrating process."
67. "Q2: To me, it's not as much about "types of permit applications" (which is reforming to uses). It's about ensuring it protects key locations and encourages development in smart growth locations. Q3: Isn't it administered regionally now? Awkward question."
68. "I would like Act 250 to rethink the categorization of criteria and how the criteria are interrelated. I also take issue with criteria 8 being rhetorically boiled down to – aesthetics – when research has shown the real socio-economic impacts that historic and archaeological resources has as well as their multivalent significance of cultural/working landscapes and ecological habitats."

Island Pond:

- ANRs wetland designation is a concern
- Lack of enforcement also a concern
- Scale of maple operation is too big to be exempt
- Same priorities depend on stage of life i.e. retired versus early career
- Trials are the #1 priority
- Biggest concerns are how changes to Act 250 will harm the natural ecosystem
- Act 250 processing slow and costly
- Utilities shouldn't be exempt
- Beauty stands apart from others

- Protect ridgelines
- Move sugaring from agriculture to forestry
- Economic development should be created in the appropriate scale
- Question on process cards as to whether jurisdiction & exemption should really be on the same card
- We need a process that is simple, timely, and less costly for the average citizen
- Love the idea of Act 250 and the general mission is great
- Need something for towns with no zoning options
- Ecosystem Protection – Do not agree with the question should Vermont create an Ecosystem Protection Plan to complement Act 250?
- Land protection should consider negative economic impact of reduced tax revenue (exp. w/ non-profits). Perhaps develop PILOT method in non-profit/tax exempt organization. Distributes burden on local tax payer = not good
 - Tax revenue is essential for supporting community development and local resources
- The Commission should read the 236-page report dated January 14, 2017 from the VT Bar Association, young lawyer division (Title) Act 250 THE GOOD, BAD, UGLY
- Industrial sugaring should NOT be Act 250 exempt as an agricultural use
- “Economic Development” sounds to me like industrial wind development Bill Stenger & Ariel Quiros EB5 scams promising jobs but extracting and exploiting the natural world and the residents of Vermont for their profits. It is always top down.”
- “What is needed is meaningful livelihood. Meaningful work that connects us to the land and others in our communities. Not getting all of us on board to be exploiters. I don’t want my kids to scrub toilets for Bill Stenger!”
- Natural world has greater importance in NEK
- Can’t lose the tax base with Act 250 on trails
- “Is there going to be any specific outdoor recreation forums?”
- “God help us!”
- “We feel the citing of energy projects (wind, solar) needs to be governed by Act 250 as opposed to Section 248.”
- “Why not require towns to enact zoning (regulations/laws)?”
- “Utilities should not be exempt from Act 250.”
- “How is Act 250 going to change to eliminate the nasty neighbor veto over rural businesses?”
- “Can the number of times that someone can have impact on the same project be limited?”
- “Development needs to be permitted when planned and executed in a manner responsible to the environment. Process needs to be clear & predictable & prompt.”
- Promote ridgelines; move energy siting from section 248 to Act 250; NRB is negating the ability of permits to appeal instead of resolving in ways that allows party to go to Environmental Court. Decisions made in district areas should be respected; Cases are being mismanaged by the NRB. NRB

needs to be reeled back in.

Rutland:

- 1) "Be fair and evenhanded to all applicants. Equal before the law is still a goal to be sought."
- 2) "How are all the stats for permitting broken down by district?"
- 3) "How will the state improve enforcement? What happens where there are admitted/proven violations of Act 250 Permit conditions? Repercussions?"
- 4) "What are the numbers on what Vermont did for the state versus what it cost?"
- 5) "Root cause issues me with ANR inconsistencies/ Act 250 process fair and smooth. One person's party status with funding as opposition is Achilles heel."
- 6) "Remove all criteria for which an ANR permit is needed."
- 7) "Act 250 is still too subjective and labor intensive – needs to be more consistent across the state."
- 8) "Act 148 mandates universal recycling and compost, but Act 250 need to restrict less compost facilities. Compost should be regulated by DEC only – not Act 250."
- 9) "Less regulations."
- 10) "Think more of small towns not just shire towns."
- 11) "The question cards seemed to support more regulation; there should be less. The application should be simplified and less expensive, especially for small projects."
- 12) "Act 250 needs less oversight ANR/VTRANS/Municipal should be dispositive (criteria 1-5). I have been consulting on Act 250 since 1975, I'm a civil engineer."
- 13) "Electronic applications are a positive step, need to be more predictive as a process."
- 14) "Keep things local, look at power infrastructure."
- 15) "Regarding question 3, already is administered regionally."
- 16) "Efficiency VT and small windmill manufacturing in E. Dorset, ect. Are already doing this without government. However, Act 250 needs to be administered fairly and evenly for all."
- 17) "The process should have one stop shopping for the natural and cultural resource data, such as, a more comprehensive ANR Natural Resource Atlas. While one of projects create jobs for environmental professionals, it is complicated and inefficient to execute the assessments independent of each other."
- 18) "Act 250 needs to be reduced. It is restrictive for Vermont's future in jobs. Regulations are choking our economic future."
- 19) "Application process should be more streamlined and timely. Permits should be cost reasonable."
- 20) "Regarding question 4, I believe citizens already have opportunities to engage."
- 21) "The process must be streamlined to work effectively."
- 22) "We need more evenly applied and streamlined systems."
- 23) "District commissions should have one publicly elected position – exemption loopholes need to be closed particularly when it comes to forming and public utilizes."


Burlington:

- Act 250 needs to be empowered to do more – it can help with an honest evaluation of projects, without political options attached
 - Would like to see more conditions in permits holding appliers to their word
 - In the reimagining of Act 250 – is there a way to include a public good component?
- 1) “Boundaries should not determine how Act 250 is managed – the area of impact should determine how it is reviewed. Statewide Impact = statewide review. Local input more local review.”
 - 2) “Please protect our groundwater.”
 - 3) “Speed of the process is not a substitute for fairness. Streamline – don’t eliminate participation.”
 - 4) “Inheritably difficult balance. Humans are a part of the environment and inspired regulation of humans – in harmony with their planet – it’s tough!”
 - 5) “I strongly agree that the current exemptions need to be looked at and if the review plans on removing the exemptions than yes, there should be more types of permit applications.”
 - 6) “More predictability in process. Shorten review process. Difference should be given to local land use and ANR decisions.”
 - 7) “Act 250 process should be adjusted to reflect (not duplicate) other permitting and regulatory programs in order to ensure effectiveness and public support.”
 - 8) “A lot of this discussion depends upon who should make decisions – who addressed these issues today. PVC, ANR, Local, etc.”
 - 9) “The potential for population surge due to climate change needs addressed. I heard need for state planning vs. regulatory approach as important point to discuss.”
 - 10) “Consistent state (act 248) review of all development. Should reflect good planning at all levels (local, regional, and state).”
 - 11) “Jurisdiction should be based on location – based and local capacity factors.”
 - 12) “need consistent state review at a board. Needs to connect more with permitting.”
 - 13) “There needs to be context for what is being considered. Will there be more restrictions, less restrictions, something else? Act 250 should be a true state process when multiple jurisdictions, agencies, or municipalities are involved. Municipalities with local staff and local planning/controls should be exempt.”
 - 14) “Settlement patterns need to stress consolidated development on cluster development separated by open land, conserved or agricultural.”
 - 15) “While I think that planning for climate change impacts and developing to avoid climate change impacts is extremely important, I’d rather have any applicable

standards apply to all development, rather than just Act 250.”

- 16) “Existing Act 250 projects that want to make moderate changes that are approved by local zoning process should not need Act 250 amendments.”
- 17) “Update terminology, streamline process of appeals.”
- 18) “I want statewide criteria followed equally by the important, district commissions.”
- 19) “Give more jurisdiction to NRB board.”
- 20) “You have one size fits all development - each county, each town, are all unique and different. You need to change your one size fits all thought process.”
- 21) “I would take regional plans but must be okayed by state? Like education, maybe locals should decide. The legislation should be responsive to the evolving environment or we’ll ruin Vermont with immigration. We’re getting more people – we need to take them in and keep Vermont with settlement patterns as Act 250 envisions, clean environment, good beauty!”

Appendix D: Survey



Survey for the Commission on Act 250: The Next 50 Years

WELCOME

For almost fifty years, Act 250 has reviewed certain developments and the subdivision of land to mitigate their impact on our environment and communities. The Commission on Act 250: The Next 50 Years was established to:

- review the goals of Act 250;
- assess the outcomes of Act 250;
- engage Vermonters on their priorities for the future of the Vermont landscape; and
- address relevant issues that have emerged since 1970.

For more information about the Commission, including a copy of the statute that created the Commission, visit our web page: <https://legislature.vermont.gov/committee/detail/2018.1/333>

In addition to this survey, six public forums are being held around the State, and you may also send general comments to this e-mail address: Act250Comments@leg.state.vt.us

Thank you for taking the time to fill out this survey. Your feedback is valuable and will inform the Commission as we make findings and recommendations about Act 250 in our report due December 15th, 2018.

Please complete the survey by September 15. It will take approximately ten minutes. Your responses will be kept confidential.

If you have any questions regarding the survey, please feel free to contact Olivia Machanic, Project Assistant at Cope & Associates, Inc. at 802-951-4200 or Olivia@ConsultCope.com.

1



Survey for the Commission on Act 250: The Next 50 Years

ENGAGEMENT

1. Please provide your zip code to help us understand the survey reach. (enter 5-digit ZIP code; for example, 00544 or 94305)

2. Do you think Act 250 has had a positive impact on Vermont overall?

- Yes
- No
- I do not know

3. Do you think Act 250 has had a positive impact on the environment?

- Yes
- No
- I do not know

4. Do you think Act 250 has had a positive impact on the economy?

- Yes
- No
- I do not know

5. Do you think Act 250 has had a positive impact on the quality of life for Vermonters?

- Yes
- No
- I do not know



Survey for the Commission on Act 250: The Next 50 Years

PARTICIPATION

* 6. Have you participated in Act 250 proceedings?

- Yes
- No

7. If yes, what was your role? Please select all that apply:

- Applicant
- Party to the process
- Act 250 District Commissioner
- Community Member
- Lawyer, Engineer, or Consultant
- Real Estate/Developer
- Business Owner or Senior Management
- State of Vermont Staff
- Regional Planning Commission Staff
- Advocate
- Neighbor
- Local Official
- Other (please specify)

8. Act 250 currently accomodates public participation.

- Too much
- Not enough
- Just right
- I do not know



Survey for the Commission on Act 250: The Next 50 Years

PERMIT APPLICATION PROCESS

* 9. I have completed an Act 250 permit application and participated in the review process.

- Yes
- No

10. Please identify the outcome of your Act 250 permit application and review process.

- Approved as submitted
- Approved with changes
- Denied
- Withdrawn by applicant
- In process



Survey for the Commission on Act 250: The Next 50 Years

APPEAL PROCESS

* 11. Have you participated in an Act 250 appeal?

- Yes
- No

12. If yes, where was the appeal(s) handled? Please select all that apply:

- Environmental Board
- Superior Court, Environmental Division (sometimes called "Environmental Court")
- Supreme Court

13. Please identify the outcome of your appeal.

- Appeal successful, project denied
- Appeal successful, project approved
- Appeal unsuccessful, project denied
- Appeal unsuccessful, project approved
- Appeal process remains ongoing

14. Was your voice heard during the appeal process?

- Yes
- Somewhat
- No

15. Do you feel you were treated fairly during the appeal process?

- Yes
- Somewhat
- No

16. How would you rate your overall experience in the appeal(s) process?

- Very positive
- Positive
- Neutral
- Negative
- Very negative



Survey for the Commission on Act 250: The Next 50 Years

LOOKING AHEAD

The Commission is charged with looking at how Act 250 addresses:

- Water quality
- Forest Fragmentation and Settlement Patterns
- Jurisdictional thresholds
- Exemptions from Act 250
- Whether and how Act 250 can address climate change

17. Which statewide resources should be protected for the present and future? Please select all that apply:

- River corridors
- Water quality and quantity
- Wetlands
- Forests
- Prime farmland
- Rare, threatened or endangered species habitat
- Air quality (including climate change)
- Scenic views
- Historic downtowns and villages
- Sand, gravel, earth extraction resources
- Wildlife habitat
- Other (please specify)

18. As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

- Carbon emissions
- Extreme wind
- Extreme rain/snow/ice events
- Development sprawl (scattered development)
- Mass migration (climate refugees)
- Energy conservation
- Energy efficiency
- Other (please specify)

19. Please select the statement below which you feel best matches your opinion.

- I feel act 250 should require higher energy efficiency construction, to meet the goal of near-zero emissions.
- I feel act 250 should not require higher energy efficiency construction, to meet the goal of near-zero emissions.
- I do not know

20. Please select the statement below which you feel best matches your opinion.

- I feel act 250 should require new development to include on-site renewable energy, to meet the goal of near-zero emissions.
- I feel act 250 should not require new development to include on-site renewable energy, to meet the goal of near-zero emissions.
- I do not know



Survey for the Commission on Act 250: The Next 50 Years

JURISDICTION

21. Should Act 250 be amended to address incremental subdivision of large parcels of forest land into smaller parcels?

- Yes
- No
- I do not know

22. Should Act 250 require review for smaller projects that are located in fragile or sensitive areas (e.g., important wildlife habitat, prime farmland)?

- Yes
- No
- I do not know

23. Please select the statement below which you feel best matches your opinion.

- I feel Act 250 should have an increased role in the review of development in Vermont's compact areas, like downtowns and villages.
- I feel Act 250 should have a decreased role in the review of development in Vermont's compact areas.
- I feel Act 250's current review of development in compact areas is satisfactory.
- I do not know

24. Please select the statement below which you feel best matches your opinion.

- I feel Act 250 should have an increased role in the review of development in rural areas in Vermont.
- I feel Act 250 should have a decreased role in the review of development in rural areas in Vermont.
- I feel Act 250's current review of development in rural areas is satisfactory.
- I do not know

25. A number of uses are currently exempt from Act 250, including the ones on the list below. Which of the following uses do you think should remain exempt from Act 250? Please select all that apply:

- Commercial development on less than 10 acres (or 1 acre if town lacks zoning bylaws)
- Housing development of fewer than 10 units (or fewer if no zoning)
- Farming
- Logging (below 2,500 feet; permits required above 2,500 feet)
- Slate quarrying
- Developments pre-existing Act 250
- Priority Housing Projects (Priority Housing Projects must be within certain designated centers and must meet certain affordability thresholds)

26. Should electric transmission, electric generation, natural gas services and telecommunications services be subject to Act 250 jurisdiction? (Currently, they are reviewed by the Public Utility Commission under a separate permitting process called Section 248.)

- Yes
- No
- I do not know

27. Should Act 250 apply to energy projects on ridgelines?

- Yes
- No
- I do not know



Survey for the Commission on Act 250: The Next 50 Years

FINAL THOUGHTS

28. What is one thing you would like to change in Act 250?

THANK YOU FOR TAKING THE TIME TO RESPOND, WE APPRECIATE YOUR FEEDBACK.

If you have more to share, please email Act250Comments@leg.state.vt.us and if you have any questions, please feel free to contact Cope & Associates, Inc. directly at 802-951-4200.

Commission on Act 250: The Next 50 Years
Rep. Sheldon, Sen. Pearson, Sen. Champion, Rep. Deen, Rep. Lefebvre & Sen. McCormack

Please click **DONE** at the bottom to submit your responses.

Appendix E: The Big Deal™ Cards

ACCESS & VOICE



THE BIG DEAL™

I 1 IMPACT

BLUE CARD

Cope & Associates Inc.

EXEMPT FROM ACT 250
(may be regulated elsewhere)



THE BIG DEAL™

I 2 IMPACT

BLUE CARD

Cope & Associates Inc.

**EXEMPT FROM ACT 250
(may be regulated elsewhere)**

- Commercial development on less than 1 or less than 10 acres
- Farming and farm buildings below 2,500 feet
- Logging below 2,500 feet
- Electric generation and transmission facilities, regulated by the Public Utility Commission
- Small-scale and on farm composting

I 2

IMPACT

BLUE CARD

Cope & Associates Inc.

ACCESS & VOICE

- The statute defines “any person” as :
 - An Individual
 - An Association
 - A Business
- Particularized interest:
 - The project affects the person specifically, as opposed to the general public
- Effect falls under the Act 250 criteria:
 - Air Pollution
 - Runoff/water pollution
 - Aesthetics
 - Traffic
 - Noise & Odors

I 1

IMPACT

BLUE CARD

Cope & Associates Inc.

PERMITTING & APPEALS



VERMONT
JUDICIARY 

THE BIG DEAL™

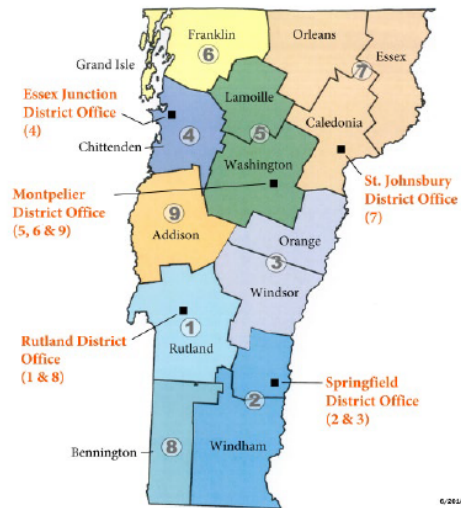
I 3

IMPACT

BLUE CARD

Cope & Associates Inc.

JURISDICTION



THE BIG DEAL™

I 4

IMPACT

BLUE CARD

Cope & Associates Inc.

JURISDICTION

- Act 250 is regulatory legislation
- Act 250 is triggered by the size and type of project
- The Vermont Agency of Natural Resources, which is separate from Act 250, issues other environmental permits; these permits can be used to meet some Act 250 criteria

I 4

IMPACT

BLUE CARD

Cope & Associates Inc.

PERMITTING & APPEALS

- “Act 250 is based on citizen participation before a citizen board”
- “Applications are approved, approved with conditions, or denied”
- Appeals are heard by the Court’s Environmental Division, and then may go to the Vt. Supreme Court
- Two-thirds of Act 250 permits are issued in less than 60 days.
- Almost 90% of applications do not require a hearing

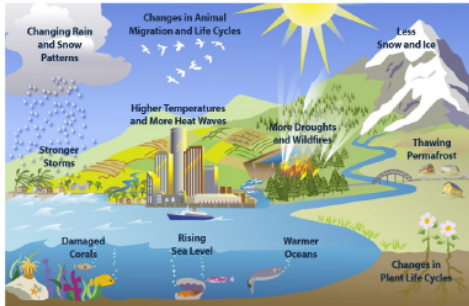
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IMPACT

BLUE CARD

Cope & Associates Inc.

CLIMATE CHANGE



THE BIG DEAL™

D 1

RED CARD

DISRUPTOR

Cope & Associates Inc.

INFRASTRUCTURE



THE BIG DEAL™

D 2

RED CARD

DISRUPTOR

Cope & Associates Inc.

INFRASTRUCTURE

- Do roads disrupt the landscape?
- Do traffic volume and patterns cause disruption?
- Impact on environment and scenic beauty
- Infrastructure to support communities and economic activity

D 2

DISRUPTOR

RED CARD

Cope & Associates Inc.

CLIMATE CHANGE

- Increased emissions from the project and related traffic
- In-migration due to climate change
- Standards for energy use and efficiency
- Protection of the ecosystem (i.e. air, water, and wildlife)
- Assuring projects are designed for climate change

D 1

DISRUPTOR

RED CARD

Cope & Associates Inc.

**AGRICULTURAL &
FOREST PRODUCTIVITY**



THE BIG DEAL™

S 1

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

ECOSYSTEM PROTECTION



THE BIG DEAL™

S 2

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

ECOSYSTEM PROTECTION

- “Public trust” is the legal concept that natural resources like water and wildlife are generally owned by all the people and are managed for the public good
- Act 250 reviews project impacts on air and water quality, and wildlife habitat
- Should Vermont create an ecosystem protection plan to complement Act 250?

S 2

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

AGRICULTURAL & FOREST PRODUCTIVITY

- Use of primary agricultural soils
- Support for jobs through a working landscape
- Preservation of land
- Land use for recreation

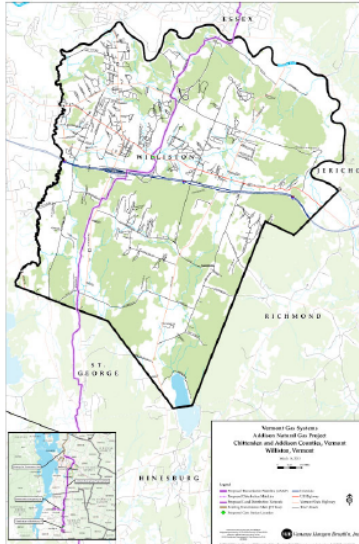
S 1

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

SETTLEMENT PATTERNS



THE BIG DEAL™

S 3

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

SCENIC & NATURAL BEAUTY



THE BIG DEAL™

S 4

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

SCENIC & NATURAL BEAUTY

- The project cannot have an undue adverse effect on scenic or natural beauty, aesthetics or historic sites
- Does the project fit into the landscape?
- If not, then:
 - Does it comply with scenic beauty provisions in the town plan?
 - Will it be shocking or offensive to the average person?
 - Is there sufficient mitigation?

S 4

STATEWIDE

PURPLE CARD

Cope & Associates Inc.

SETTLEMENT PATTERNS

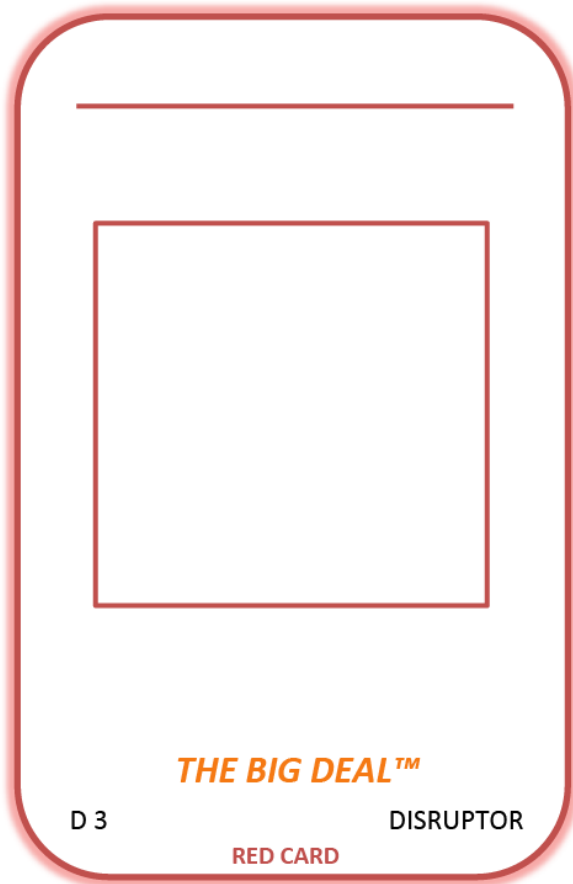
- Preserve Vermont communities
- Promote compact centers surrounded by a working rural landscape
- Target investment in managed municipal centers
- Concentrate development to protect the environment
- Consider cost of scattered versus dense development

S 3

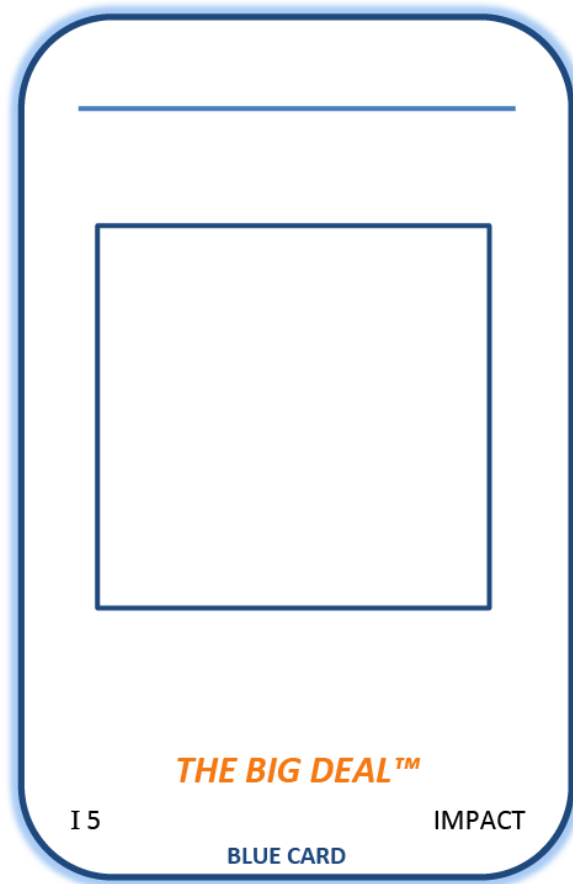
STATEWIDE

PURPLE CARD

Cope & Associates Inc.



Cope & Associates Inc.



Cope & Associates Inc.

**ECONOMIC
DEVELOPMENT**



THE BIG DEAL™

S 5

STATEWIDE

PURPLE CARD

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S 6

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S 6 STATEWIDE
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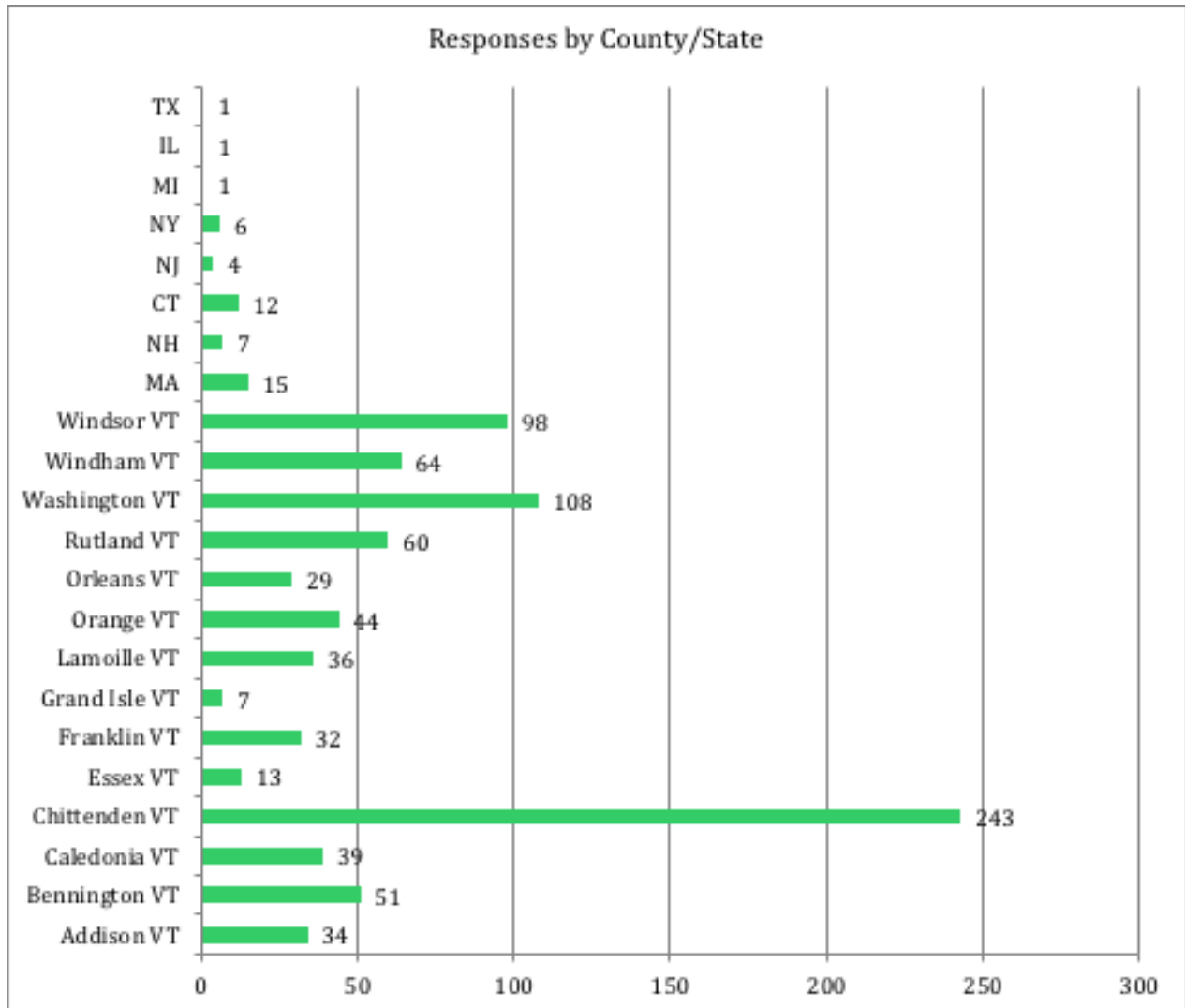
**ECONOMIC
DEVELOPMENT**

- Create job opportunities
- Promote economic, political, and social well-being among individuals
- Ensure that projects do not create public costs that exceeds their public benefits

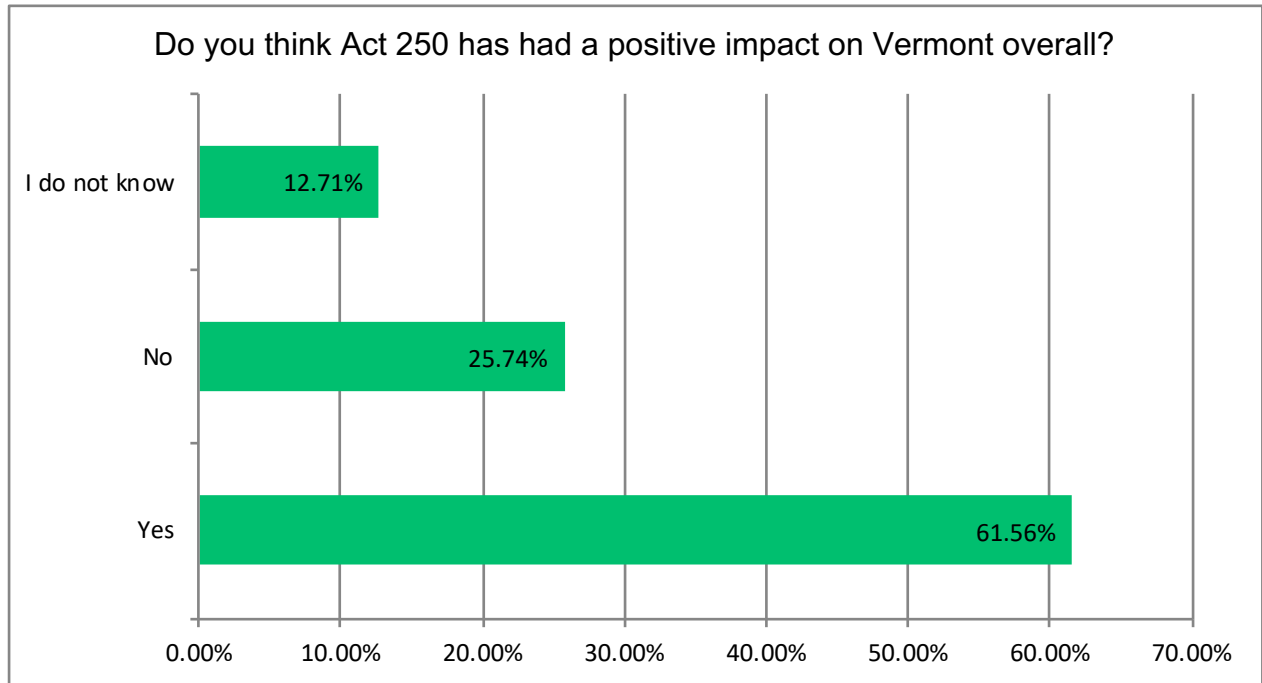
S 5 STATEWIDE
PURPLE CARD

Cope & Associates Inc.

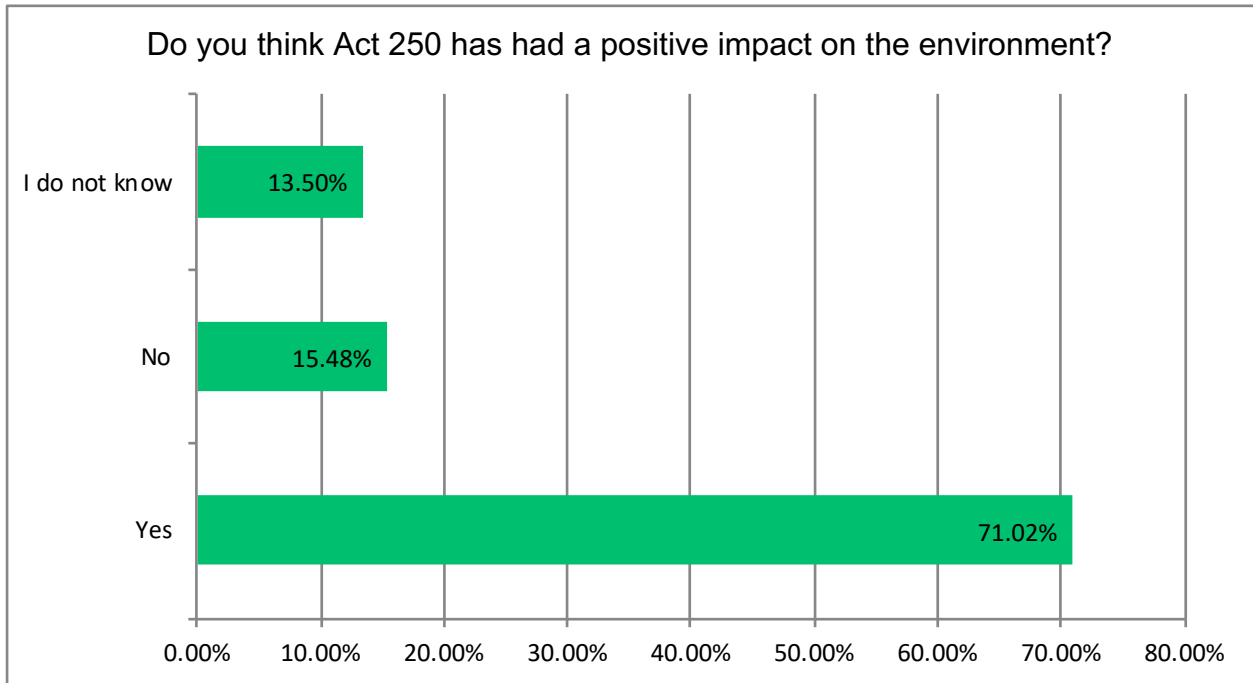
Appendix F: Survey Quantitative Results (Statewide)



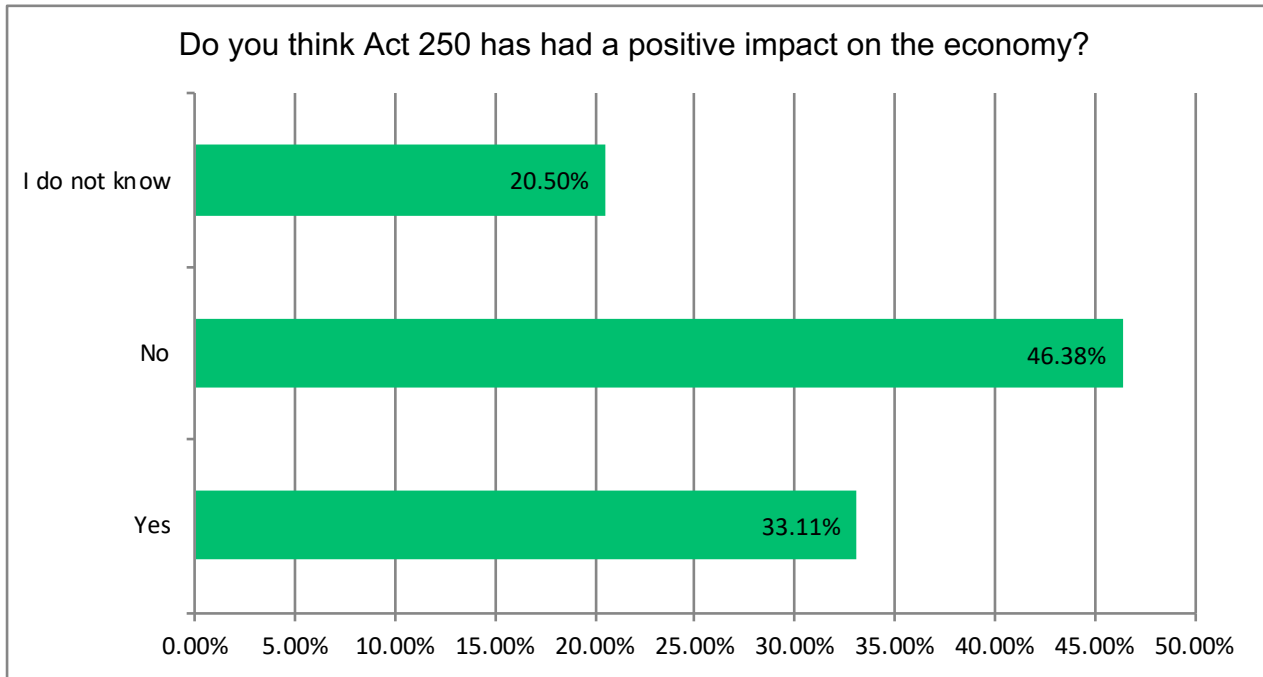
Sum of Number	
County	Total
Addison VT	34
Bennington VT	51
Caledonia VT	39
Chittenden VT	243
Essex VT	13
Franklin VT	32
Grand Isle VT	7
Lamoille VT	36
Orange VT	44
Orleans VT	29
Rutland VT	60
Washington VT	108
Windham VT	64
Windsor VT	98
MA	15
NH	7
CT	12
NJ	4
NY	6
MI	1
IL	1
TX	1
Grand Total	905



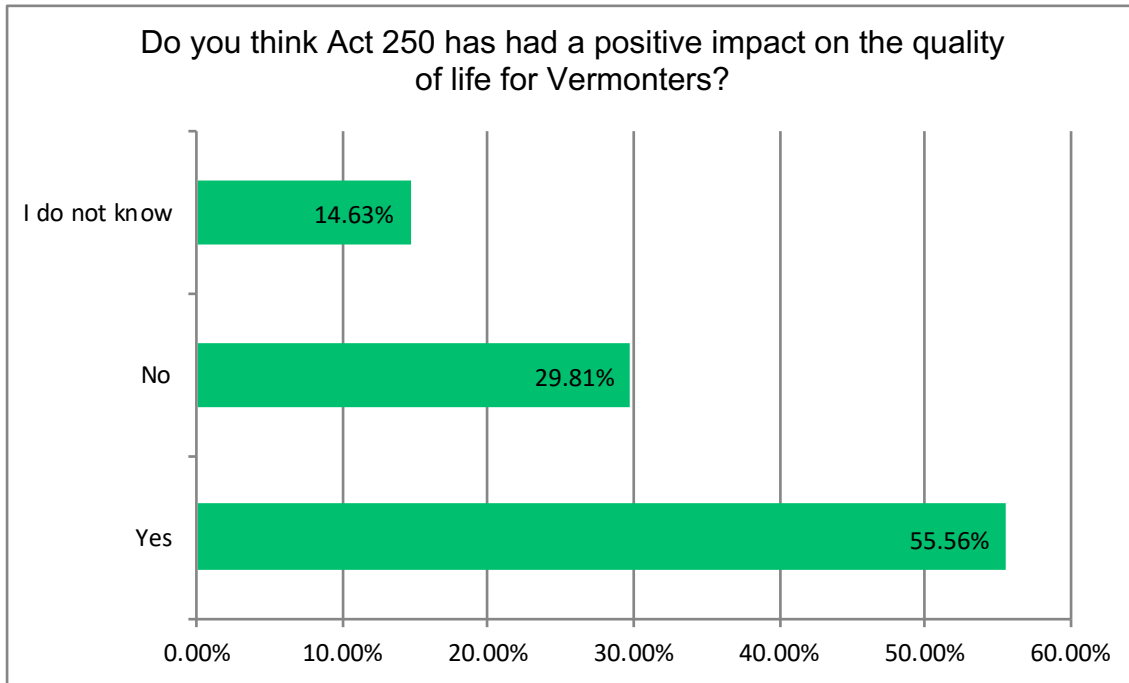
Answer Choices	Responses	
Yes	61.56%	562
No	25.74%	235
I do not know	12.71%	116
	Answered	913
	Skipped	28



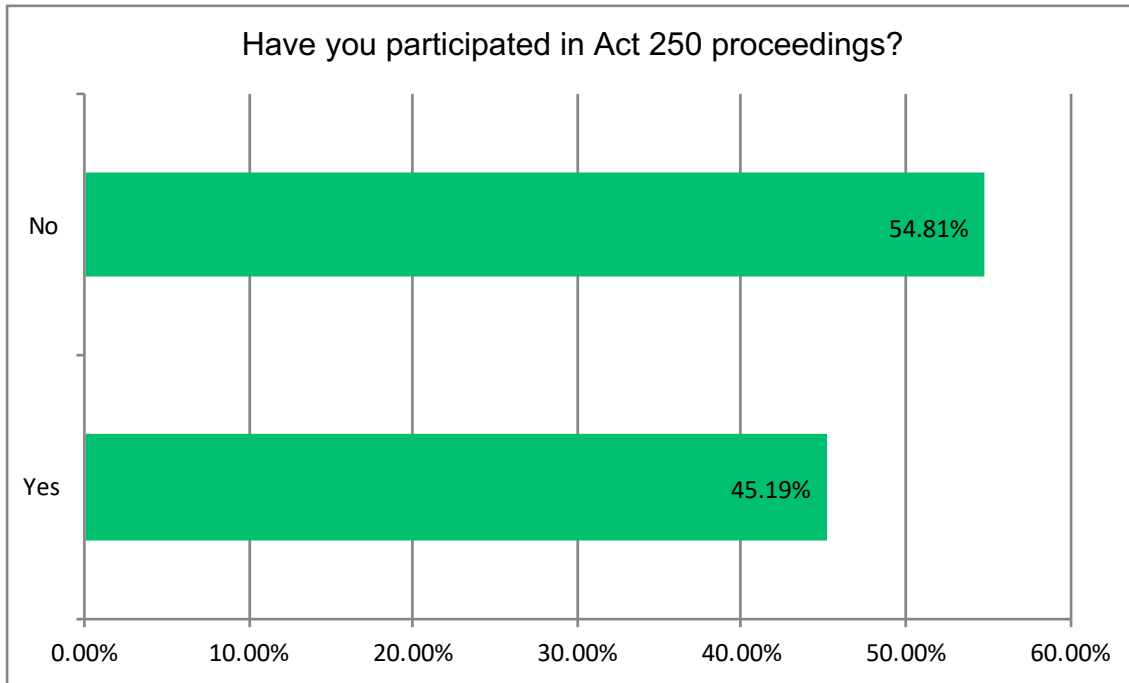
Answer Choices	Responses	
Yes	71.02%	647
No	15.48%	141
I do not know	13.50%	123
	Answered	911
	Skipped	30



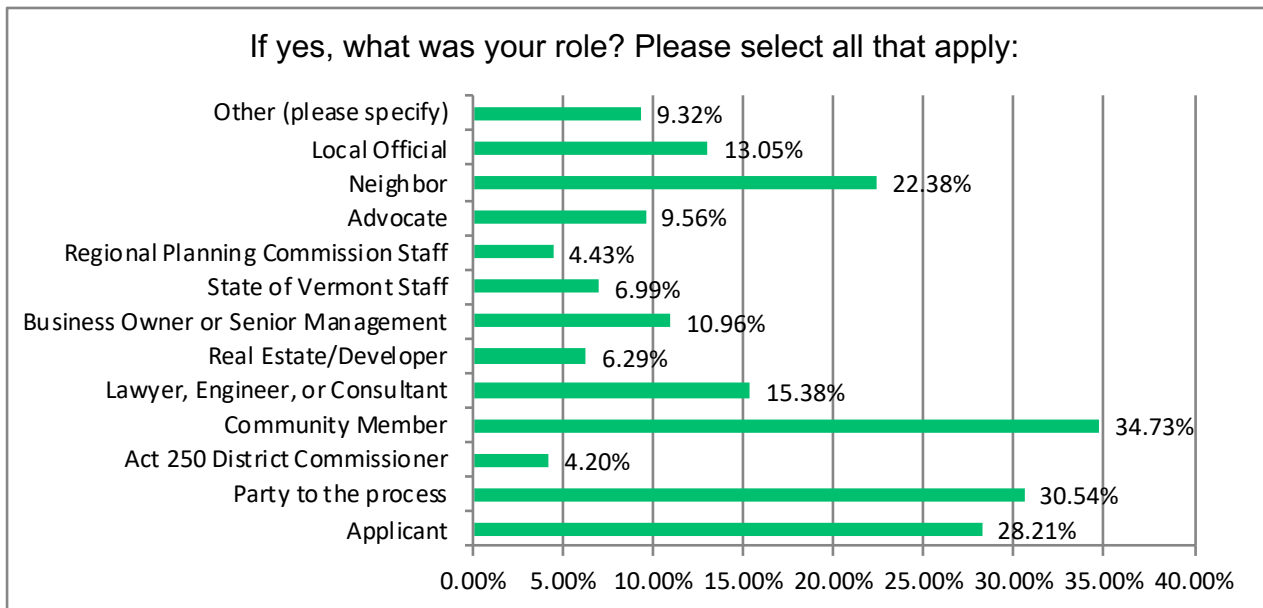
Answer Choices	Responses	
Yes	33.11%	302
No	46.38%	423
I do not know	20.50%	187
	Answered	912
	Skipped	29



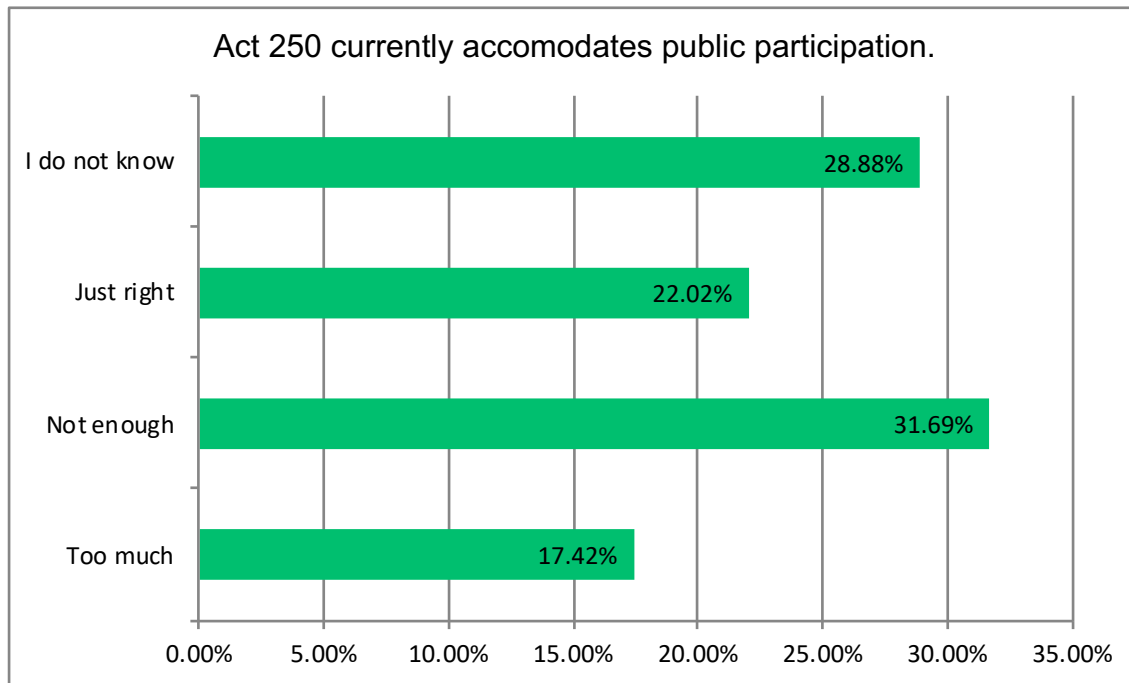
Answer Choices	Responses	
Yes	55.56%	505
No	29.81%	271
I do not know	14.63%	133
	Answered	909
	Skipped	32



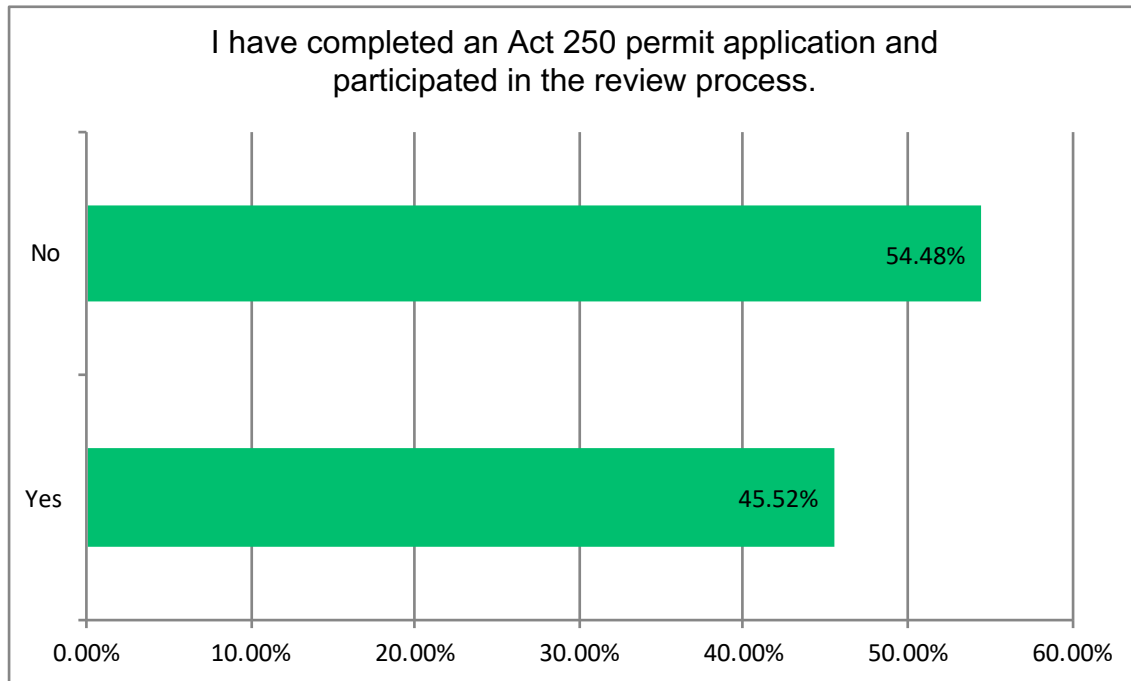
Answer Choices	Responses	
Yes	45.19%	413
No	54.81%	501
	Answered	914
	Skipped	27



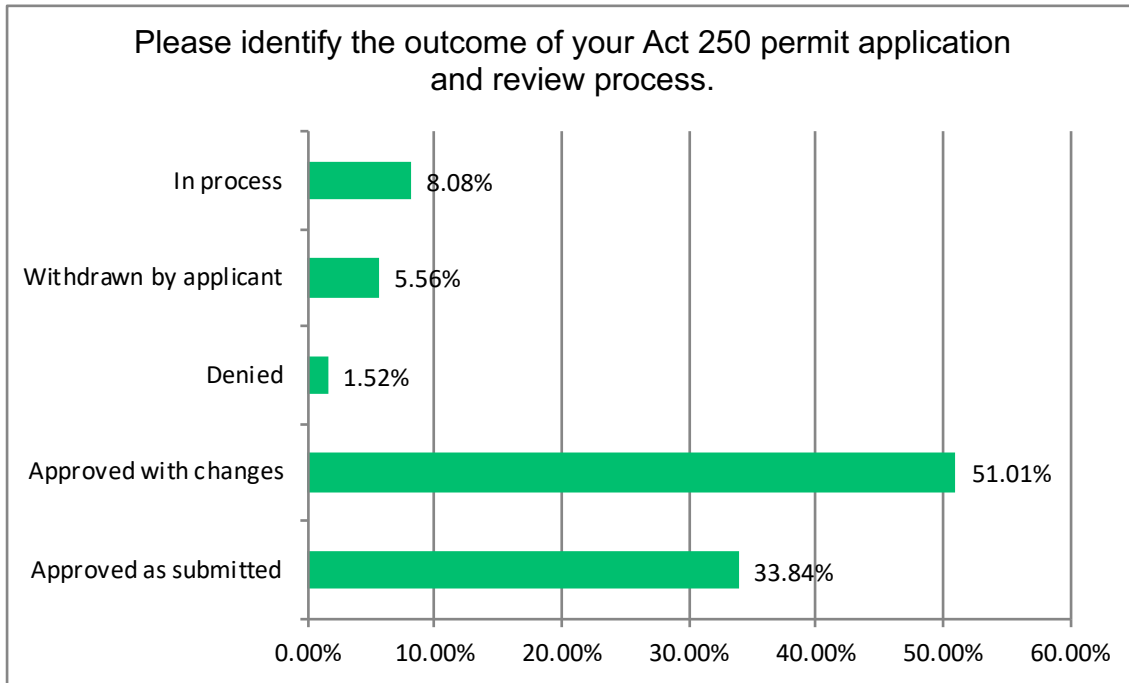
Answer Choices	Responses	
Applicant	28.21%	121
Party to the process	30.54%	131
Act 250 District Commissioner	4.20%	18
Community Member	34.73%	149
Lawyer, Engineer, or Consultant	15.38%	66
Real Estate/Developer	6.29%	27
Business Owner or Senior Management	10.96%	47
State of Vermont Staff	6.99%	30
Regional Planning Commission Staff	4.43%	19
Advocate	9.56%	41
Neighbor	22.38%	96
Local Official	13.05%	56
Other (please specify)	9.32%	40
	Answered	429
	Skipped	512



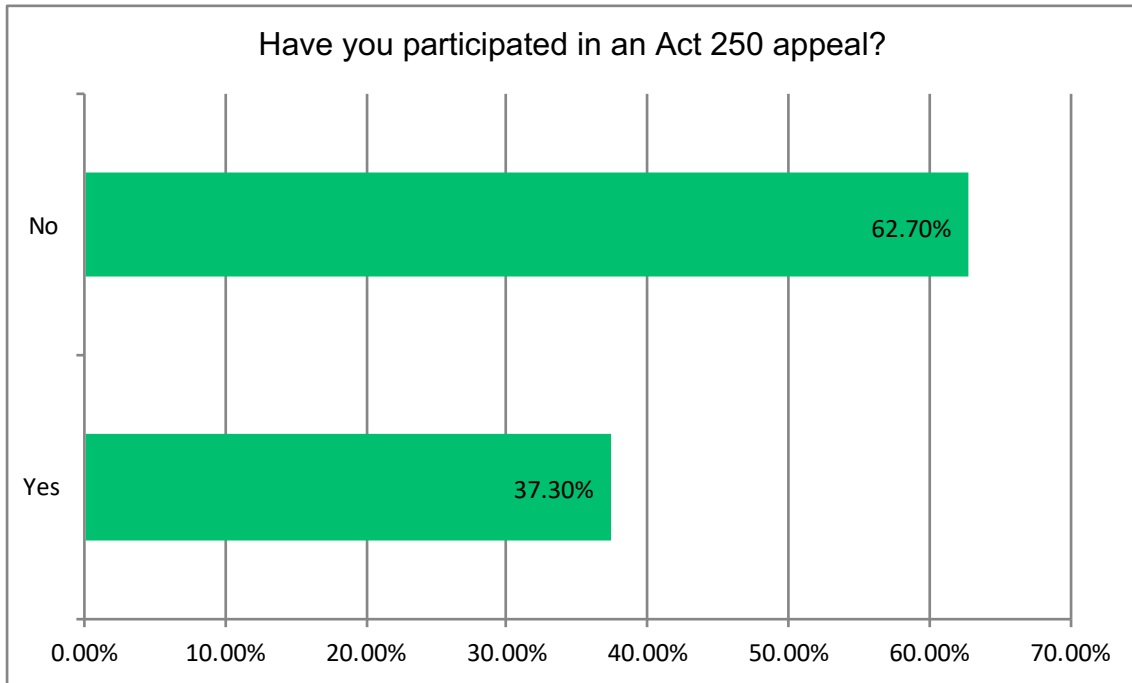
Answer Choices	Responses	
Too much	17.42%	155
Not enough	31.69%	282
Just right	22.02%	196
I do not know	28.88%	257
	Answered	890
	Skipped	51



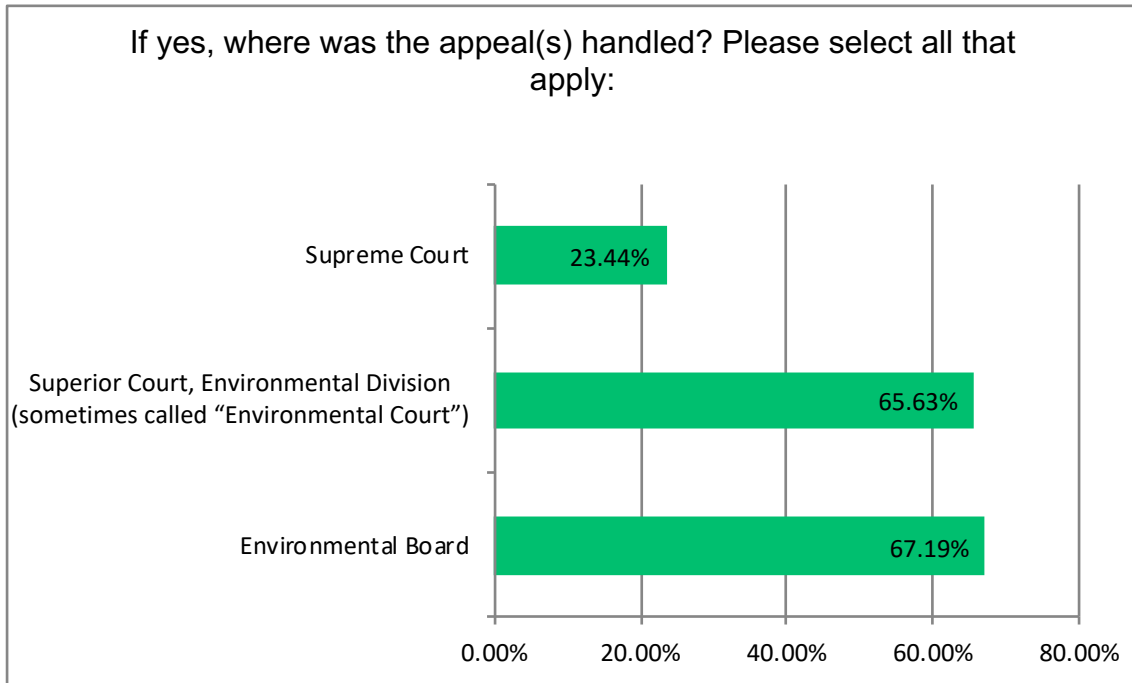
Answer Choices	Responses	
Yes	45.52%	188
No	54.48%	225
	Answered	413
	Skipped	528



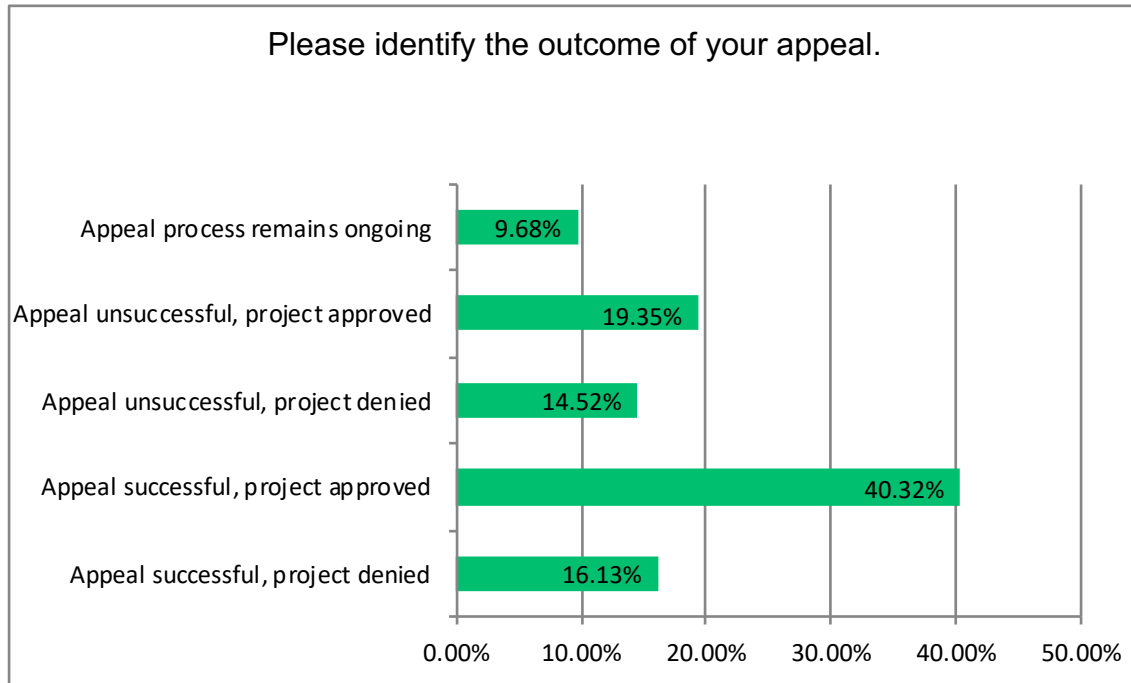
Answer Choices	Responses	
Approved as submitted	33.84%	67
Approved with changes	51.01%	101
Denied	1.52%	3
Withdrawn by applicant	5.56%	11
In process	8.08%	16
	Answered	198
	Skipped	743



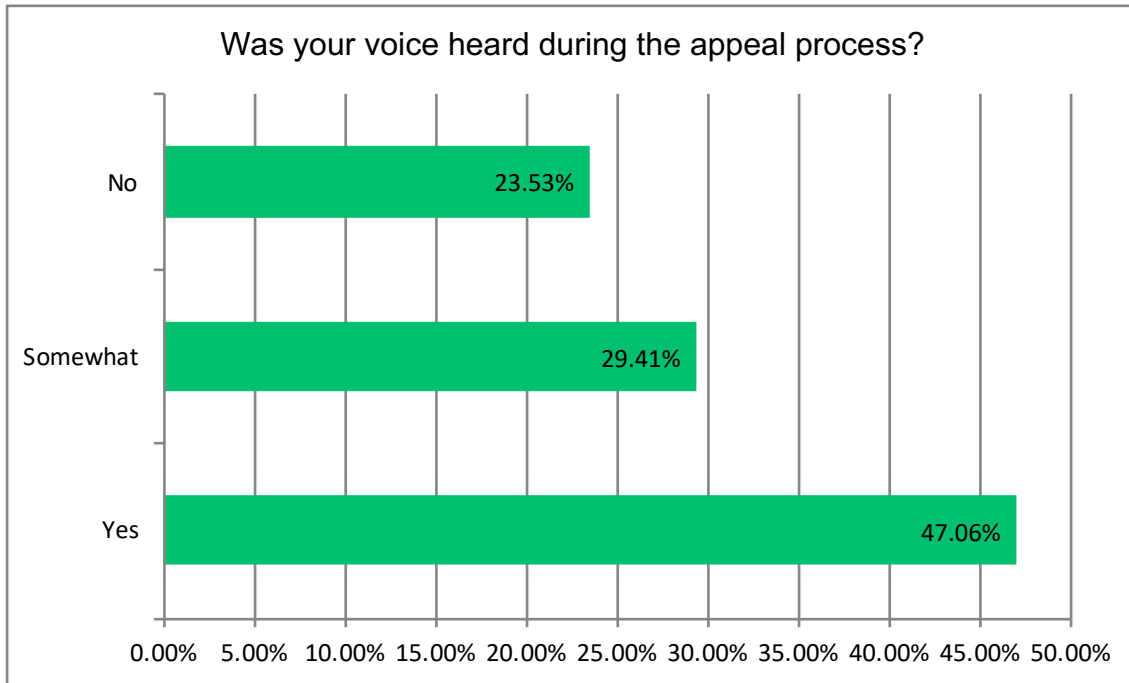
Answer Choices	Responses	
Yes	37.30%	69
No	62.70%	116
	Answered	185
	Skipped	756



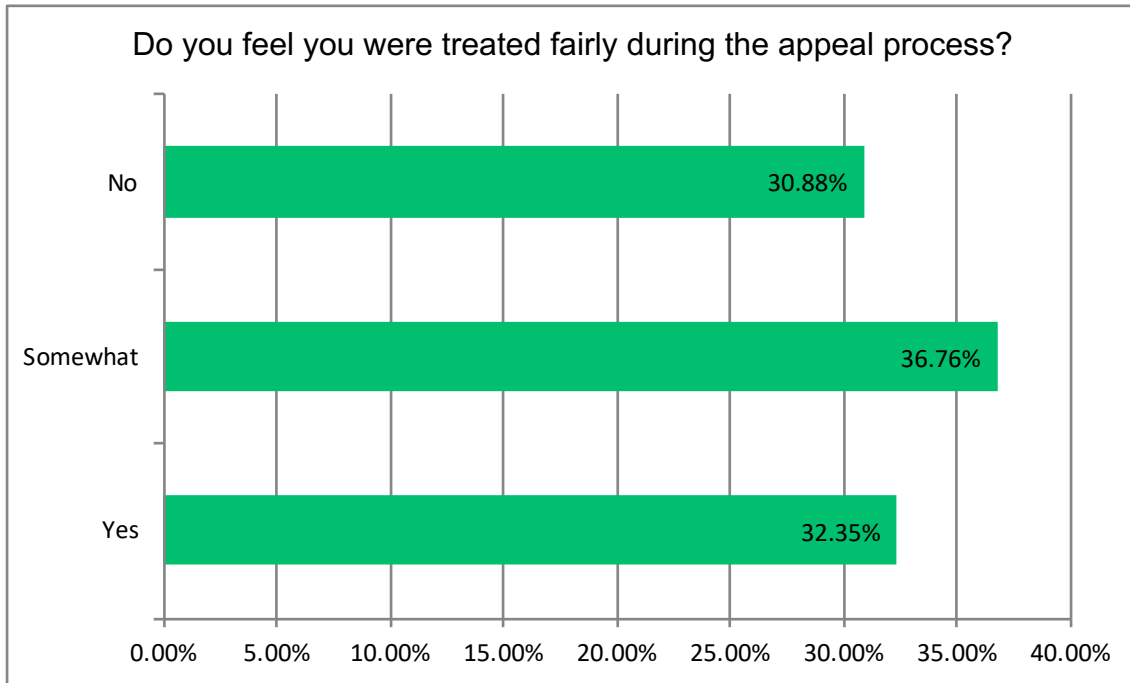
Answer Choices	Responses	
Environmental Board	67.19%	43
Superior Court, Environmental Division (sometimes called "Environmental	65.63%	42
Supreme Court	23.44%	15
	Answered	64
	Skipped	877



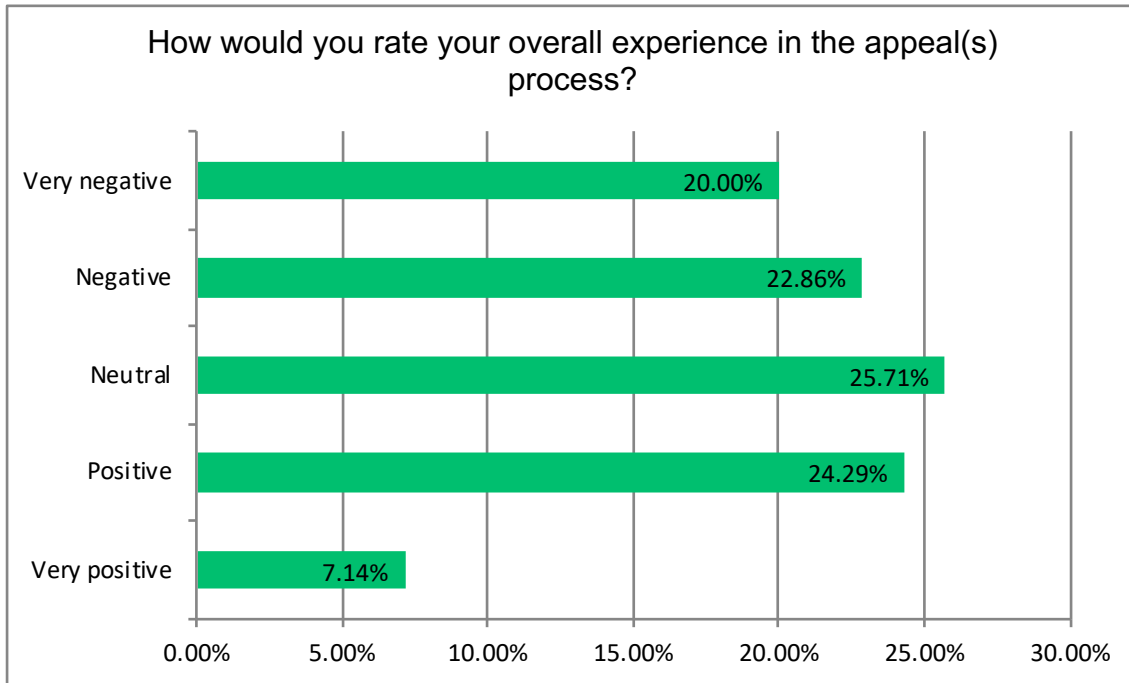
Answer Choices	Responses	
Appeal successful, project denied	16.13%	10
Appeal successful, project approved	40.32%	25
Appeal unsuccessful, project denied	14.52%	9
Appeal unsuccessful, project approved	19.35%	12
Appeal process remains ongoing	9.68%	6
	Answered	62
	Skipped	879



Answer Choices	Responses	
Yes	47.06%	32
Somewhat	29.41%	20
No	23.53%	16
	Answered	68
	Skipped	873

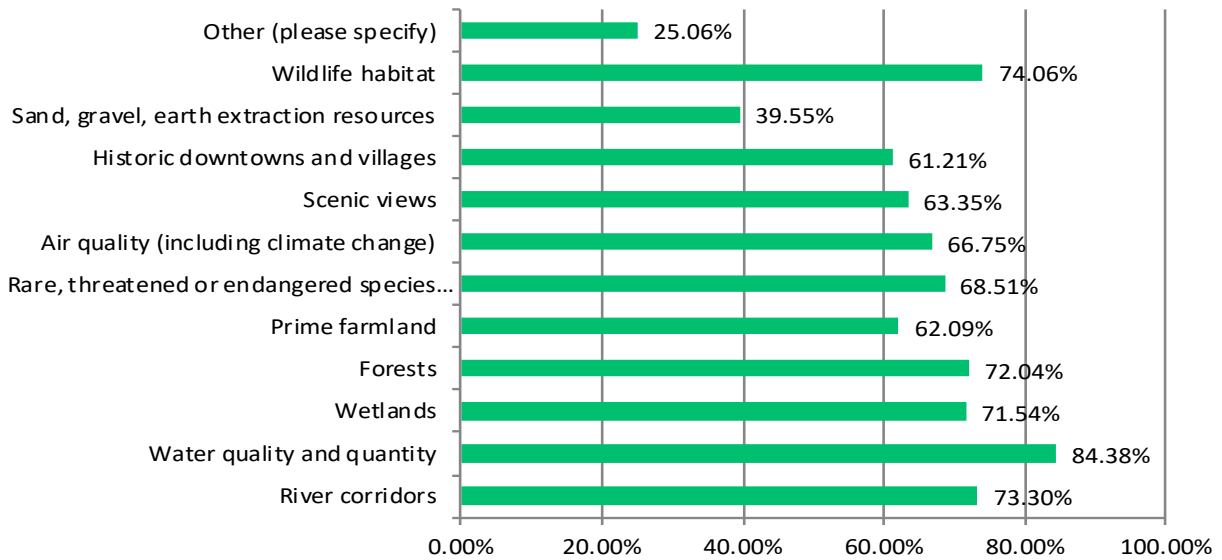


Answer Choices	Responses	
Yes	32.35%	22
Somewhat	36.76%	25
No	30.88%	21
	Answered	68
	Skipped	873

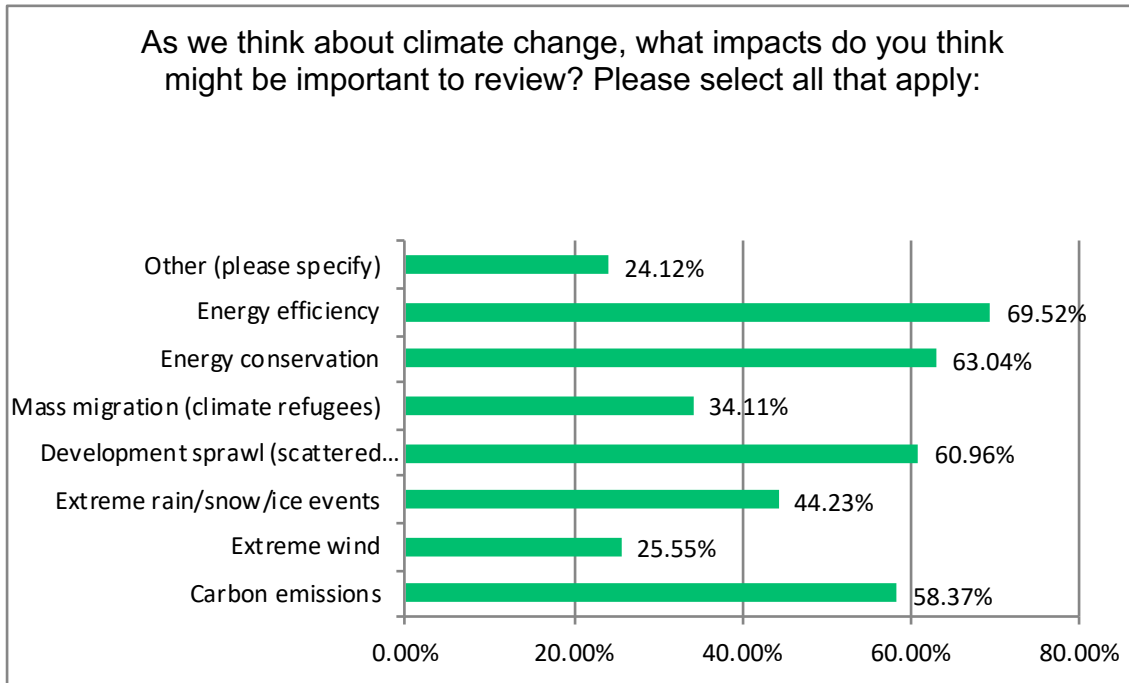


Answer Choices	Responses	
Very positive	7.14%	5
Positive	24.29%	17
Neutral	25.71%	18
Negative	22.86%	16
Very negative	20.00%	14
	Answered	70
	Skipped	871

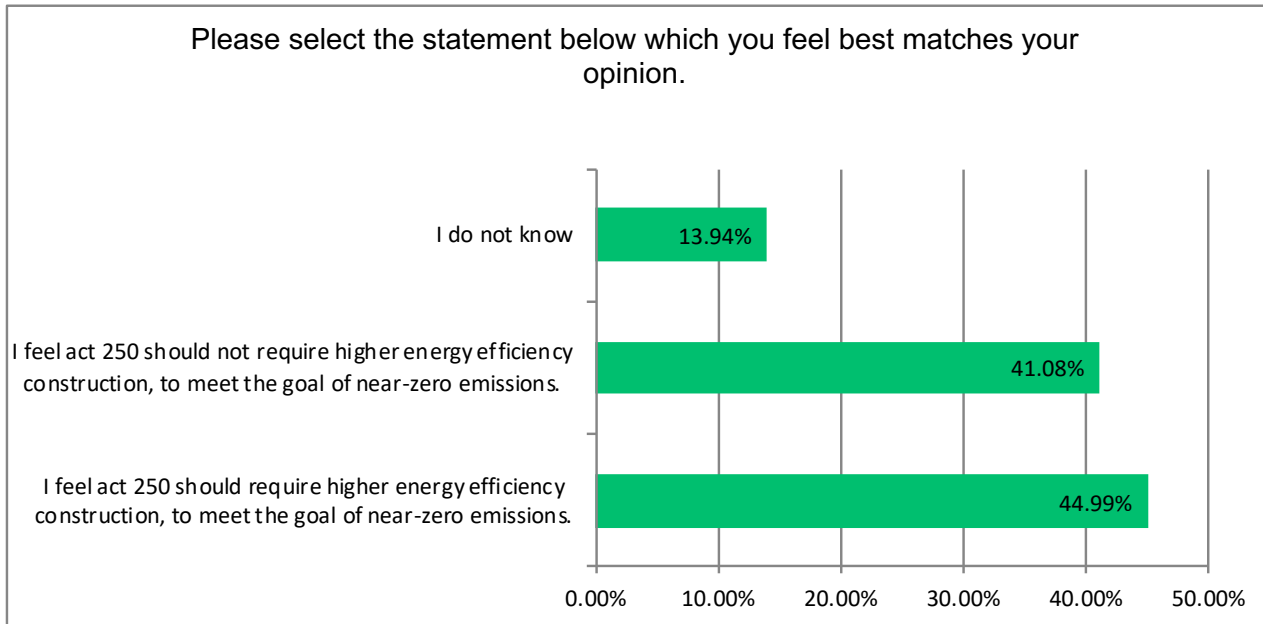
Which statewide resources should be protected for the present and future? Please select all that apply:



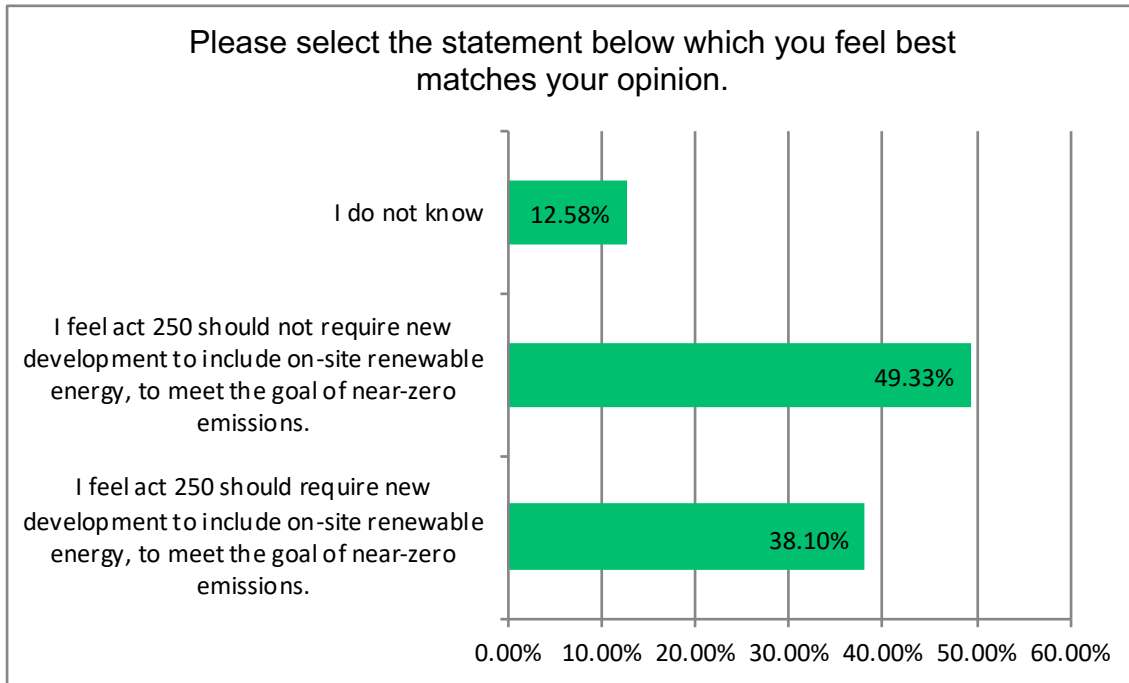
Answer Choices	Responses	
River corridors	73.30%	582
Water quality and quantity	84.38%	670
Wetlands	71.54%	568
Forests	72.04%	572
Prime farmland	62.09%	493
Rare, threatened or endangered species habitat	68.51%	544
Air quality (including climate change)	66.75%	530
Scenic views	63.35%	503
Historic downtowns and villages	61.21%	486
Sand, gravel, earth extraction resources	39.55%	314
Wildlife habitat	74.06%	588
Other (please specify)	25.06%	199
	Answered	794
	Skipped	147



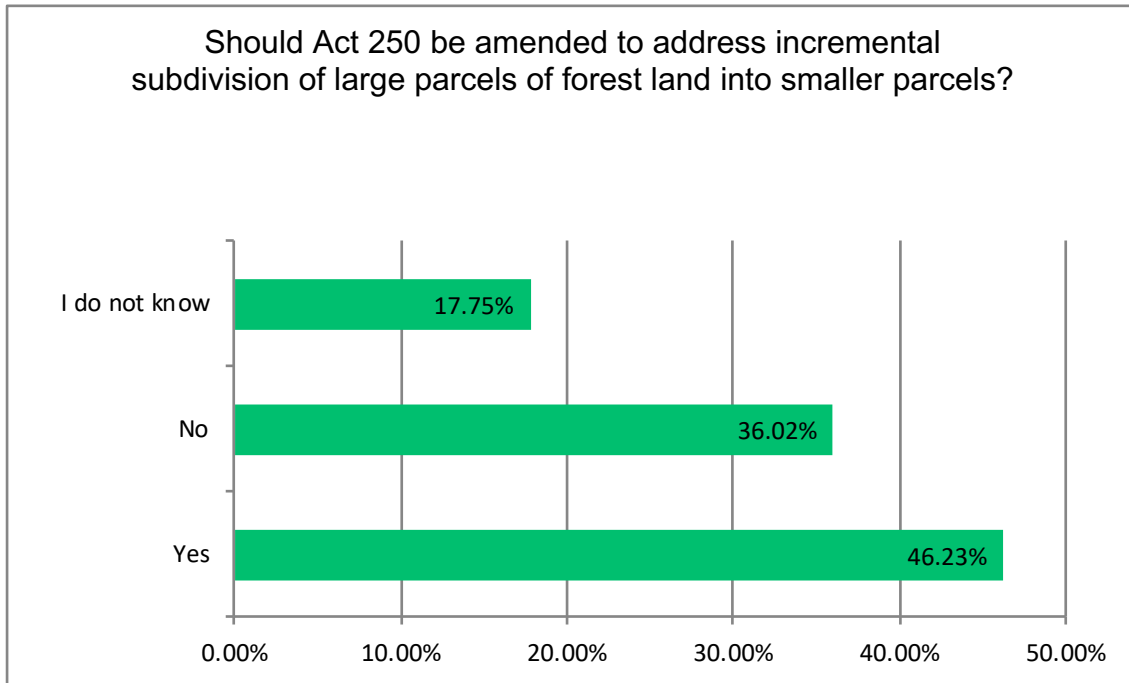
Answer Choices	Responses	
Carbon emissions	58.37%	450
Extreme wind	25.55%	197
Extreme rain/snow/ice events	44.23%	341
Development sprawl (scattered development)	60.96%	470
Mass migration (climate refugees)	34.11%	263
Energy conservation	63.04%	486
Energy efficiency	69.52%	536
Other (please specify)	24.12%	186
	Answered	771
	Skipped	170



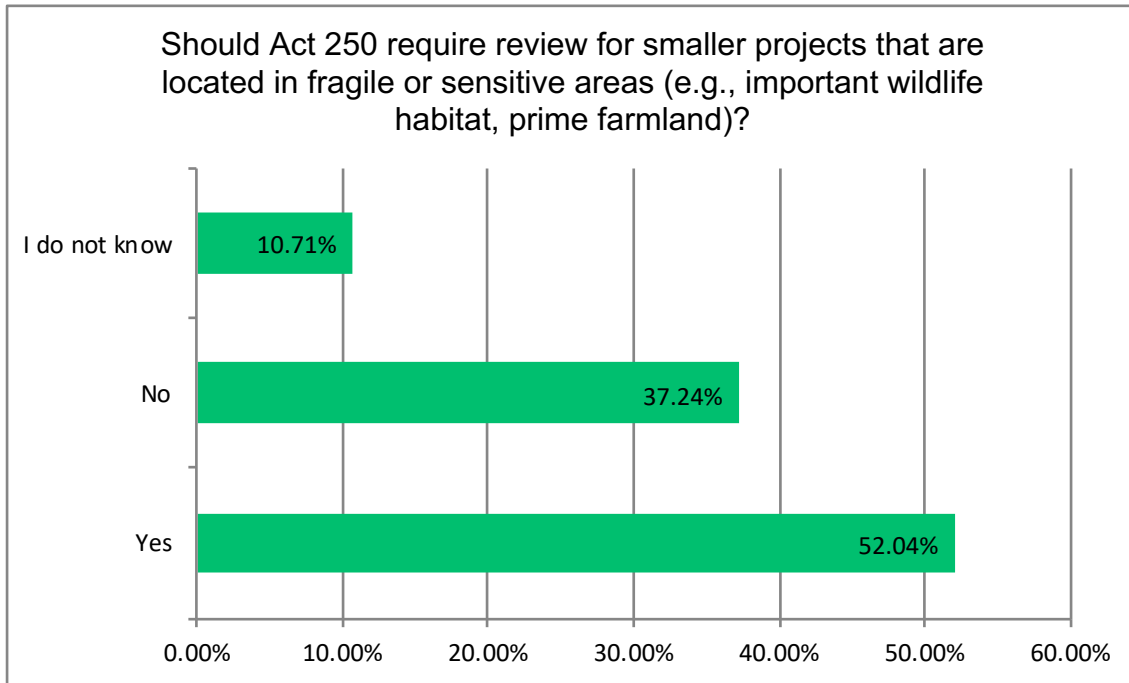
Answer Choices	Responses	
I feel act 250 should require higher energy efficiency construction, to meet	44.99%	368
I feel act 250 should not require higher energy efficiency construction, to n	41.08%	336
I do not know	13.94%	114
	Answered	818
	Skipped	123



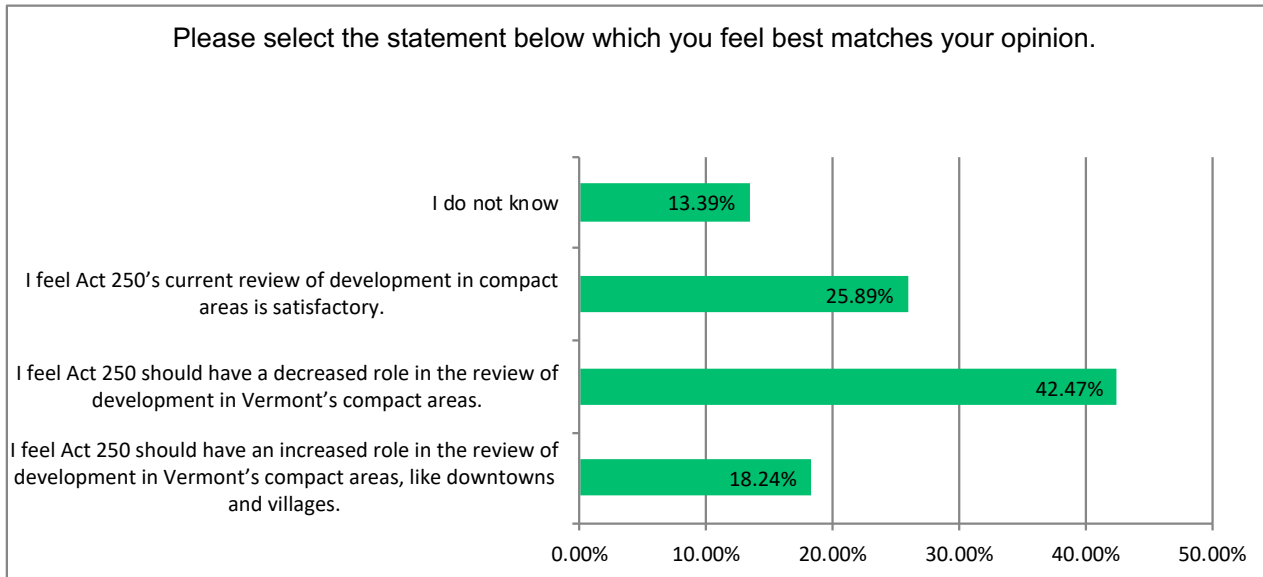
Answer Choices	Responses	
I feel act 250 should require new development to include on-site renewable	38.10%	312
I feel act 250 should not require new development to include on-site renew	49.33%	404
I do not know	12.58%	103
	Answered	819
	Skipped	122



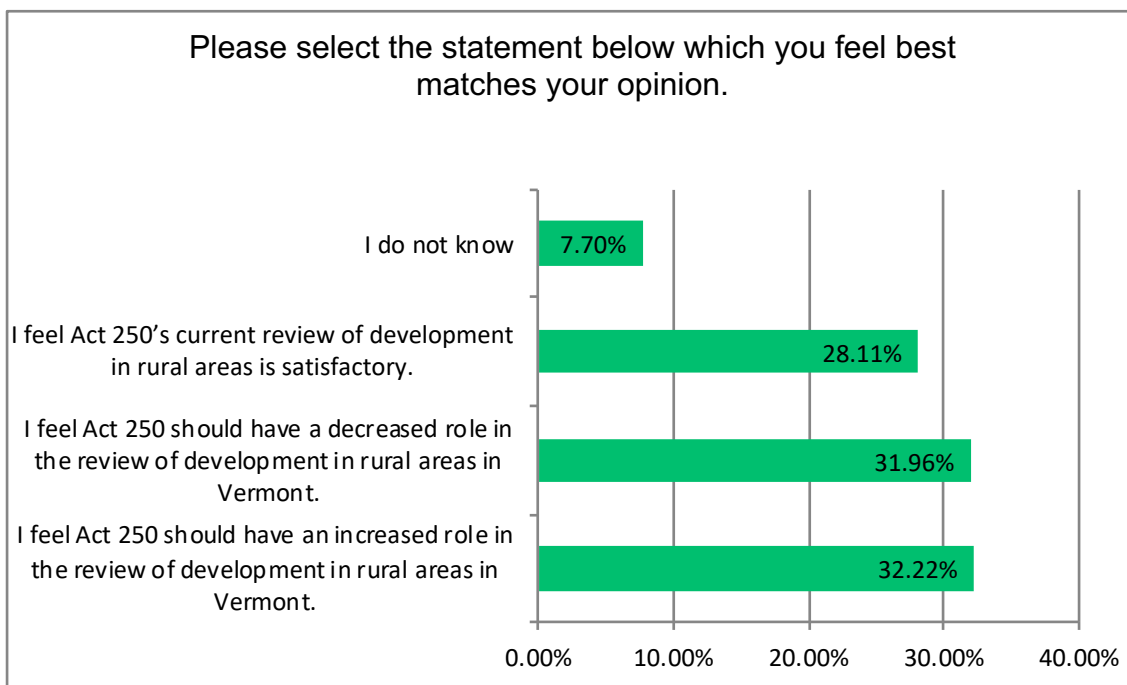
Answer Choices	Responses	
Yes	46.23%	362
No	36.02%	282
I do not know	17.75%	139
	Answered	783
	Skipped	158



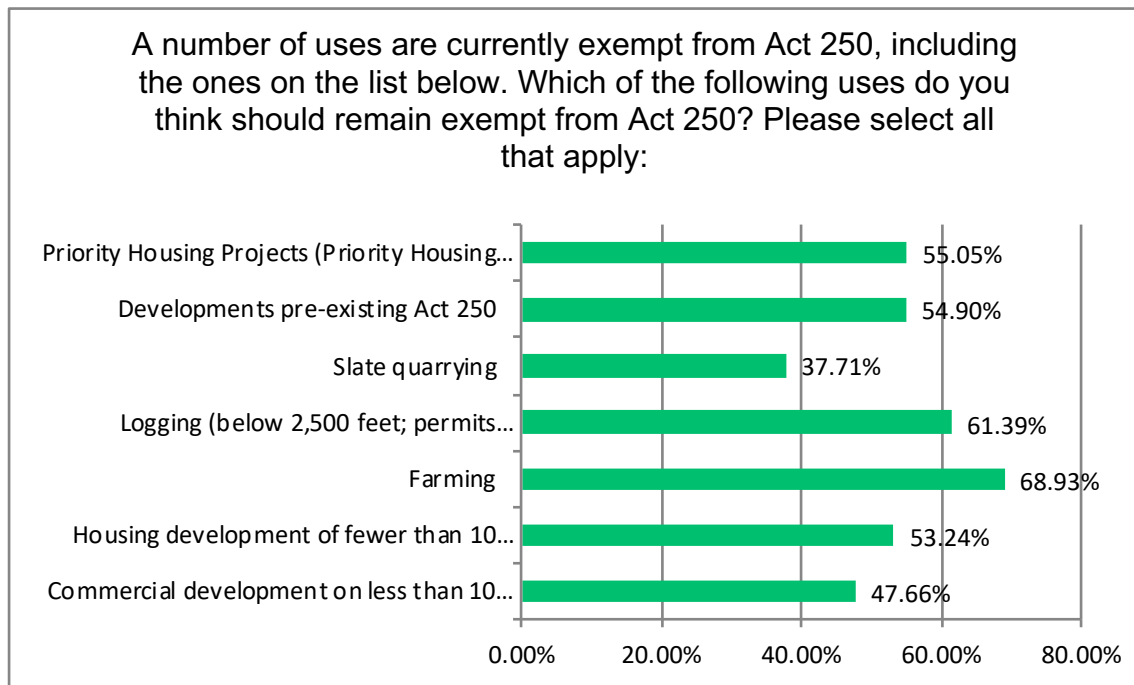
Answer Choices	Responses	
Yes	52.04%	408
No	37.24%	292
I do not know	10.71%	84
	Answered	784
	Skipped	157



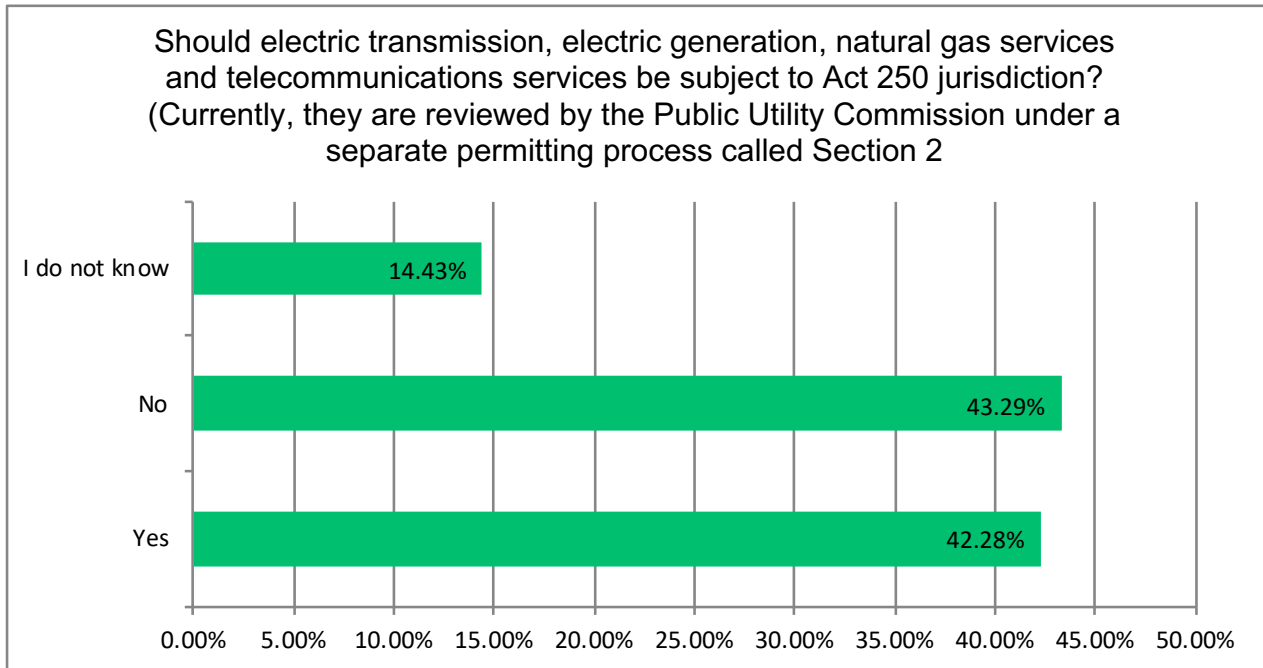
Answer Choices	Responses	
I feel Act 250 should have an increased role in the review of development in Vermont's compact areas, like downtowns and villages.	18.24%	143
I feel Act 250 should have a decreased role in the review of development in Vermont's compact areas.	42.47%	333
I feel Act 250's current review of development in compact areas is satisfactory.	25.89%	203
I do not know	13.39%	105
	Answered	784
	Skipped	157



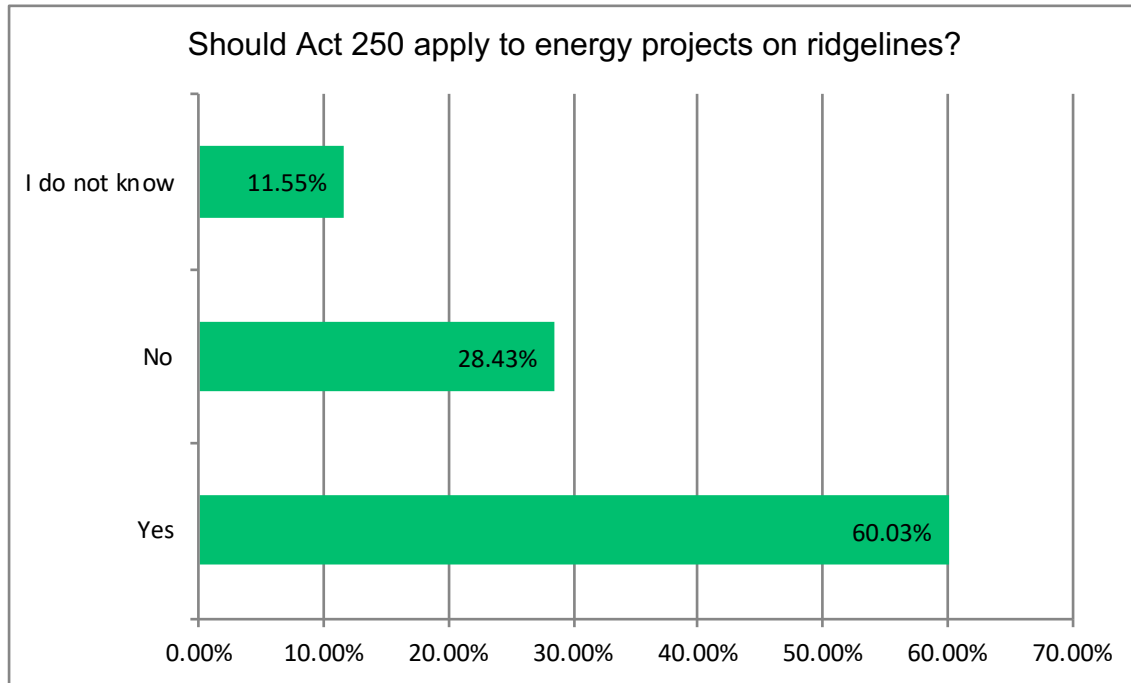
Answer Choices	Responses	
I feel Act 250 should have an increased role in the review of development in rural areas	32.22%	251
I feel Act 250 should have a decreased role in the review of development in rural areas	31.96%	249
I feel Act 250's current review of development in rural areas is satisfactory	28.11%	219
I do not know	7.70%	60
	Answered	779
	Skipped	162



Answer Choices	Responses	
Commercial development on less than 10 acres (or 1 acre if town lacks zoning)	47.66%	316
Housing development of fewer than 10 units (or fewer if no zoning)	53.24%	353
Farming	68.93%	457
Logging (below 2,500 feet; permits required above 2,500 feet)	61.39%	407
Slate quarrying	37.71%	250
Developments pre-existing Act 250	54.90%	364
Priority Housing Projects (Priority Housing Projects must be within certain...)	55.05%	365
	Answered	663
	Skipped	278

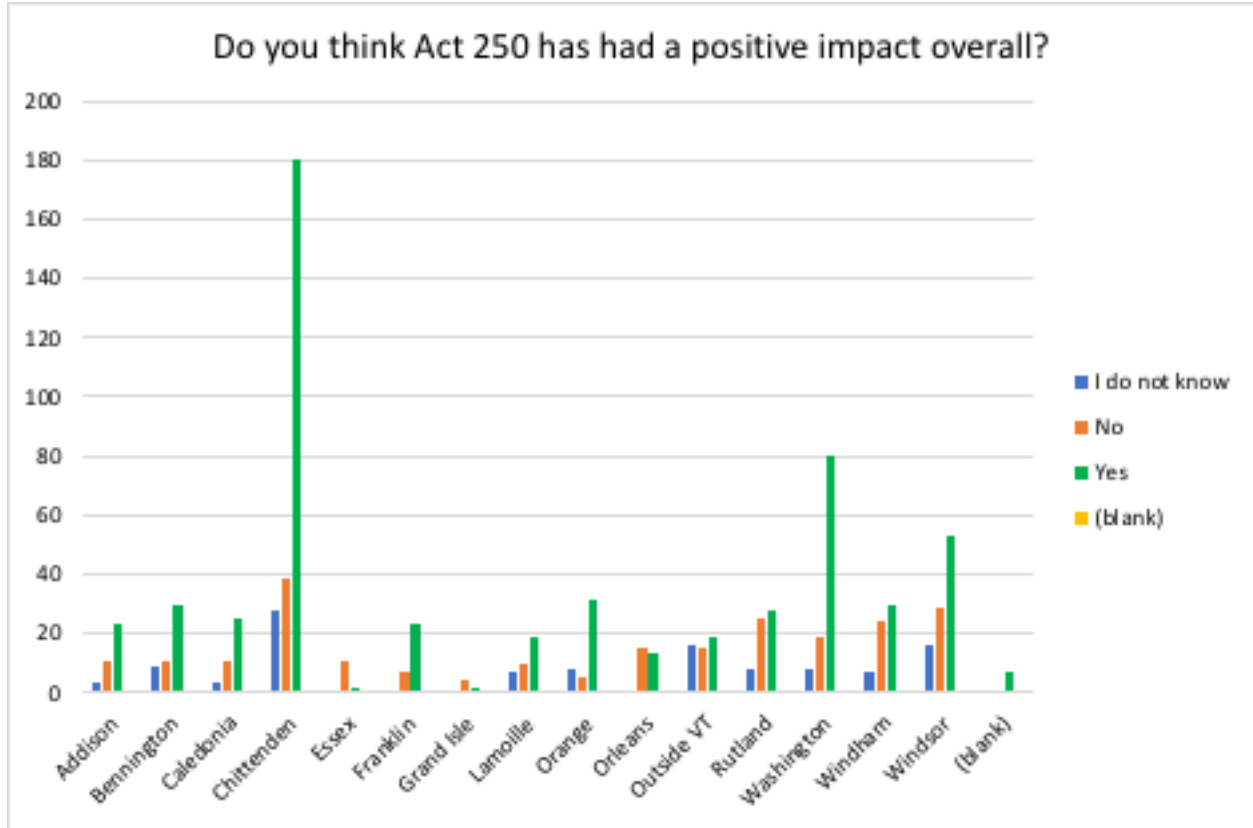


Answer Choices	Responses	
Yes	42.28%	334
No	43.29%	342
I do not know	14.43%	114
	Answered	790
	Skipped	151

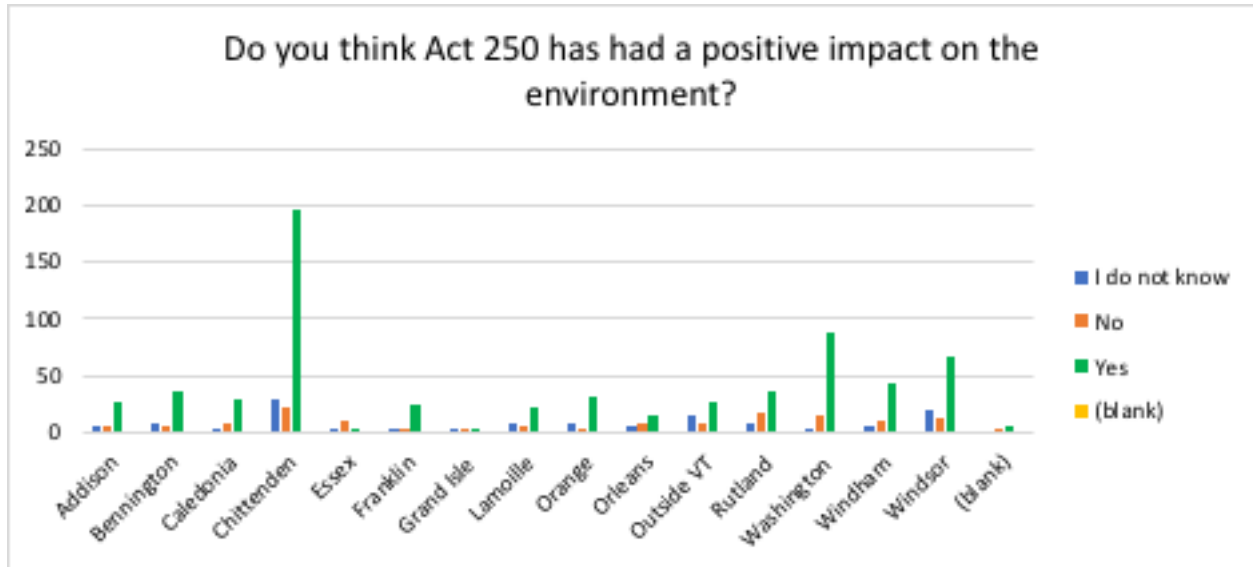


Answer Choices	Responses	
Yes	60.03%	473
No	28.43%	224
I do not know	11.55%	91
	Answered	788
	Skipped	153

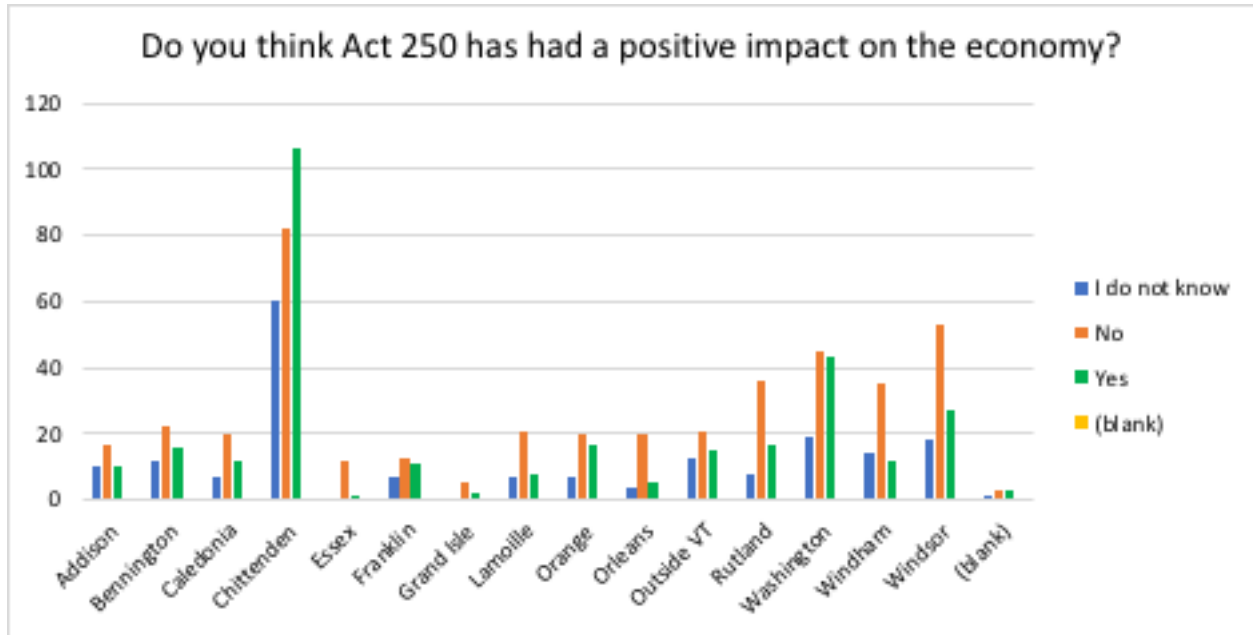
Appendix G: Survey Quantitative Results (By County)



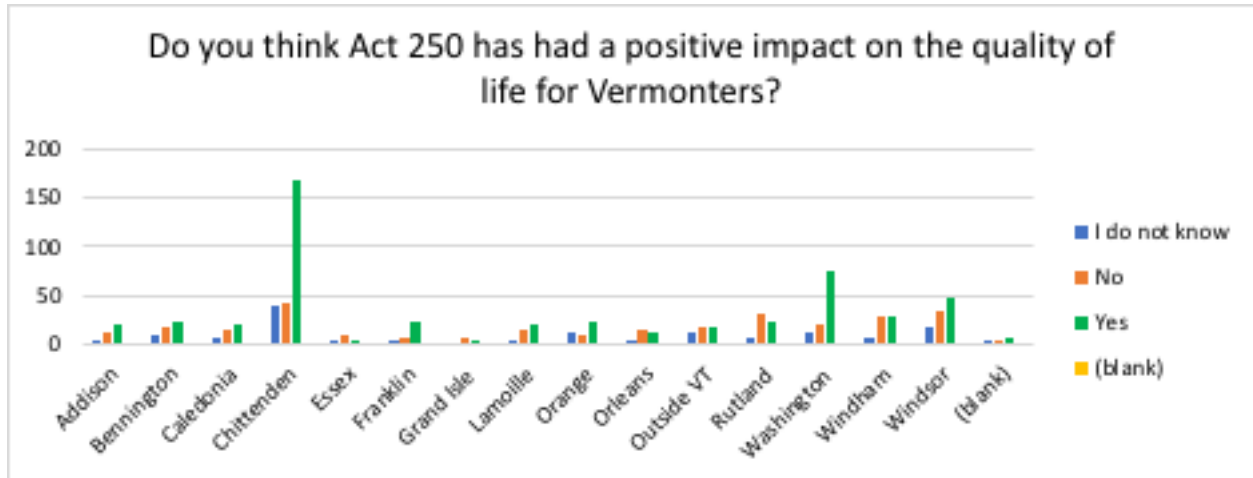
Count of Do you think Act 250 has had a positive impact on Vermont overall? Row Labels	Column Labels				Grand Total
	I do not know	No	Yes	(blank)	
Addison	3	11	23	0	37
Bennington	9	11	30	0	50
Caledonia	3	11	25	0	39
Chittenden	28	39	180	0	247
Essex	0	11	2	0	13
Franklin	1	7	23	0	31
Grand Isle	1	4	2	0	7
Lamoille	7	10	19	0	36
Orange	8	5	31	0	44
Orleans	1	15	13	0	29
Outside VT	16	15	19	0	50
Rutland	8	25	28	0	61
Washington	8	19	80	0	107
Windham	7	24	30	0	61
Windsor	16	29	53	0	98
(blank)	0	1	7	0	8
Grand Total	116	237	565	0	918



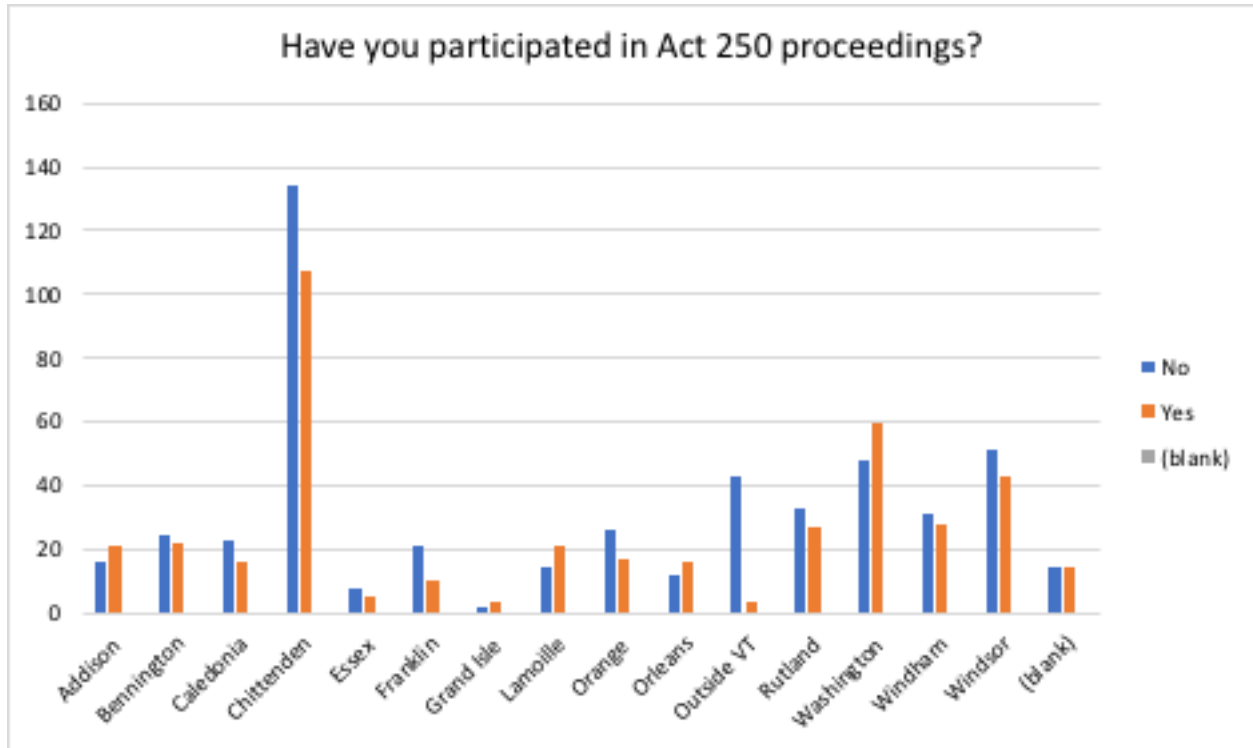
Count of Do you think Act 250 has had a positive impact on the environment? Row Labels	Column Labels				Grand Total
	I do not know	No	Yes	(blank)	
Addison	5	6	26		37
Bennington	7	6	37		50
Caledonia	2	7	30		39
Chittenden	30	21	196		247
Essex	1	10	2		13
Franklin	4	3	24		31
Grand Isle	1	3	3		7
Lamoille	9	5	22		36
Orange	8	4	32		44
Orleans	6	9	14		29
Outside VT	15	9	26		50
Rutland	7	18	36		61
Washington	4	15	88		107
Windham	5	11	44		60
Windsor	19	13	66		98
(blank)			1	6	7
Grand Total	123	141	652		916



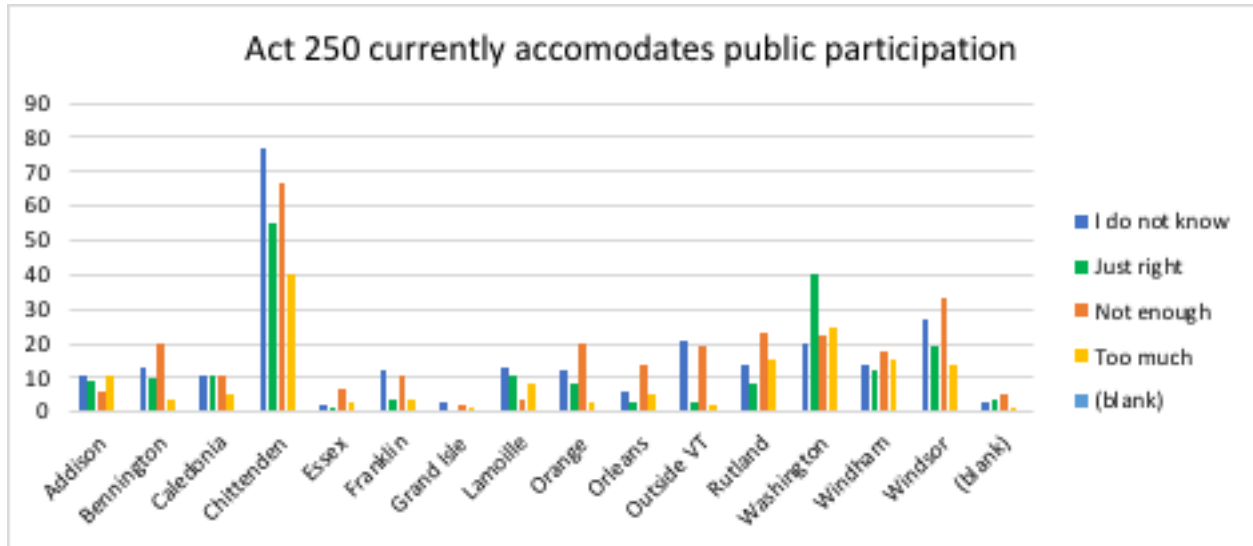
Count of Do you think Act 250 has had a positive impact on the economy? Row Labels	Column Labels				Grand Total
	I do not know	No	Yes	(blank)	
Addison	10	17	10	0	37
Bennington	12	22	16	0	50
Caledonia	7	20	12	0	39
Chittenden	60	82	106	0	248
Essex	0	12	1	0	13
Franklin	7	13	11	0	31
Grand Isle	0	5	2	0	7
Lamoille	7	21	8	0	36
Orange	7	20	17	0	44
Orleans	4	20	5	0	29
Outside VT	13	21	15	0	49
Rutland	8	36	17	0	61
Washington	19	45	43	0	107
Windham	14	35	12	0	61
Windsor	18	53	27	0	98
(blank)	1	3	3	0	7
Grand Total	187	425	305	0	917



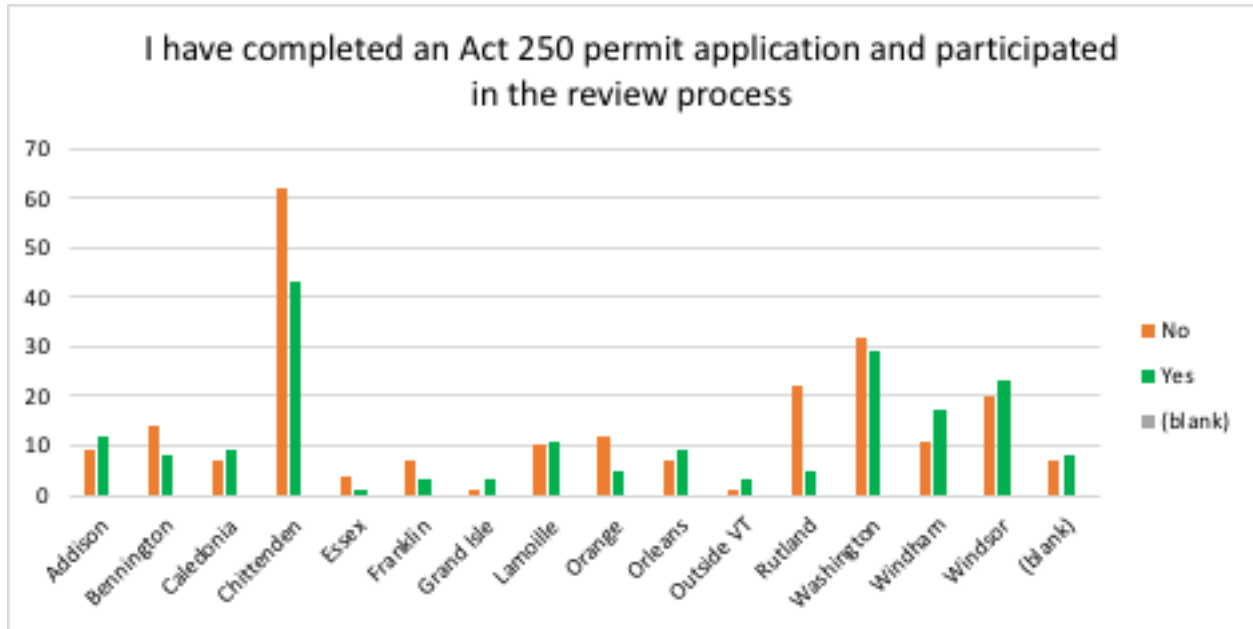
Count of Do you think Act 250 has had a positive impact on the quality of life for Vermonters? Row Labels	Column Labels				Grand Total
	I do not know	No	Yes	(blank)	
Addison	4	12	21		37
Bennington	9	16	24		49
Caledonia	5	14	20		39
Chittenden	38	41	169		248
Essex	1	10	2		13
Franklin	2	7	22		31
Grand Isle		5	2		7
Lamoille	3	14	19		36
Orange	11	10	23		44
Orleans	3	15	11		29
Outside VT	12	18	18		48
Rutland	6	30	24		60
Washington	13	20	74		107
Windham	7	27	27		61
Windsor	18	33	47		98
(blank)	1	1	5		7
Grand Total	133	273	508		914



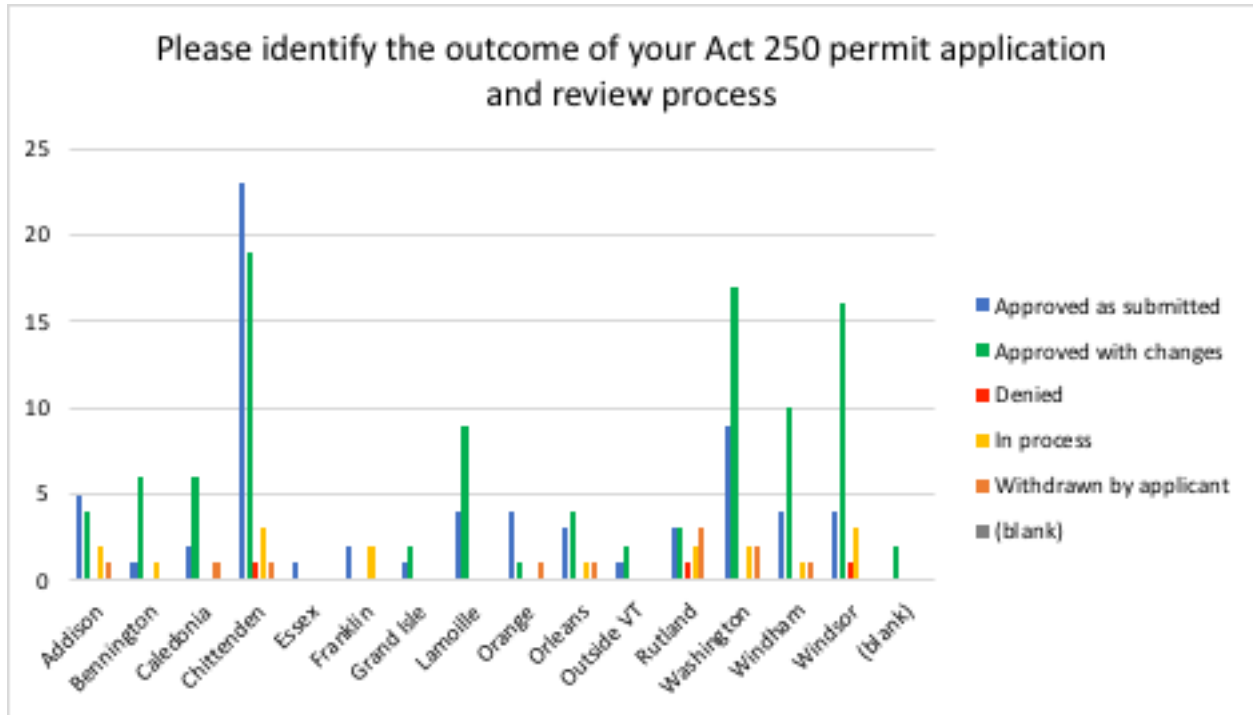
Count of Have you participated in Act 250 proceedings? Row Labels	Column Labels			Grand Total
	No	Yes	(blank)	
Addison	16	21		37
Bennington	25	22		47
Caledonia	23	16		39
Chittenden	134	107		241
Essex	8	5		13
Franklin	21	10		31
Grand Isle	2	4		6
Lamoille	15	21		36
Orange	26	17		43
Orleans	12	16		28
Outside VT	43	4		47
Rutland	33	27		60
Washington	48	60		108
Windham	31	28		59
Windsor	51	43		94
(blank)	15	15		30
Grand Total	503	416		919



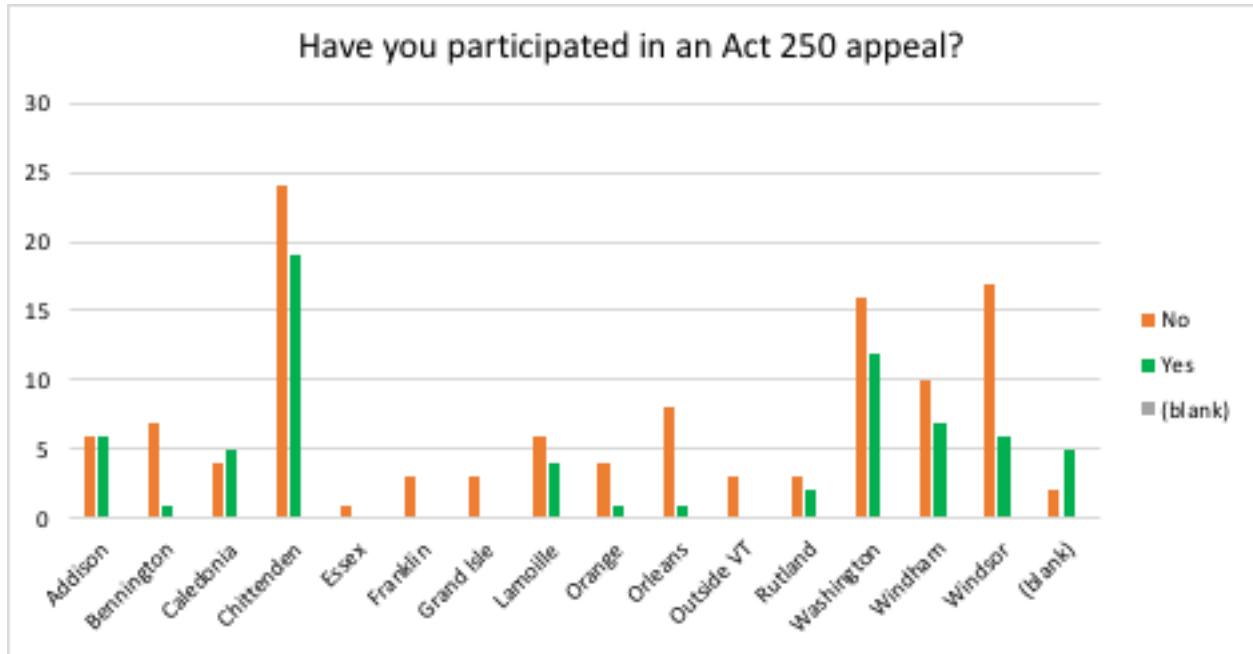
Count of Act 250 currently accomodates public participation.	Column Labels					
Row Labels	I do not know	Just right	Not enough	Too much	(blank)	Grand Total
Addison	11	9	6	11		37
Bennington	13	10	20	4		47
Caledonia	11	11	11	5		38
Chittenden	77	55	67	40		239
Essex	2	1	7	3		13
Franklin	12	4	11	4		31
Grand Isle	3		2	1		6
Lamoille	13	11	4	8		36
Orange	12	8	20	3		43
Orleans	6	3	14	5		28
Outside VT	21	3	19	2		45
Rutland	14	8	23	15		60
Washington	20	40	22	25		107
Windham	14	12	18	15		59
Windsor	27	19	33	14		93
(blank)	3	4	5	1		13
Grand Total	259	198	282	156		895



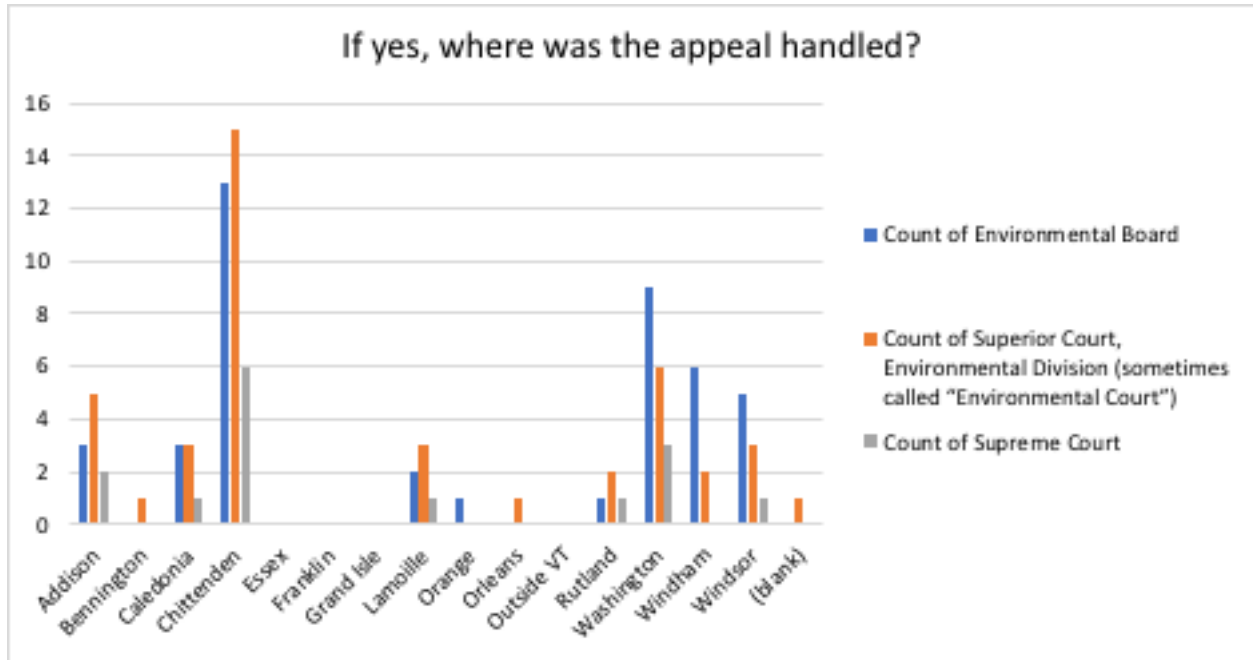
Count of I have completed an Act 250 permit application and participated in the review process. Row Labels	Column Labels			Grand Total
	No	Yes	(blank)	
Addison	9	12	0	21
Bennington	14	8	0	22
Caledonia	7	9	0	16
Chittenden	62	43	0	105
Essex	4	1	0	5
Franklin	7	3	0	10
Grand Isle	1	3	0	4
Lamoille	10	11	0	21
Orange	12	5	0	17
Orleans	7	9	0	16
Outside VT	1	3	0	4
Rutland	22	5	0	27
Washington	32	29	0	61
Windham	11	17	0	28
Windsor	20	23	0	43
(blank)	7	8	0	15
Grand Total	226	189	0	415



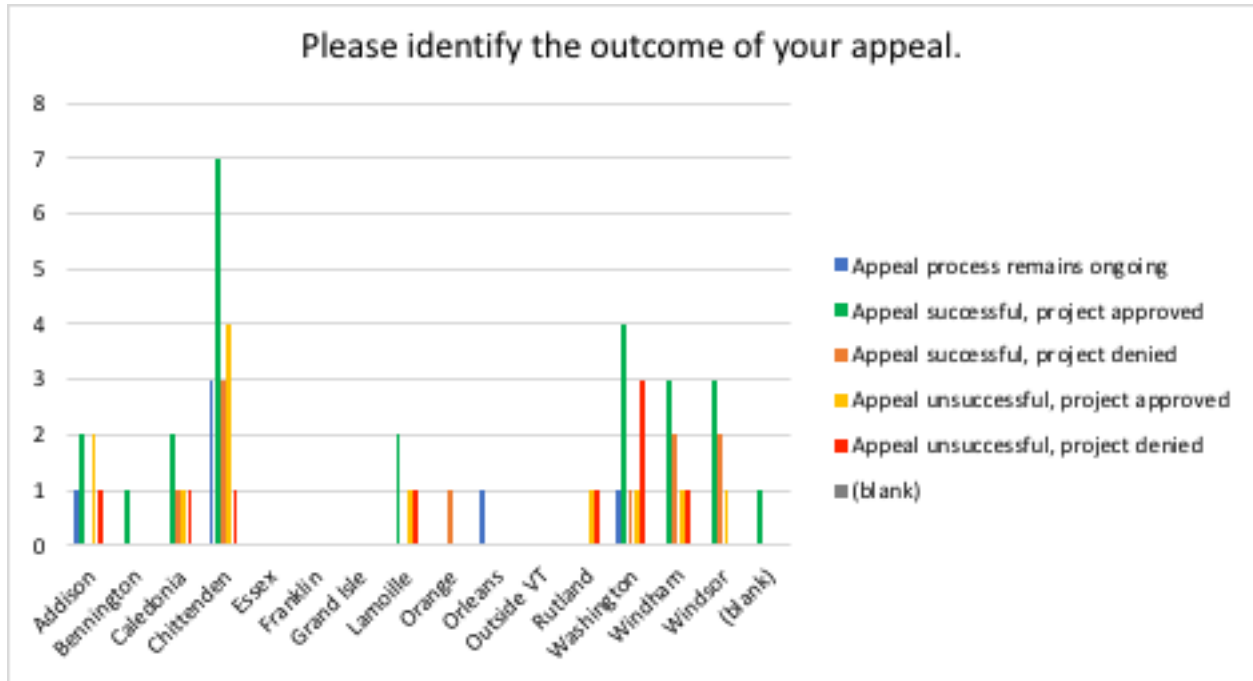
Count of Please identify the outcome of your Act 250 permit application and review process.							
Row Labels	Column Labels						Grand Total
	Approved as submitted	Approved with changes	Denied	In process	Withdrawn by applicant	(blank)	
Addison	5	4	0	2	1	0	12
Bennington	1	6	0	1	0	0	8
Caledonia	2	6	0	1	0	0	9
Chittenden	23	19	1	3	1	0	47
Essex	1	0	0	0	0	0	1
Franklin	2	0	0	2	0	0	4
Grand Isle	1	2	0	0	0	0	3
Lamoille	4	9	0	0	0	0	13
Orange	4	1	0	0	0	1	6
Orleans	3	4	0	1	0	1	9
Outside VT	1	2	0	0	0	0	3
Rutland	3	3	1	2	0	3	12
Washington	9	17	0	2	0	2	30
Windham	4	10	0	1	0	1	16
Windsor	4	16	1	3	0	0	24
(blank)	0	2	0	0	0	0	2
Grand Total	67	101	3	17	11	0	199



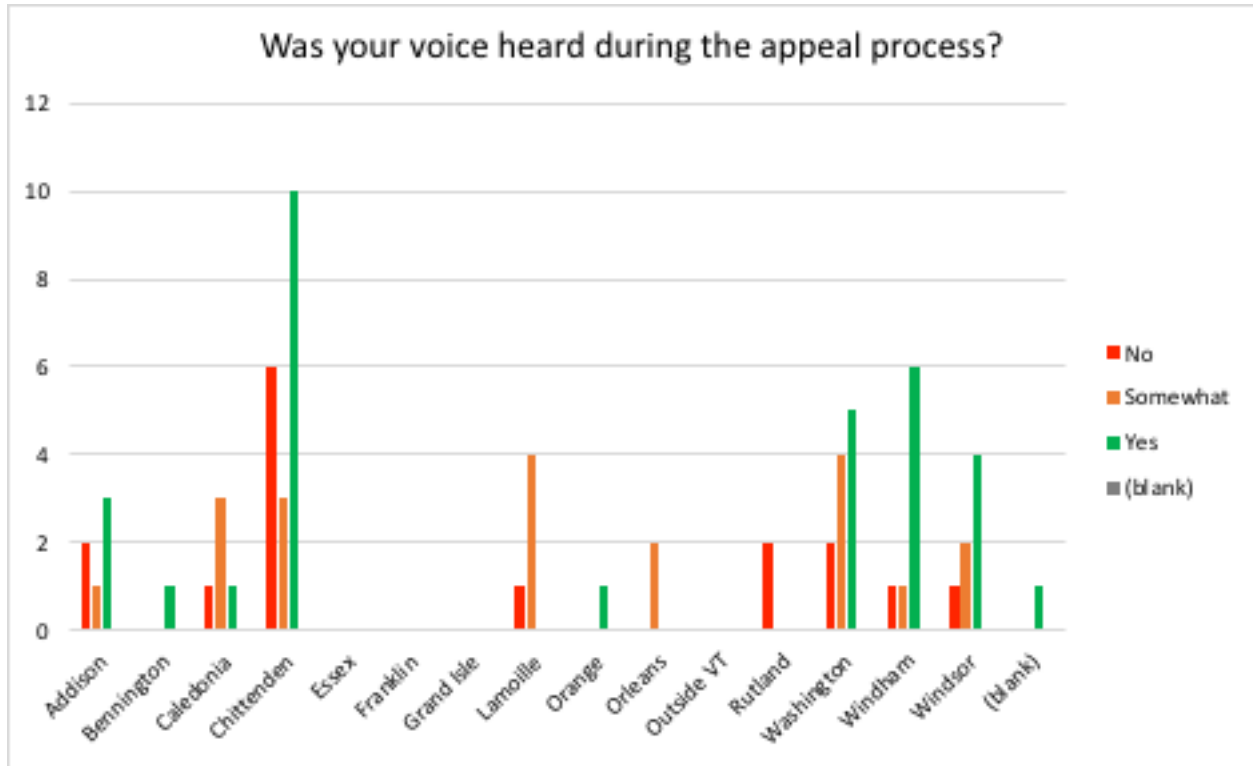
Count of Have you participated in an Act 250 appeal? Row Labels	Column Labels			Grand Total
	No	Yes	(blank)	
Addison	6	6		12
Bennington	7	1		8
Caledonia	4	5		9
Chittenden	24	19		43
Essex	1			1
Franklin	3			3
Grand Isle	3			3
Lamoille	6	4		10
Orange	4	1		5
Orleans	8	1		9
Outside VT	3			3
Rutland	3	2		5
Washington	16	12		28
Windham	10	7		17
Windsor	17	6		23
(blank)	2	5		7
Grand Total	117	69		186



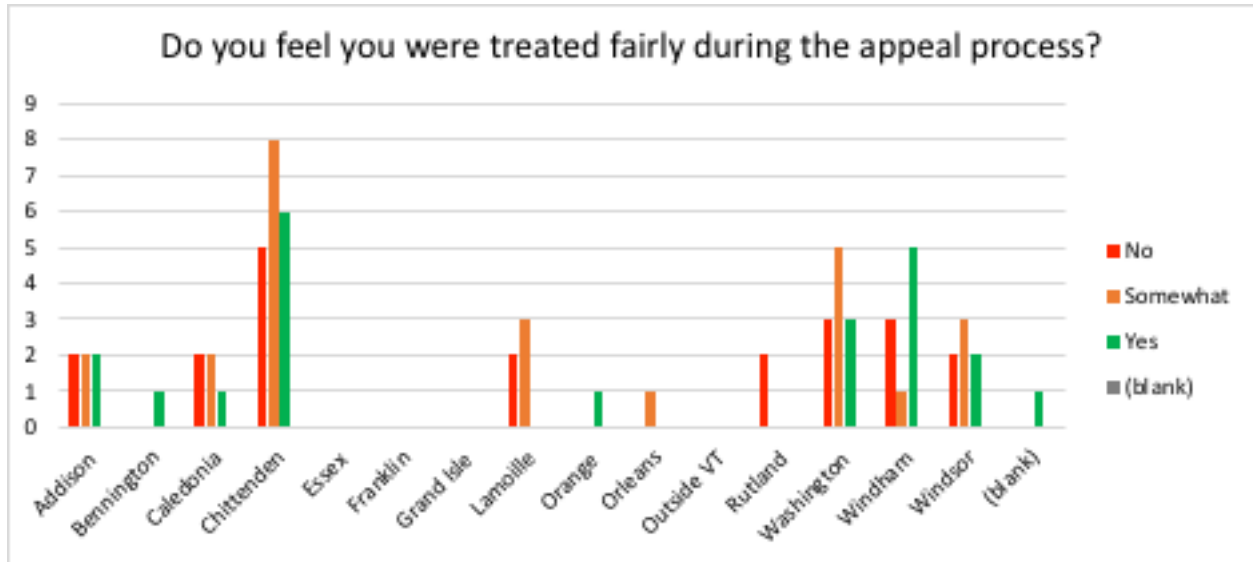
Row Labels	Count of Environmental Board	Count of Superior Court, Environmental Division (sometimes called "Environmental Court")	Count of Supreme Court
Addison	3	5	2
Bennington	0	1	0
Caledonia	3	3	1
Chittenden	13	15	6
Essex	0	0	0
Franklin	0	0	0
Grand Isle	0	0	0
Lamoille	2	3	1
Orange	1	0	0
Orleans	0	1	0
Outside VT	0	0	0
Rutland	1	2	1
Washington	9	6	3
Windham	6	2	0
Windsor	5	3	1
(blank)	0	1	0
Grand Total	43	42	15



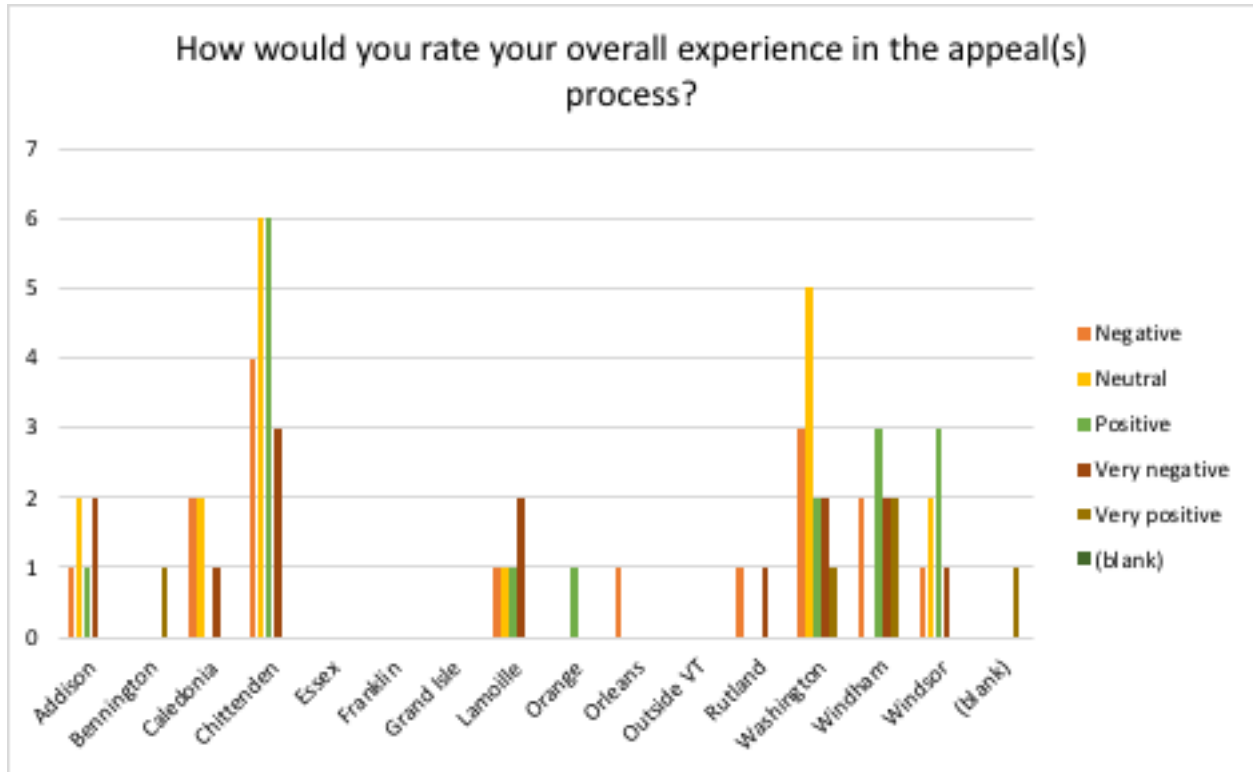
Count of Please identify the outcome of your appeal.							Column Labels
Row Labels	Appeal process remains ongoing	Appeal successful, project approved	Appeal successful, project denied	Appeal unsuccessful, project approved	Appeal unsuccessful, project denied	Grand Total	
Addison		1	2		2	1	6
Bennington			1				1
Caledonia			2	1	1	1	5
Chittenden	3	7	3	4	1		18
Essex							
Franklin							
Grand Isle							
Lamoille			2		1	1	4
Orange				1			1
Orleans	1						1
Outside VT							
Rutland					1	1	2
Washington	1	4	1	1	3		10
Windham		3	2	1	1		7
Windsor		3	2	1			6
(blank)		1					1
Grand Total	6	25	10	12	9		62



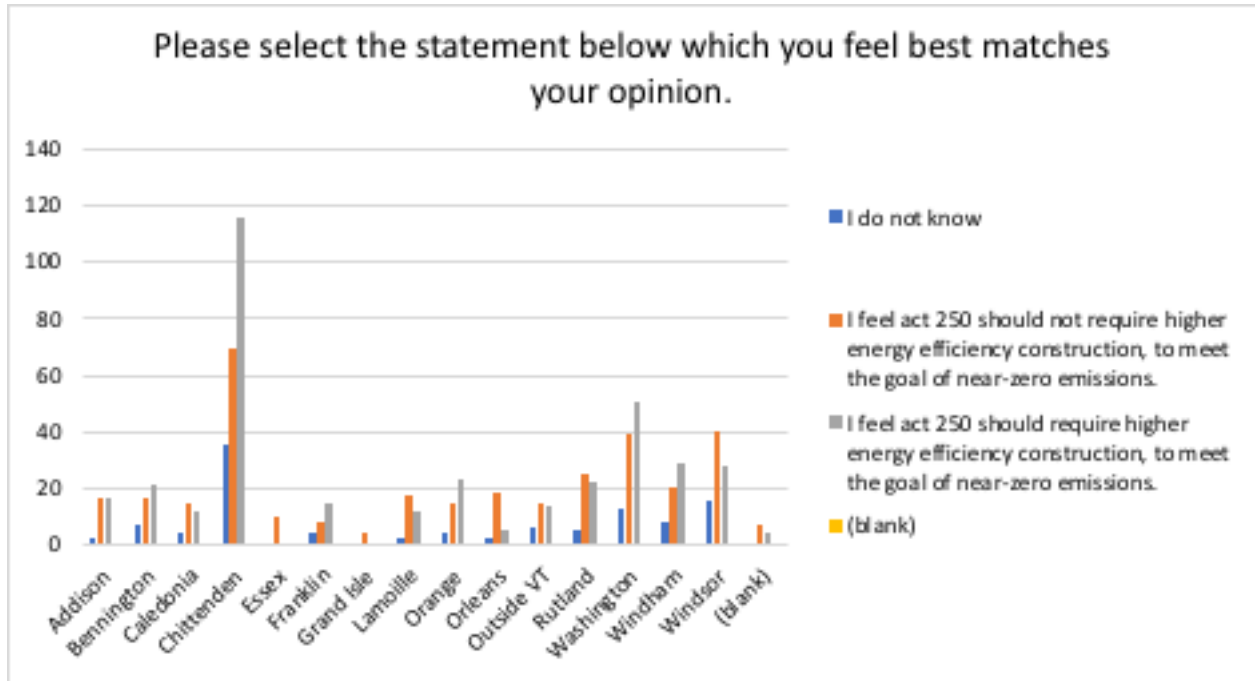
Count of Was your voice heard during the appeal process?					
Row Labels	Column Labels				Grand Total
	No	Somewhat	Yes	(blank)	
Addison	2	1	3		6
Bennington			1		1
Caledonia	1	3	1		5
Chittenden	6	3	10		19
Essex					
Franklin					
Grand Isle					
Lamoille	1	4			5
Orange			1		1
Orleans		2			2
Outside VT					
Rutland	2				2
Washington	2	4	5		11
Windham	1	1	6		8
Windsor	1	2	4		7
(blank)			1		1
Grand Total	16	20	32		68



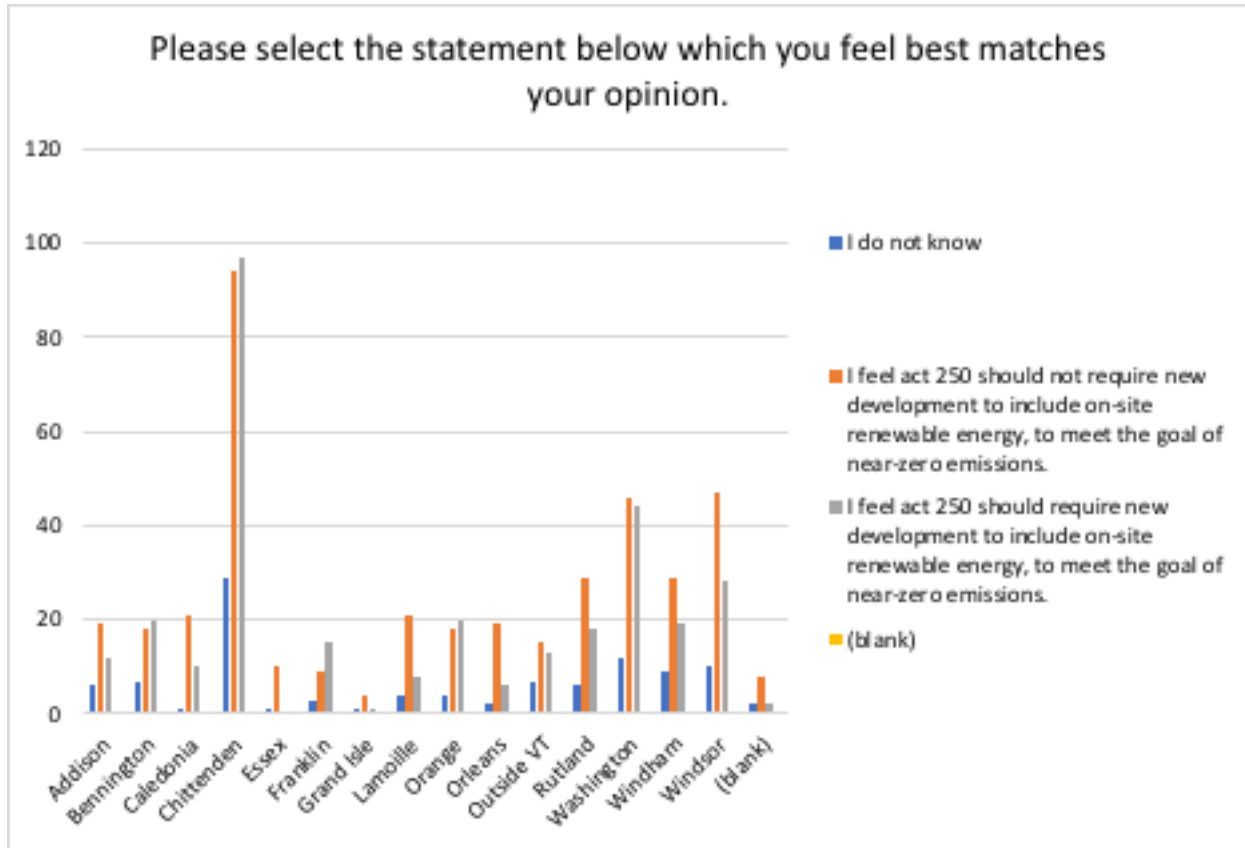
Count of Do you feel you were treated fairly during the appeal process?					
Row Labels	No	Somewhat	Yes	(blank)	Grand Total
Addison	2	2	2	0	6
Bennington	0	0	1	0	1
Caledonia	2	2	1	0	5
Chittenden	5	8	6	0	19
Essex	0	0	0	0	0
Franklin	0	0	0	0	0
Grand Isle	0	0	0	0	0
Lamoille	2	3	0	0	5
Orange	0	0	1	0	1
Orleans	0	1	0	0	1
Outside VT	0	0	0	0	0
Rutland	2	0	0	0	2
Washington	3	5	3	0	11
Windham	3	1	5	0	9
Windsor	2	3	2	0	7
(blank)	0	0	1	0	1
Grand Total	21	25	22	1	68



Count of How would you rate your overall experience in the appeal(s) process?	Negative	Neutral	Positive	Very negative	Very positive	(blank)	Grand Total
Addison	1	2	1	2	0	0	6
Bennington	0	0	0	0	1	0	1
Caledonia	2	2	0	1	0	0	5
Chittenden	4	6	6	3	0	0	19
Essex	0	0	0	0	0	0	0
Franklin	0	0	0	0	0	0	0
Grand Isle	0	0	0	0	0	0	0
Lamoille	1	1	1	2	0	0	5
Orange	0	0	1	0	0	0	1
Orleans	1	0	0	0	0	0	1
Outside VT	0	0	0	0	0	0	0
Rutland	1	0	0	1	0	0	2
Washington	3	5	2	2	1	0	13
Windham	2	0	3	2	2	0	9
Windsor	1	2	3	1	0	0	7
(blank)	0	0	0	0	0	1	1
Grand Total	16	18	17	14	5	0	70

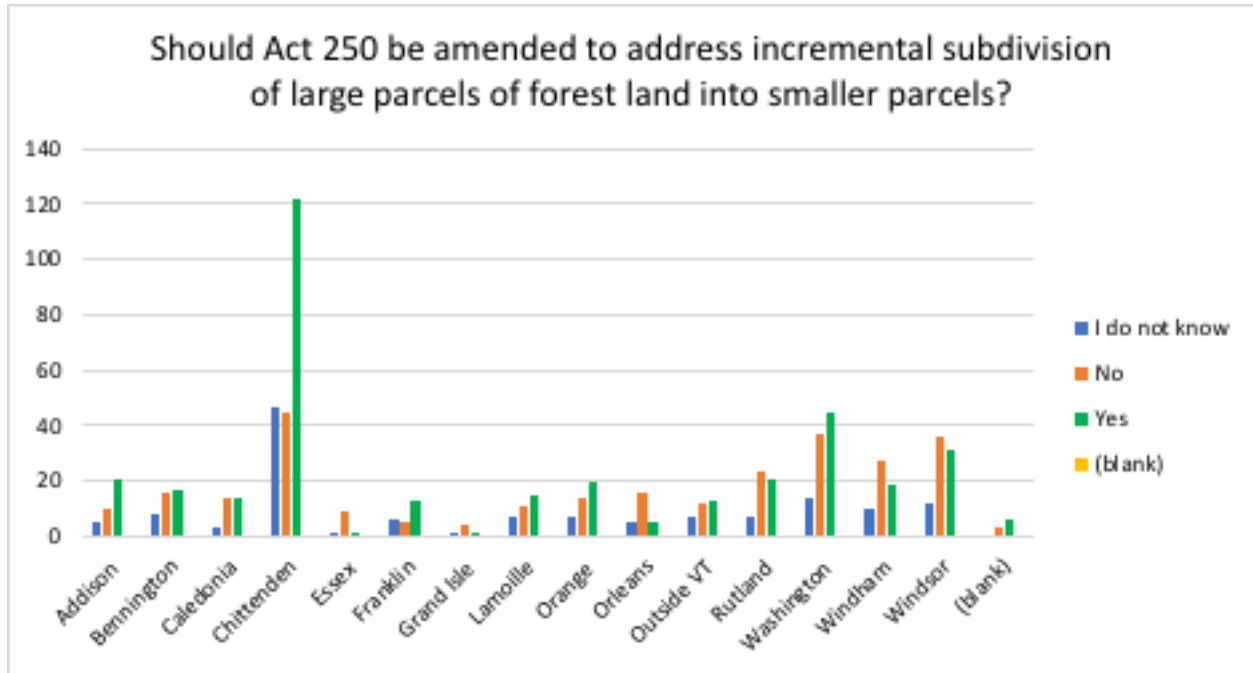


Count of Please select the statement below which you feel best matches your opinion.	Column Labels	I feel act 250 should not require higher energy efficiency construction, to meet the goal of near-zero emissions.	I feel act 250 should require higher energy efficiency construction, to meet the goal of near-zero emissions.	Grand Total
Row Labels	I do not know			
Addison	3	17	17	37
Bennington	7	17	21	45
Caledonia	4	15	12	31
Chittenden	36	69	116	221
Essex		10	1	11
Franklin	4	8	15	27
Grand Isle	1	4	1	6
Lamoille	3	18	12	33
Orange	4	15	23	42
Orleans	3	19	5	27
Outside VT	6	15	14	35
Rutland	5	25	22	52
Washington	13	39	51	103
Windham	8	20	29	57
Windsor	16	40	28	84
(blank)	1	7	4	12
Grand Total	114	338	371	823

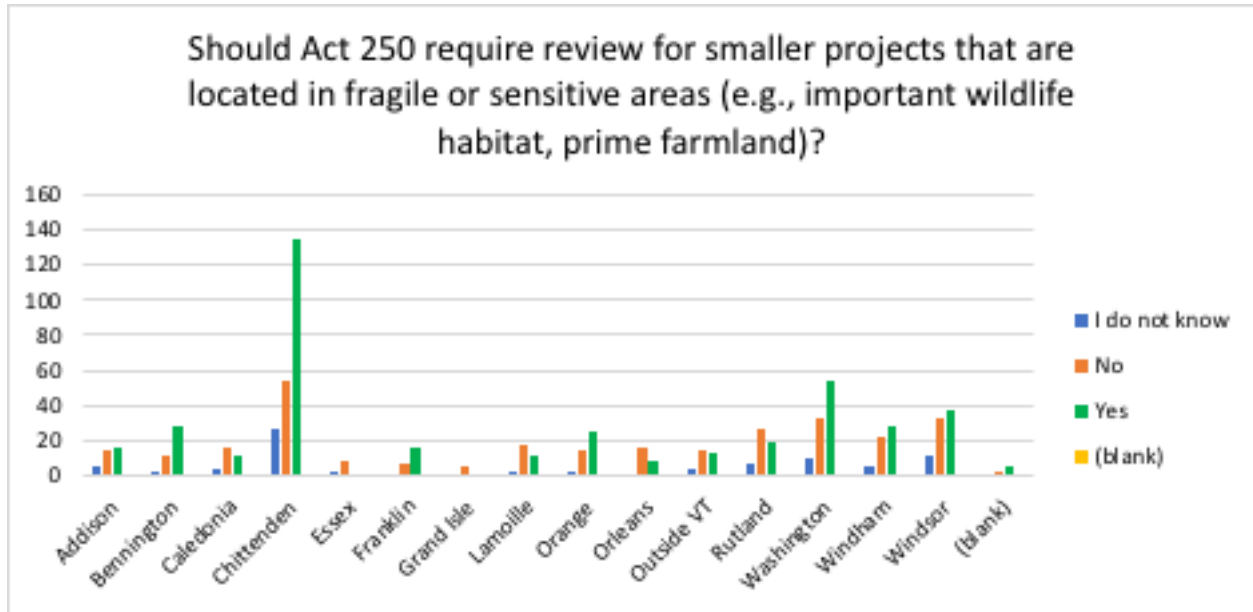


Count of Please select the statement below which you feel best matches your opinion. Column Labels

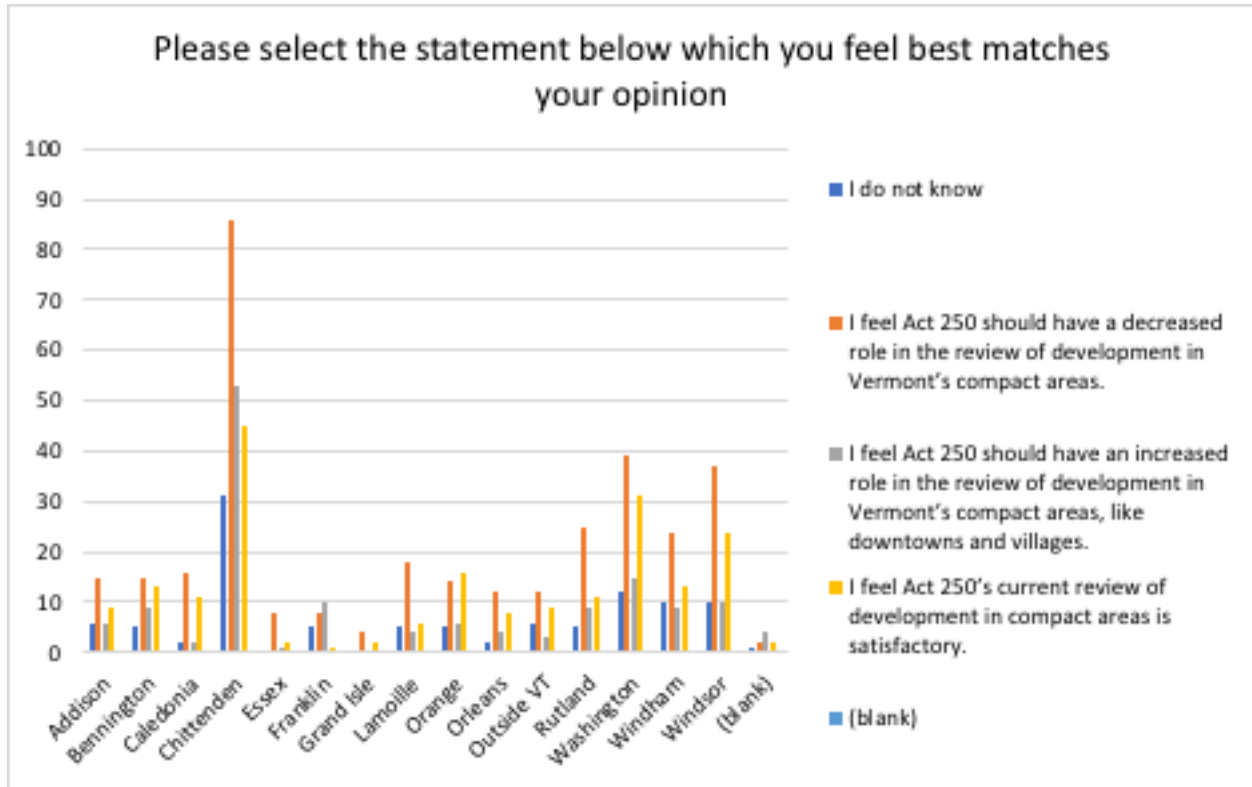
Row Labels	I do not know	I feel act 250 should not require new development to include on-site renewable energy, to meet the goal of near-zero emissions.	I feel act 250 should require new development to include on-site renewable energy, to meet the goal of near-zero emissions.	Grand Total
Addison	6	19	12	37
Bennington	7	18	20	45
Caledonia	1	21	10	32
Chittenden	29	94	97	220
Essex	1	10	11	11
Franklin	3	9	15	27
Grand Isle	1	4	1	6
Lamoille	4	21	8	33
Orange	4	18	20	42
Orleans	2	19	6	27
Outside VT	7	15	13	35
Rutland	6	29	18	53
Washington	12	46	44	102
Windham	9	29	19	57
Windsor	10	47	28	85
(blank)	2	8	2	12
Grand Total	104	407	313	824



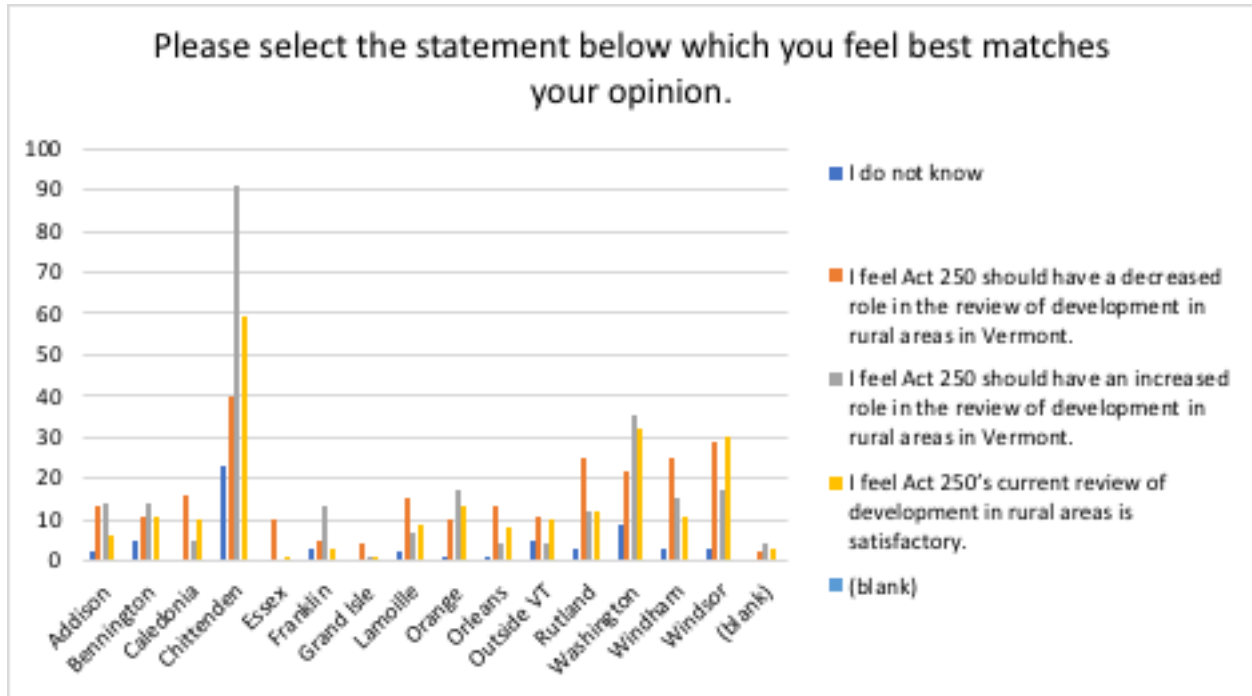
Count of Should Column Labels					
Row Labels	I do not know	No	Yes	(blank)	Grand Total
Addison		5	10	21	36
Bennington		8	16	17	41
Caledonia		3	14	14	31
Chittenden		47	45	122	214
Essex		1	9	1	11
Franklin		6	5	13	24
Grand Isle		1	4	1	6
Lamoille		7	11	15	33
Orange		7	14	20	41
Orleans		5	16	5	26
Outside VT		7	12	13	32
Rutland		7	24	21	52
Washington		14	37	45	96
Windham		10	27	19	56
Windsor		12	36	31	79
(blank)			3	6	9
Grand Total	140	283	364		787



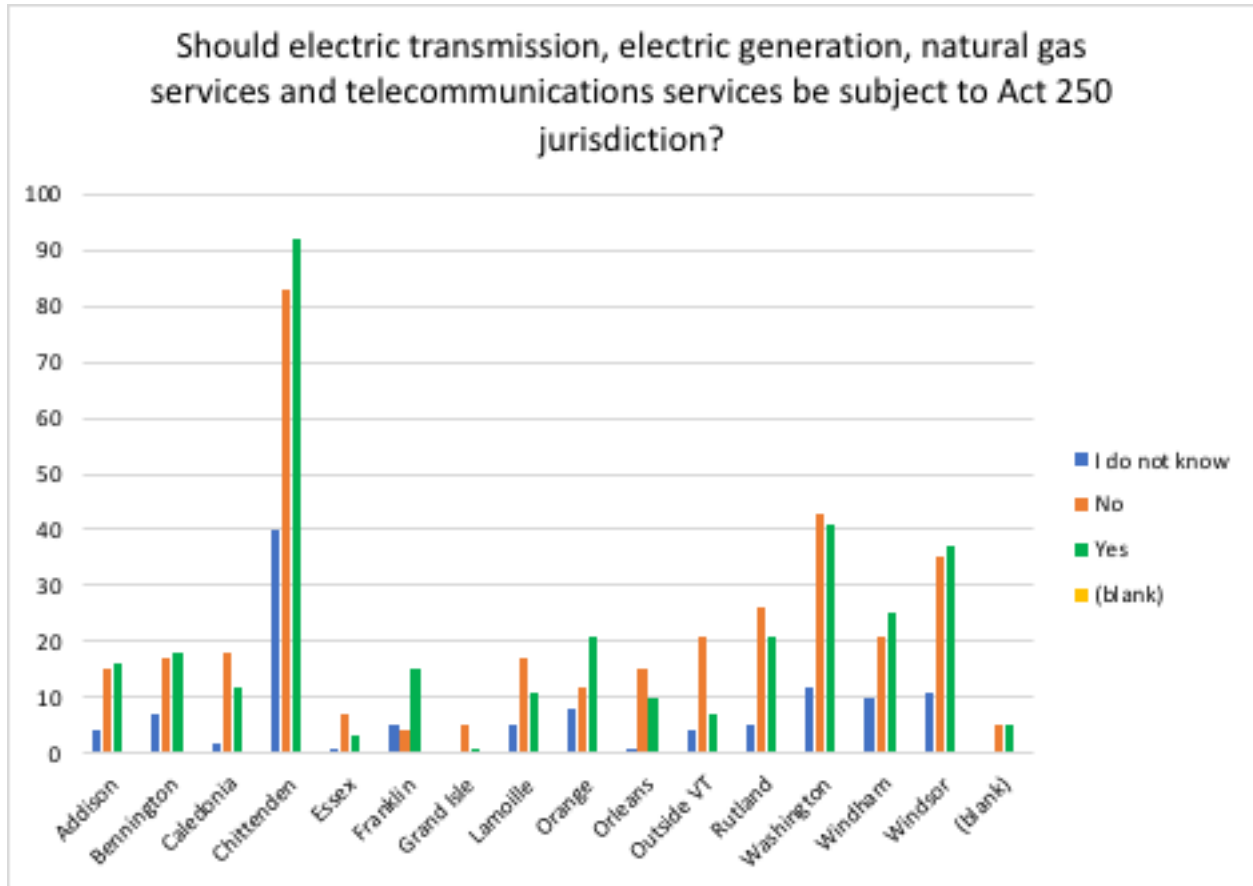
Count of Should Ac Column Labels					
Row Labels	I do not know	No	Yes	(blank)	Grand Total
Addison	6	14	16	0	36
Bennington	2	11	28	0	41
Caledonia	4	16	11	0	31
Chittenden	26	54	134	0	214
Essex	2	8	1	0	11
Franklin	1	7	16	0	24
Grand Isle	0	5	1	0	6
Lamoille	3	18	11	0	32
Orange	2	14	25	0	41
Orleans	1	16	9	0	26
Outside VT	4	14	13	0	31
Rutland	7	26	19	0	52
Washington	10	33	54	0	97
Windham	5	22	29	0	56
Windsor	11	33	37	0	81
(blank)	0	3	6	0	9
Grand Total	84	294	410	0	788



Row Labels	I do not know	I feel Act 250 should have a decreased role in the review of development in Vermont's compact areas.	I feel Act 250 should have an increased role in the review of development in Vermont's compact areas, like downtowns and villages.	I feel Act 250's current review of development in compact areas is satisfactory.	Grand Total
Addison	6	15	6	9	36
Bennington	5	15	9	13	42
Caledonia	2	16	2	11	31
Chittenden	31	86	53	45	215
Essex		8	1	2	11
Franklin	5	8	10	1	24
Grand Isle		4		2	6
Lamoille	5	18	4	6	33
Orange	5	14	6	16	41
Orleans	2	12	4	8	26
Outside VT	6	12	3	9	30
Rutland	5	25	9	11	50
Washington	12	39	15	31	97
Windham	10	24	9	13	56
Windsor	10	37	10	24	81
(blank)	1	2	4	2	9
Grand Total	105	335	145	203	788

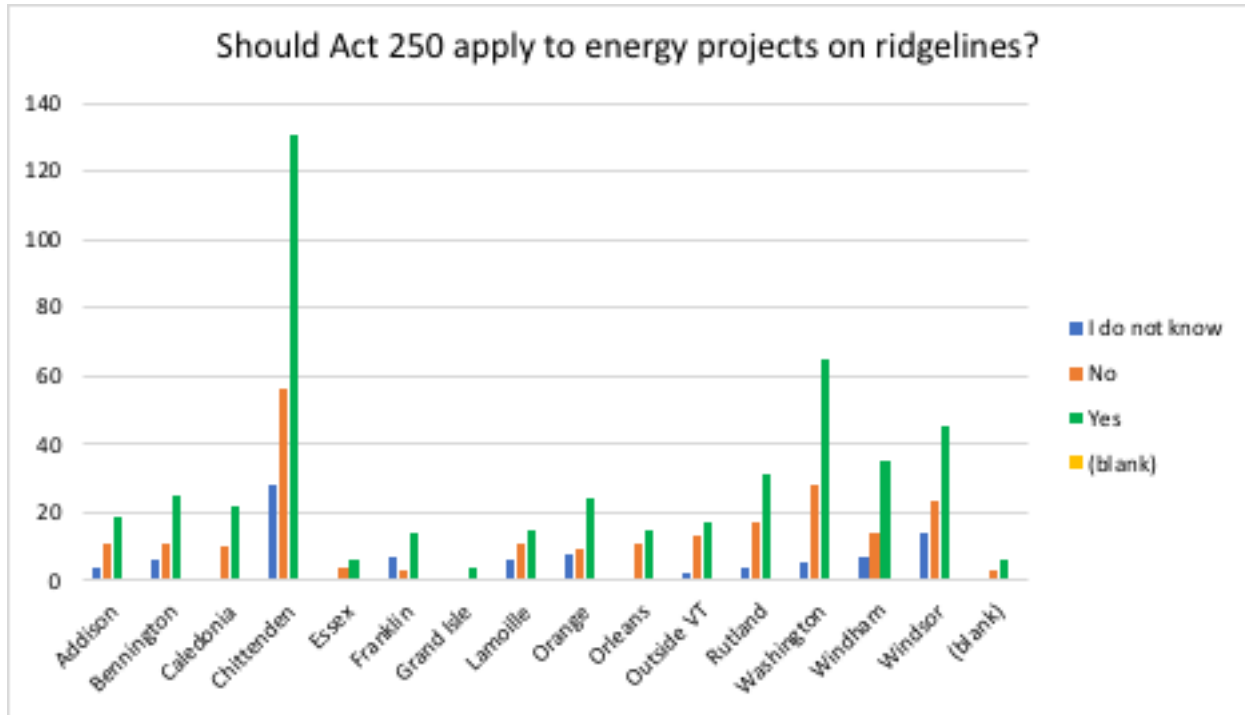


Row Labels	Column Labels			Grand Total
	I do not know	I feel Act 250 should have a decreased role in the review of development in rural areas in Vermont.	I feel Act 250 should have an increased role in the review of development in rural areas in Vermont.	
Addison	2	13	14	6
Bennington	5	11	14	11
Caledonia	16	5	10	31
Chittenden	23	40	91	59
Essex	10	1	11	1
Franklin	3	5	13	3
Grand Isle	4	1	1	6
Lamoille	2	15	7	9
Orange	1	10	17	13
Orleans	1	13	4	8
Outside VT	5	11	4	10
Rutland	3	25	12	12
Washington	9	22	35	32
Windham	3	25	15	11
Windsor	3	29	17	30
(blank)	2	4	3	9
Grand Total	60	251	253	219



Count of Should electric transmission, electric generation, natural gas services and telecommunications services be subject to Act 250 jurisdiction? (Currently, they are reviewed by the Public Utility Commission under a separate permitting process called Section 248.)

Row Labels	Column Labels				Grand Total
	I do not know	No	Yes	(blank)	
Addison	4	15	16	0	35
Bennington	7	17	18	0	42
Caledonia	2	18	12	0	32
Chittenden	40	83	92	0	215
Essex	1	7	3	0	11
Franklin	5	4	15	0	24
Grand Isle	0	5	1	0	6
Lamoille	5	17	11	0	33
Orange	8	12	21	0	41
Orleans	1	15	10	0	26
Outside VT	4	21	7	0	32
Rutland	5	26	21	0	52
Washington	12	43	41	0	96
Windham	10	21	25	0	56
Windsor	11	35	37	0	83
(blank)	0	5	5	0	10
Grand Total	115	344	335	0	794



Count of Should Act 250 Column Labels					
Row Labels	I do not know	No	Yes	(blank)	Grand Total
Addison	4	11	19		34
Bennington	6	11	25		42
Caledonia		10	22		32
Chittenden	28	56	131		215
Essex	1	4	6		11
Franklin	7	3	14		24
Grand Isle	1	1	4		6
Lamoille	6	11	15		32
Orange	8	9	24		41
Orleans		11	15		26
Outside VT	2	13	17		32
Rutland	4	17	31		52
Washington	5	28	65		98
Windham	7	14	35		56
Windsor	14	23	45		82
(blank)		3	6		9
Grand Total	93	225	474		792

Appendix H: Survey Anecdotal Responses

Question 7: If yes, what was your role?

Respondents	Other (please specify)
1	witness
2	Interested citizen
3	Professional Urban & Environmental Planner and Engineer
4	Exit 4 Open Space
5	I have not "actively" participated. We have only been here 6 years. I am a rep. to our Regional Planning Commission and on the local Energy Committee. I have recently learned more about Act 250 thru your Webinar and asking others and on the internet.
6	Played various rolls from applicant for municipality to party in the process and community member.
7	realtor for the person subdividing
8	consultant to the District Commission, responsible for specific monitoring and reporting during construction
9	Member of former Environmental Board
10	Charitable institution
11	expert witness for citizens groups and VNRV
12	VAST MEMEBER
13	delivered documents by hand to director at the time, for a developer
14	Executive Director of the Catamount Trail Association
15	Club and town officer
16	Town planning commission
17	Interested citizen
18	VAST member
19	RPC Commissioner and Committee Chair
20	Recreational Trail Planner
21	Commercial Real Estate Broker
22	abutter
23	Non-profit trail organization
24	represented citizens
25	architect
26	Na
27	nonprofit group
28	Forestry
29	Family member of Applicants
30	Member of former Environmental Board
31	Trail manager
32	Saw all the red tape my dad had to go through to build a house & change use of a building, ridiculous when large companies rape the land & resources .
33	Regional Planning Commission Member
34	Heard and read on act 250 on planning and development criteria for savoring VT
35	no new gun laws

Question 7: If yes, what was your role?

36	Contractor
37	Employee of company that lost work due to projects not getting Act 250 approval
38	Followed discussion threads about how difficult it is to accomplish anything under this overly intrusive act.
39	employee of company that was going through also VAST club volunteer/officer
40	seller of property under review

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

1	Quality of life
2	Of course they should be protected but with balance. It's not a fair question.
3	Community
4	Historic structures and places.The people.
5	We need to protect the space and systems that allow us to achieve a sustainable society on a planet in a climate, biodiversity and human living standards crisis. We need a plan and tools to supplement regulations.
6	Historic natural resource sites (e.g. the sandplain forest in Burlington)
7	Mountain ecology and views
8	Rail corridors - past and potential, either for reuse for rail or for bike/ped, rights of way along roads for bike/ped, Lake Champlain
9	forest fragmentation, destruction & disruption of wildlife habitat by these 10 acre 'kingdoms'
10	recreational lands
11	Ridge lines, intact ecosystems, Mountains, forest fragmentation,
12	Outdoor natural recreational opportunities
13	affordable housing stock ...
14	Public trails for non-motorized use. Restricted trail bikes
15	noise and light pollution
16	protect existing state lands and add acreage, if possible and consider coming up with a statewide plan for development that incorporates local and regional planning, as well as the tenants of Act 250
17	The ability to find housing.
18	Our dirt roads should remain dirt !
19	Connectivity in the landscape, riparian areas, rare or uncommon physical features
20	Pedestrian and non fueled transport of people between communities/ walk run bike for health of people and planet
21	All of these. We should be protecting important environmental, cultural, agricultural and other resources to support a strong, independent, resilient Vermont -- and drive development into town and compact community centers.
22	I believe that Act 250 should incorporate a state sponsored program to "unsubdivide" land. That is, give tax credits, etc., for people and organizations who take land that has been parcelized and erase property lines. This is a common sense approach to the balance of property subdivision and open space creation in the long term.
23	working Vermonters
24	Noise pollution
25	Hiking trails, other recreational resources (swimming holes etc.)
26	High elevation lands; unfragmented forest blocks; downtowns in general
27	economic brand, values, identity
28	noise and hours of operation
29	solar access
30	The projects that are exempt such as electrical generation, VTRANS applications, etc.
31	All of the above, but within reason. Over regulation to achieve perfect outcomes defeats the purpose.

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

32	forest fragmentation; land at interstate exchanges; keep the current list of criteria protections
33	Connectivity areas for wildlife habitat (not just core habitat)
34	habitat connectivity/wildlife corridors
35	All valued resources should be managed and conserved and/or protected in accordance with a statewide land use plan adhering to statewide goals. Without a statewide plan and vision for meeting statewide goals, then the roll of Act 250 becomes less clear, confusing, added risk to developers (in time, cost and unpredictable events in the process). The only effort in Act 250 should be on developing a statewide land use plan with realistic understanding of what its going to take to address the global climate crisis.
36	Economic development opportunities
37	All the above
38	ridgelines, high elevation biomes
39	areas susceptible to climate events
40	High elevation vegetation
41	The State's economy and affordability
42	Our human population
43	Mountain sides and larger hillsides kept free of development
44	Large forest blocks, for conservation and ecosystem protection; to this end, a state-wide land use plan is needed, to identify where development is encouraged and facilitated, and areas to be conserved
45	community participation
46	All historic and archaeological resources should be protected, and habitat fragmentation should be avoided and/or corrected.
47	They are all important, but above all - water sources must be preserved.
48	It would have been better to rank this question
49	The act should be repealed and a law to attract business should be passed.
50	Keep economic and building development in town centers and prevent sprawl. Without Act 250, Vermont would look like NJ or CT.
51	our entire environment
52	Density and affordable homes in towns that include sidewalks and bicycle lanes. Innovative tiny homes or homes that can be expanded moderately as family income increases. Dual residences and homes built in communities with town greens/ public parks and contained areas to run dogs off leashes.
53	compact, efficient residential development patterns
54	Soil
55	Riparian Zones along streams and lakes
56	Settlement pattern of physically and visually well-defined compact settlements surrounded by rural countryside
57	settlement patterns, public investments in infrastructure
58	working forests/forest products economy
59	People
60	I believe it should all be protected of course, but to what extend? Vermonters need to be able to enjoy the forests, etc. through trails.
61	state and local transportation infrastructure. We can't afford to build more roads and mitigate the impact of traffic to accommodate new development . Stop

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

	calling changes to roads and intersections "improvements".
62	Floodplains
63	Mountain tops
64	Archaeological resources
65	MOUNTAIN sides and tops! What has happened in Dorset (which I have no idea how THAT was allowed to happen!) as well as the huge clear cuts for private housing is deploarable. Even Hawk resorts was made to disgiuse and tone down their prescence on Hawk Mountain... Clean air depends upon OLD forest growth, by the way, so don't allow those to be harvested, please.
66	Recreational use (trails)
67	Trails for recreational uses
68	None
69	Xxx
70	Light and noise pollution
71	VAST Trail System due to economic benefits
72	Character of neighborhoods
73	All subject to location of project
74	most are already protected by ANR permits and Act 250 is duplicative
75	Snowmobile trails
76	The ability of people to use their property and make a living
77	Working lands, prevention of overdevelopment
78	Ridgelines
79	Noise, light pollution
80	I don;t think Act 250 is the only tool to preserve natural, cultural, or social resources.,or to encourage appropriate development in the right location. This survey frames Act 250 as the only venue to achieve protections. This is a poorly written survey
81	native american sites
82	Nothing disband Act250
83	economic opportunity and property rights. Yes, many of the above items are worth protecting, but Act 25o has gone way too far.
84	"Protection" of these values is often over done to the point that folks like trail users may not get to enjoy their recreational preference if trails wind up coming into further Act 250 oversight.
85	protect at what cost
86	Riparian habitats
87	Unicorns
88	Trails, Class IV and ancient roads
89	Not that Act 250 is necessarily the best protection
90	Solar field locations, obstructing views from highways.
91	None-the state already has too many regulations.
92	Eco tourism like leaf peeping
93	no fragmentation
94	Rural and family farm economic health
95	MUST PROTECT VERMONT RIDGE LINES FROM INDUSTRIAL WIND DEVELOPMENT

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

96	Trails
97	Historic farms and farm structures, including fences & stone walls
98	trail systems for recreation
99	Vermonters access to enjoy the above, trails, paths, etc
100	Trail systems
101	Leave the slate valley alone, stop using dynamite it pollutes the water and damages the land.
102	Trails
103	slate quarrying
104	they should all be protected...but without going to extremes!
105	Clean air
106	They should all be protected but people need to come first. The level of protection has gotten out of hand. ANR is not realistic. We can't even use our own land anymore.
107	private property ownership, compensation when owner is prevented from profiting from their land in sales, which curtail use due to act 250 rules.
108	Healthy recreation, healthy tourism
109	Outdoor recreation (trails etc..)
110	ridgelines
111	public recreational trails
112	slate quarries, ridge lines above 1500 feet
113	Mountains
114	Trail systems
115	Recreation areas
116	high paying jobs
117	Public Access to recreation trails, lakes, rivers, etc
118	Trails! Outdoor recreation areas
119	Trail systems
120	trail corridors
121	All need to be done with common sense. not heavy handed one size fits all regulations!
122	Mountain Tops
123	Prime recreational locations
124	Recreation opportunities like multi-use trail systems.
125	All of these things should be protected; and so too should our access to these treasures on our feet and bikes!
126	Forests without trails and primitive areas are critical to wildlife.
127	Trail Networks
128	Trails
129	Mountain bike and Hiking trails
130	Multi-use trail access so people can enjoy and appreciate what we are preserving
131	Act 250 should regulate items that do not require an applicant to obtain additional permits. For example, if a prospective developer is required to obtain ANR wetlands permits, once the approval is received, the project should receive jurisdictional approval for that particular criteria in the Act 250 process.

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

132	Economic vitality/ sustainability
133	Recreational Trails
134	Dark night time sky - star gazing
135	Trail networks
136	government intervention in these often has negative consequences. protecting threatened species causes land owners to try to STOP their land from becoming habitat for threatened species for fear the government will limit their use of the land
137	Recreational trails are statewide resource, too, and becoming even more important to our economy.
138	All are important but, if this question is geared toward creating more restriction then my list gets shorter
139	All should be protected however not to the extent that does not allow one to create ways for us to enjoy the outdoors and does not make the process too cumbersome and costly that VT dies not expand it's economic growth
140	Areas for motorized recreation
141	Trail Networks
142	Protected is a hard word to quantify. We need to live with and in our landscape. I promote sensible impact
143	Recreational Trails
144	Recreation trails
145	I suppose all of them, but this question lacks breadth. Outdoor recreation is a major element in the quality of the lives of Vermonters. Air quality, forests, etc. aren't enjoyed to their fullest extent without a great trail infrastructure.
146	recreational trail both existing and future trails
147	Alpine Environments
148	Trails and class 4 roads
149	open land for recreation
150	All but Act 250 is too burdensome
151	Quietness -ATVs are destroying our silence
152	Highest Priority Connecting Forest Blocks
153	Outdoor recreational oppertunities
154	Trails for non motorized and motorized recreation
155	This is a poor and misleading question, What do you mean? Under 250? Some of this stuff is, it depends. Badly worded.
156	Trails - walking, bicycle, snowmobile
157	They are all important but when our own native people can't afford to live & make a living here you need to take another look at your rules & regs.
158	Freedom from excessive noise
159	Act 250 is absolute bull shit and should be disbanded!
160	People's rights to control their own property.
161	None
162	Jobs and the economy
163	public investments, shorelines
164	all of above but with a different approach
165	And to protect current landowners from outside buyers buying land lots and

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

	trying to develop housing developments for personal gain rather than protecting natural resources of the environment and the beauty of the wildlife that is so needed to be increased with the cultivation of the forestry. Eliminating diseased forestry to provide new growth for wildlife to survive is vital to species that can become extinct with lack of food source which also provides a healthy air quality with healthy forests.
166	Historic rural communities, development aesthetics overall
167	*Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails *Over 70% of trails are on private land - we need regulation that will support the generosity of landowners and encourage even more trails and conservation *Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered "development" and lumped into the same regulation categories as other construction projects *Currently, Act 250 limits Vermont's ability to fully realize the benefits that could come with greater support for trails and outdoor recreation *Trails and outdoor recreation not only make Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont. (Outdoor Industry Association)
168	Unobstructed access to the great outdoors. Cut the regulations
169	define protected
170	We need to protect all that we can while still allowing growth.
171	This question is too broad for a reasonable response. All of the above are reasonable to protect in some cases, and reasonable to mitigate in others.
172	archeological and historic sites
173	should be used as it was started for, not to make a trailer park in the middle of housing development, but as usual vermont wants to control everything and anything, the funds raised mostly go toward the entitlement programs that our state can no longer support
174	no new gun laws
175	All within reason. Meaning it is unreasonable and burdensome to protect every square foot of wetland, every hint of a wild newt, and selectively enforce minute stormwater potential runoff sites when hundreds/thousands of miles everyone's "favorite dirt roads" have far greater dust, erosion and silt impacts.
176	VAST trails
177	The problem is with the level of "protection" locking up the land from the citizens is not the way to protect the great way of life in Vermont.
178	citizen access
179	Act 250 should focus on what it was intended for, development, and leave all of the above to the experts working for ANR and other state agencies
180	Working landscapes
181	Current access to trails
182	They all should be, however, you need to balance the protections with adequate opportunities to bring Vermon into the 21st century
183	snowmobile trails
184	This is a very leading question. Of course we should protect the above, however, it doesn't weight the results appropriately
185	I believe so called Protections have far exceeded common sense, as well as

Question 17: Which statewide resources should be protected for the present and future? Please select all that apply:

	private property rights.
186	Cities dumping sewage into Lakes
187	Multi-use trails
188	Absolutely nothing. It's my land. Leave me alone. You have destroyed my assets and my life.
189	Recreational trails... walking and snowmobile
190	orderly and central use and development
191	Recreation Trails (motorized and non) need to be protected!
192	Everything should be protected but not restricted from use. You can enjoy the natural beauty of Vermont without restricting or forbidding use of motorized vehicles.
193	While these resources should be protected, I don't think Act 250 is the best mechanism to protect most of them.
194	ALL urban neighborhood place & building types
195	Mountain tops
196	A lot of this depends on how its "protected". For instance, extraction is needed and can be done responsibly; I prefer dynamic downtowns over downtowns that are static museums to history that push development into greenfields; scenic views are important (but we also need to be able to adapt to change).
197	NOTE: Selecting all these just means these are important not that they should be reviewed by Act 250
198	Limited Access Highways - Allowing curb cuts on higher speed corridors may support short term economic development goals, but it quickly degrades the asset. Widening roads is expensive and is proven to do little to reduce traffic or emissions for that matter.
199	Cultural and archaeological resources

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

1	Biomass use; stormwater mitigation
2	Again, it's not about including more impacts, it's about execution and balance.
3	Impacts that Vermont can make a difference on
4	We need compact, walkable, transit linked, affordable communities that can provide for current and future Vermonters (including displaced pe
5	Floods and high/low water levels in L. Champlain
6	removing tax penalties for converting a small number of acres of agricultural land to community solar use
7	ACT 250 doesn't affect what some people call climate change.
8	AGRICULTURE practices of raw manure spread, also floods, dams (do they help or hurt?), Internet/fiber - to increase telecommute & decreas
9	Act 250 should remain focused on land use. Adding unrelated criteria will weaken that focus and weaken Act 250.
10	2. Move energy siting from section 248 to Act 250 (siting decisions being subject to Act 250 & restricting Section 248 to project development)
11	Food security
12	Agricultural production re: current & projected needs
13	Environmental diversity/degradation
14	renewable energy, heat pumps,electric vehicles
15	Maintaining dispersal corridors for flora and fauna to migrate and adapt
16	soil carbon sequestration and the role of farms as a solution
17	impact to working landscape. what will climate change do to the types of crops that are farmed or the types of trees that can be harvested? we need to think not just about what is charming in our working landscape, but what kind of activities we engage in now and into the future tha compound already known impacts of climate change (wetter summers, warmer winters, migration of invasive species and their impact on our current ecosystem, to name a few)
18	Location allowing developers to come in !
19	carbon sequestration and storage
20	None, it's weather
21	Virus and fungal outbreaks from encroachment on wild land habitat, extrem weather event disorder of ecology and mass influx of economic ar and violence refugees at a high rate beyond capacity to treat new infections resulting from crowded and temporary communal arrangements.
22	Drought, transportation (supporting options to the single occupancy vehicle)
23	Is climate change a proven scientific fact?
24	energy storage, transportation
25	Drought and flooding (extreme weather)

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

26	Interconnectedness so that plant and animal species have uninterrupted water, forest, and landscape land to move north. Also, thoughtful plan should take place related to increasing populations in villages to provide for housing and jobs and cut down on energy use and keep the open (esp. farm lands) open. "Smart growth"
27	non-climate benefits aligned with climate benefits
28	resilient back-up energy, food and economic infrastructure
29	Human diseases, species extinctions, invasive species
30	Transportation Carbon
31	I dont understand how 250 review can address mass migration. while it may be a future issue, it seems a planning issue not a regulatory one
32	Impact on forests & wildlife, esp. migratory birds
33	Again, all of the above are matters for public policy to consider, but not all fit within the confines of Act 250, and others become so burdened b excessively detailed regulation that the purpose is defeated. Furthermore I doubt the funds appropriated will ever suffice to support a reasona regulatory process to cover this breadth of issues.
34	rural development as effecting habitat, forest blocks, settlement patternsms
35	Renewable energy and Vermont forests: opportunity for biomass, district heating, wood energy
36	Again, focus on a statewide land use plan that is mindful and advancing low carbon development and you'll be playing an important roll. Do n or duplicate the DPS PUC permit review process. It will add unnecessary time, cost and complexity.
37	methane emissions,
38	Impact on the economy
39	controlling carbon does not mean a carbon tax
40	energy/food/water emergency planning
41	requirements that applications identify resiliency components, alternative energy and in some instances redundant energy systems
42	All are important not only because of climate change but for present day quality of life
43	Resilience to flooding
44	Enable compact development footprints out of flood hazard
45	health impacts from pollution, poor air or water quality; also vermont becoming more of an agricultural resource for growing food for other area country as they get compromised
46	Strategic location of development w/r/t transit, excess renewable energy on local distribution circuits, and minimizing VMT, along with incorporat net zero practices and technologies and EV charging infrastructure.
47	Extreme storms and flooding
48	Disagree with the premise of the question - presumes acceptance of the issue, which is far from a given
49	Declining cap on gasoline, diesel, propane, kerosene and methane brought into VT by any means of transport and declining cap on sales with

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

	bordered in prefer to reduce combustion and emissions in verifiable 6% annual linear decline and force the acceleration of carbon-free replacement 15-20 years as well as CDR (Carbon Dioxide Removal) technology installations to align with Healthy Climate (300ppm) objectives. Reducing emissions will result in a 'de facto' carbon surcharge through market supply-demand response, creating the effective price signal we need to drive the economic investment and replacement decisions.
50	All important. All scary.
51	Policies to attract business and people to the state. Businesses and wealthy people are leaving the state. There is no labor pool here and laws Act 250 contribute to the mass exodus.
52	The impact of climate change on forests and the types of trees we have: without maple trees, we eventually lose foliage tourism and maple syrup.
53	Public transportation & bicycle and walking lanes
54	automobile-dependent residential development patterns
55	Zero discharge (as in washwater, greywater, stormwater and human and other animal excrement).
56	Response to the impacts of extreme events should be incorporated into individual criteria where appropriate
57	Headwaters (Seeps, Class 0 streams, etc.) Steep slopes (development capacity, landslides, erosion, etc.)
58	transportation options available at each development
59	Influx of "climate refugees" from different countries/cultures
60	Rethink transportation and reduce need for it
61	As climate change is considered it is critical to think about impact on all people and not make Vermont into an enclave for the wealthy. Mass migration may mean that more people will be building second or third homes and make themselves safe while the rest of the population in Vermont and deal with the impacts of overconsumption and unsustainable lifestyles
62	Energy utility companies need to increase returns for investors. Energy conservation and efficiency initiatives necessarily reduce consumption and reduce revenues. In order to keep shareholders happy, those revenues need to be made up somehow - usually in the form of higher electricity rates. The PUC and DPS need to be clear about these results and do a better job of protecting consumers.
63	promotion of utility scale renewable energy to replace fossil generated energy
64	Floodplains
65	misplaced wind turbines and solar factories
66	A consultant needed for each, huge \$\$\$, not for average Vermonters!
67	Incentives to promote energy conservation & efficiencies
68	Maintaining forests for air quality and ensuring wetlands are present to prevent flooding and treat water runoff
69	Economic impact of climate-related disasters, such as Irene some years ago.
70	Sewer Discharge from the Cities
71	encourage forest product use

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

72	None
73	Flooding and Erosion
74	recreation development that promotes more tourism, our ability to grow more of our own food
75	recreation
76	Industrial energy systems considered renewable; cradle to cradle consideration of energy technologies; habitat change and loss
77	Cost of energy efficiency standards not making a return on investment
78	Answer limited to role of Act 250
79	Extreme temperatures
80	"Climate change" has happened since Earth was created. The global warming believers have just changed to this name, because of the globe non-science was putting. "Climate change" has no place in Act 250.
81	weather events can't be controlled
82	BS
83	All others listed are important but more applicable to Building Code issues than Land Use issues. Too specific, related to architectural design codes and not land use. Increased Energy efficiency standards and renewable energy should be required/reviewed as part of Building/Const Permit process and not Act 250.
84	animal agriculture
85	water quality
86	It's about land use, not climate change. What are you thinking? Using act 250 as the regulatory sledgehammer that it is will snuff out what few entrepreneurs we have left.
87	riparian structures
88	renewable energy sources
89	impacts to natural resources (farmland and forests) that can help in mitigation through carbon sequestration.
90	None it's ridiculous!
91	Climate change is well within natural variations, ad even if carbon is a significant input, Vermont is globally insignificant and cannot afford to "f
92	The criterion other than the single one I checked are too subjective and speculative.
93	The PSB should be/is charged with this responsibility
94	Do not believe in it
95	Noise
96	Animal agriculture
97	Increased threat of tropical storms and hurricanes to Vt

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

98	None until there is proof of the theory.
99	carbon sequestration in plants/soils/regenerative farming practices/ecological/wildlife friendly residential landscaping
100	Carbon sinks and other items in our landscape that protect
101	Existing energy code should be enforced, no need right now to increase standards (see next Q)
102	drinking water quality
103	We have too little population to matter. We aren't that big!
104	Public & Private wells/water
105	none of those the whole category is a make work project for engineers
106	plant and animal species changes
107	None of these should be considered in ACT 250
108	Who are climate refugees?
109	encourage innovative solutions to the above
110	excessive population growth
111	connectivity
112	the role of mountains, such as infiltration of water, the ability to reduce runoff, wildlife corridors, carbon sequestration
113	Extreme heat
114	Fossil fuel infrastructure
115	Extreme weather patterns, flooding, etc.
116	let the feds handle it
117	Grazing & crop lands. Too much. We need re-forestation.
118	supporting proper nonmotorized recreation and proper trail building as climate change will transform Vermont's economy away from skiing
119	Let's focus on cleaning up our local messes (e.g. water) before worrying about climate change
120	Affect of rising temps and diminishing clean water
121	The effect of climate change on Vermont's tourism economy
122	Climate change is a hoax
123	Climate change is a cycle. We have recorded 100 plus years of data and call a 1 degree change climate change. What about the ice age and have today . That was big climate change!
124	None
125	Really terrible question phrasing here -- it should only be important for Act 250 to review if it's not already being reviewed by another qualified (e.g., PUC, functional local government, ANR).

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

126	Sustainably built recreation access/trails.
127	None for act 250
128	All should be protected in a reasonable way, the current act 250 process is too cumbersome and costly for most to make it economically feasible
129	What does land use have to do with climate change. The latter should be looked on a national or regional basis. We have enough Vermont t hubris without adding to it.
130	These will all get selected. Priorities will be a matter of politics.
131	Black carbon from wood burning and methane/nitrogen from farming
132	The dump in Newport- water quality
133	None
134	What has climate change to do with limiting development?
135	Too many solar farms and restricted areas around wind turbines
136	Population since it is humans directly affecting the environment
137	Adaptation
138	Again, they are all important but let's stop the real polluters like the large companies that produce plastics, mine, dump fuel into the atmosphere planes, spray pesticides unchecked, etc etc. Yes the little guy can be mindful but let's look at the big picture.
139	Question is confusing. Is energy efficiency an impact, eg?
140	Climate change is bull shit!
141	"Climate change" is a scam perpetrated by the UN
142	None
143	Should not influence a development permit
144	Emissions of other greenhouse gases such as methane; auto dependency
145	This should NOT be connected to act 250.
146	Spraying of chem trails
147	Sorry, But I believe "climate change" is a political term which aims to extract more dollars from citizens for no benefit.
148	Natural disasters like that of hurricane Irene and the damage caused by water and wind can damage the natural surroundings and cause dam towns and environmental issues. Also with the chemicals being put down such as calcium chloride in our roads has a longing effect as it soak ground. If this rots metal faster than natural salt then what is it doing to earth?
149	Conservation of forests and encouraging carbon sequestration
150	Foreign gov pollution? I know every bit helps, but really, VT needs to be business friendly and affordable.
151	It's all bullshit more fake news by the shadow government to scare the ??

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

152	All of the above are already addressed by other regulators
153	I do not want to see any more ridge line views ruined from wind turbines"mint hurts wildlife habitat and can destroy tourism in the areas affect okay with solar farms which damage views for a very restricted area but turbines ruin the mountain views for many miles around! In all directi think there should be incentives for energy conservation and efficiency hit not forced on people, especially For individuals with limited econom I would like to see more in state businesses contracted for efficiency projects, not out of state companies and contractors. I would like to see required to include more energy efficient features in their building projects, especially large commercial development.
154	What does act 250 have to do with climate change?
155	Climate change has been happening for millions of years. It's Mother Nature!
156	The concept of homocentric climate change is ridiculous. This place has been both tropical and buried under a mile of ice. With 15 ice ages a subsequent "global warming" in the geological record, it's time to move on.
157	What does act 250 have to do with climate change?
158	climate change is fake
159	Community Building for Resilience
160	it is the natural course of the earth and can not be controlled or changed, but through fear and fake news you have managed to make people can, stupid
161	None of these. EPA already is invloved too much in these
162	no new gun laws
163	How can we address climate change without destroying the state recreational uses of our forests.
164	Fewer shopping malls
165	none. it is already too burdensome.
166	Act 250 should have nothing to do with climate change. Again focus on what it was intended for
167	rainforest deforestation that has occured for the past 50 years by US companies
168	Climate change should not be addressed
169	Act 250 should not be expanded to include more criteria without creating an avenue to reduce the criteria and burden whenever possible.
170	Spend Less and allow bussiness to grow without all the millions in red tape
171	Just be smart. The climate has been changing for millions of years without us and will continue to change after we are gone.
172	Wildlife habitat fragmentation and overdevelopment (look at South Burlington for example). Avoid filling farm fields and wildlife habitat with so Reserve solar for already impermeable surfaces.
173	Are you nuts?! Of course you are.
174	some of the above could be reviewed better within other agencies
175	Act 250 should have NOTHING to do with "climate change"

Question 18: As we think about climate change, what impacts do you think might be important to review? Please select all that apply:

176	Erosion
177	Its important to review climate alarmist claims
178	None
179	Cooperative and/or small-scale community run energy production.
180	What does climate change have to do with a development permit?
181	Energy independence
182	See comment above. These are important issues, but not necessarily within the purview of Act 250.
183	Number and mix of building types
184	The most important thing we can do is "pull" development into compact centers by making them the most accessible and appealing places to while pushing development out of working farmland, forestland, natural resources, and open spaces. In the question below, requiring higher efficiency would push more development outside of Act 250's jurisdiction -- and subjurisdictional, incremental development means we're not co expanding our compact settlements.
185	NOTE: How do you use a regulatory program to review extreme wind and mass migration?
186	transportation infrastructure

Question 28: What is one thing you would like to change in Act 250?

63	I think Act 250 should be integrated into more land uses as land becomes more fragile, more valuable, more central to us responding to climate change.
64	Urban areas with land use regulations and professional staff should be completely exempt from Act 250. Let's focus growth in our downtowns and urban areas and protect our rural areas.
65	Could the actual process be made smoother and less expensive yet reach the same goals of oversight and environmental protection?
66	Stronger enforcement and not self enforcement by the effected agency
67	I think it should not duplicate local or regional regulations which are accomplishing the same goals and slow down some of the changes we are trying to accomplish as Climate Change charges ahead. Also, It can be burdensome for applicants in time and \$. If a town has a Planning Commission, ZBA, Historic Preservation Committee, Energy Committee, local non-profit environmental group, Town Zoning administrator, close relationship with the County Regional Planning Commission, upgraded By-laws etc, I feel a project that has been approved should not have to go to Act 250. Re question # 18. Do you mean "instead of the PUC" or "in addition" to the PUC? We have enough regulation without doubling up. Also, we should wait and see how the PUC works out with Act 174.
68	The long term subdivision and parcelization of property, from large parcels to smaller parcels, even under the current Act 250, is an issue that needs to be addressed empirically from the governmental level. Individual development and subdivision projects must fit into a legislated bird's eye plan of statewide and/or regional land use. This would be a truly progressive and novel social/governmental/ecological premise for judicious government in the context of modern ecological understanding. Vermont can continue to be the leader here!
69	Forest based industries are agricultural and should exempt from Act 250 as is agriculture, including prime ag mitigation.
70	the amount of time it takes to get a permit, esp. when there is a hearing.
71	Make the process more efficient. Currently (from what I hear from others) it simply takes too long.
72	Greater support for community participation, e.g., notice to all abutters when a project application is received.
73	Increase ability of public to participate by lessening the standards for general party status
74	Overseeing the restrictions that have been put in place!!

Question 28: What is one thing you would like to change in Act 250?

75	name/branding...
76	easier access for neighbors to participate in the process without the need to hire an attorney
77	I think Act 250 should not require on-site energy generation in new developments, because as desirable as that often is, it is not always the best way to go. Consideration of onsite energy should be required, but use of it should not be required unless the site is favorable.
78	A greater emphasis on air, water, and noise pollution and stop conserving land just to conserve land. (Those who don't want development in there town) Land that is conserved with public or state funds should have public access
79	the process of state review from the various state department stakeholders must be better coordinated and when one department priority/policy runs up against another state department priority/policy the resolution of that conflict should be taken up by the state and not through the act 250 application process.
80	<p>The lack of evaluation of cumulative impacts of development for projects below the jurisdictional threshold is a significant gap in Act 250. The state should significantly lower the jurisdictional triggers for development in or impacting critical areas such as wetlands, floodplains, wildlife corridors and forest blocks below the current trigger of ten lots or ten acres. This incentivizes and encourages piecemeal development in these areas and removes their potential for flood protection and climate refugia.</p> <p>Act 250 should require communities to designate the critical areas in which the lowered jurisdictional thresholds would be triggered. These critical areas should be designated as part of a regional planning process involving municipal governments and led by the regional planning commissions. The critical area designations should be required to meet minimum state criteria to be developed by the Agency of Natural Resources.</p>
81	<p>Eliminate continuing jurisdiction on lands that are no longer part of the original or any subsequent Act 250 qualifying development plan.</p> <p>Make administration more pragmatic. Require regulators to consider when the incremental benefit of an application of rules defeats a larger purpose or goal than those rules are narrowly intended to address.</p>
82	that the other permits process ie ANR and VTRANS are more participary, transparent, and most importantly follow the same

Question 28: What is one thing you would like to change in Act 250?

	review process that ACT 250 does or they should not be admitted as sufficient as part of the 250process
83	current exemptions (such as in question 25) have created huge poor planning consequences statewide. I would like most eliminated; some tightened down with restrictions. "If we don't take care of what we have, what will be left to care for?"
84	Require that all information be made available online as it comes in.
85	<p>Please develop and pass a statewide land use plan, that should be your number one priority. Local and Act250 permitting is crippling development and progress to meeting our statewide goals.</p> <p>Answer 20 should have had more options or a way to comment. Without good resource maps and understanding whether a site can accommodate RE, how can you require it. I'm an advocate of developing RE where-ever you can, but, fear the Act 250 Commission, state staff and consultants and developers need a dose of reality on Vermont's shortfall in RE and progress toward meeting 90% renewable x 2050.</p> <p>We need a plan and a shared VISION for where Vermont must head on its path to be avert more climate crisis.</p> <p>Without a VISION and leadership, you might as well close up shop and step out of the way of progress.</p> <p>My fear is that like Act 174, progress to zero net energy and 90% renewable by 2050 won't happen fast enough.</p> <p>Already, Ghg's are growing, not declining in the transportation sector, and I would bet the same in the other sectors. Vermont lost 350 renewable energy jobs last year! What is that saying about our energy policies and the actions of Vermont's utilities?</p> <p>Will Act250 be another factor in slowing Vermont's ability to generate its own clean power? Wind is the most cost effective renewable energy source. If Act250 Enters the energy development process, it'd surely add to much risk for</p>

Question 28: What is one thing you would like to change in Act 250?

	developers and investors--killing any private investments that will save Vermont and our planet for this and future generations. Don't fix something that is not broken, but do fix the problems to simplify, streamline and let go of developed areas and stop stipulations and State agencies from extorting money from developers to keep their programs going.
86	Gut the thing. Way too onerous and drive up costs for everyone. Costco gas station is prime example.
87	Address the incremental fragmentation occurring in our forests from projects which do not trigger review. Amend jurisdictional triggers to cover these projected, and amend criteria to include Core Priority Forest Blocks and Habitat Connectivity Areas. Consider minor application status for forest processing facilities, and more parity between Ag. and Forestry. Consider more support (eg. permit specialists) to assist applicants and reduce costs. Strengthen Act 250 while reducing administrative burden and cost to applicant.
88	I'm under the impression that all appeals under ACT 250 are de novo proceedings. Given the professional staff, careful review process, and documentation of the Act 250 commissions and the open process for public participation, I strongly urge The Next 50 Years committee to consider dropping or modifying this appeal procedure. De novo appeals are both expensive and frequently delay projects for years--externalities that discourage development in Vermont.
89	Act 250 should be amended to address incremental subdivision of large parcels of land into smaller parcels.
90	Bureaucratic cumbersome. Faster process.
91	Make it easier and cheaper for project opponents to be heard and have impact.
92	Act 250 should be much more definitive about what areas simply should not be developed (similar to Oregon's approach). Core forests, wildlife connectivity and endangered species habitat zones, prime agricultural lands, water bodies need specific identification and protection to prevent negative impacts.
93	- Large farms are much larger then they were in 1970. I think the Act 250 commission needs to create a threshold for when a farm is no longer exempt because people around the area need to have a way to be heard about their concerns relating to air quality and traffic (more trucks driving on dirt roads are making people not be able to open up their windows during the summer) and water quality (getting the correct permits during construction). - I also think a subdivision or commercial building under 10 acres that is going to clear forested land should not be exempt and that Act 250 commission should also create a threshold

Question 28: What is one thing you would like to change in Act 250?

	winter for much of its tourism revenue. Families such as ours have been inspired by Vermont's beauty to buy vacation homes here and add revenue to the town's tax base. We don't want crazy development, but do want to be good stewards of this incredible state of Vermont.
442	We need more development and jobs in VT with out making good developers go through a lengthy and costly Act 250 process. Example the Walmart in Derby -- what it take the developer ten years and millions to complete the process. I'm surprised Davis, just didn't walk away !
443	Dissolve act 250
444	Be more business friendly.
445	renewable energy requirements should be lowered or eliminated. Allow the market to dictate vs. regulation.
446	Act 250 should not be involved in the construction of the Rail Trail for snowmobiles, walkers bikers etc.
447	I think the protection of shoreline property should be looked at on a case by case basis.
448	decrease control ,make it easier and affordable , while still protecting our resources
449	I would change how a landowner can come in and create havoc with buying multiple parcels just to increase chances due to radius to develop a rural area. I believe that Vermont should stay with natural and try to maintain big parcels and not let it become a city and pollute the air quality as in other states by being too congested or allowing building houses adjacent or close together with septic systems. Also act 250 should consider the many landowners that have multiple junks or vehicles or masses of old junk in their yards that are possibly leaking fluids from age into the earth causing contamination. I do believe that allowing more development and increasing the allowance to develop smaller parcels could be damaging for air quality along with power lines causing possible terminal disease or deformities in humans and future generations. Land should be preserved and carefully considered.
450	More transparency to general public- more communication about objectives and process with the general public.
451	Trails! Low impact, low disturbance trails should be exempt!
452	Start listening to the real Vermont, not the liberal progressive bery sanders Prius lovers.
453	Shorten the process
454	I feel the intent of Act 250 was noble it has increased in scope to become a burden to property owners and driven the stagnation of the economy of this state
455	give it all encompassing authority over the entire state with current exemptions eliminated
456	Encourage recreational non motorized trail development. Trails have an environmental impact that should be regulated, especially when users pay a fee. However, regulating recreational trail development within the same framework

Question 28: What is one thing you would like to change in Act 250?

	concieved to limit commercial development is a departure from the original spirit of Act 250. Trails bring a great deal of economic benefit to this otherwise below average region of the state in terms of affluence and employment opportunities.
457	Absolute involvement in maintaining rural,scenic areas, absolutely no more ridge line turbines, and maintaining our forests and wild lands.
458	Make it easier, cheaper and take less time for those who want to develop within the state. We are not business friendly at all. Thank you.
459	Nothing. Leave it the way it is.
460	Act 250 is largely regarded as a monstrous impediment to economic development. The state should be taking a smaller role in regulation of its citizens and their activities. The concept of an omniscient government overseeing the daily lives of the ignorant peasants fell out of favor centuries ago and it's time VT caught up to that.
461	There is no one thing. The entire Act is offensive to prosperity of Vermont and its occupants. That is one reason young people graduating leave VT and why corporations will not invest in VT.
462	should not apply to any recreational trails
463	transparency in the proceedings. More general public and resident input
464	Less regulation on individuals, losing farm land to solar panels, killing birds with wind farms,
465	get rid of it all together, it is a waste of taxpayer money and holds up crucial development in our state keeping new jobs out and creating an environment that keeps business from wanting to come here in the first place, crazy
466	The time it takes for a permit and the confusion the state has with where they want development
467	The entire act should be repealed and has strangled development in the state. This l'll conceived act has reduced jobs, investment, and development making VT undesirable to most businesses.
468	let business come into rutland ,we are dying here
469	no new gun laws
470	Repeal it.
471	Nothing for now
472	I understand and appreciate that a minority voice should be heard in a process, but Act 250 doesn't seem to have the intestinal fortitude to say that a majority consensus and reasonable accommodations can be the basis of a final judgment. I feel that sometimes a single NIMBY and/or unreasonable protester (or legal union) can torpedo a project that is 99% positive and constructive.
473	length of time to get permits

Question 28: What is one thing you would like to change in Act 250?

474	Do not create so much red tape that recreational trails and outdoor activities are affected.
475	I would like to see specific language identifying snowmobile trails, trails maintenance, grooming and snowmobile transit be exempted from this Act. I see nothing in this act but potential language that could be used to make participation in this recreational activity more cumbersome for the mostly volunteer run trail system. This activity brings a tremendous amount of revenue to the state as people spend money to ride on trails here, visit restaurants, hotels, buy homes, buy snowmobiles and pay taxes on all of the above. If we make it harder for the volunteer clubs to operate, this activity will dry up and Vermont will have to look to find damaging ways to exploit the rural beauty, instead of allowing visitors an opportunity to view and appreciate it.
476	consideration in preserving VT's trails systems and access to land. Snowmobiling is a great way for people to connect with the land while having a relatively low environmental impact
477	I honestly believe act 250 economically hurts the state of Vermont. The areas it should be applied to are exempt and where it shouldn't be are subject to it. It kills any kind of business development.
478	Take the consideration of the People over the land.
479	It is time for an overhaul of Act 250! The State of Vermont will never attract business and create jobs, that will keep our kids in state if we do not allow for growth. Act 250 is the bottleneck to this process and change.
480	It has restricted job growth opportunities in many areas. Our children are moving out of VT so they may get full time good paying jobs. To keep our youth in VT we need to find ways to develop entry level jobs that may grow into middle management or caree type jobs. I wan my kids to stay and not move to New Hampshire.
481	I probably would reduce the number of criteria
482	Reduce the redundancy and overlap with ANR permit programs.
483	Less intrusive and more practical.
484	ACT250 should be clarified and easier to navigate. Any goal of allowing business to exist in our state in a harmony with the goals of the act's original intent of protecting our natural resources. It should be the sentry of large housing complexes, address water runoff and quality issues, protect green space, and preserve farmland by limiting development of farmland in river-valleys. Focusing on 'Climate Change' is a broad and lofty goal which means different things to different people. Encourage common sense preservation and thoughtful developments which will enrich our state instead of making it look devoid of mature trees and cookie cutter like everywhere else in the US which has experienced heavy development.
485	Less oversight of industry.

Question 28: What is one thing you would like to change in Act 250?

486	Recreational Trails should be exempt from Act 250
487	Improve lake and river water quality now before it's too late!
488	Act 250 should not get involved with VAST trails, and VASA trails on private land.
489	eliminate it entirely. it is not good for the economy at all. it is stifling business.
490	Its direction. It should not be interested in controlling the use of the land for recreational trails and activities. Parks and Forestry as well as Fish and Game are developed agencies tasked with overseeing proper legal use and maintenance. We do not need additional layers of oversight, rules and restriction. Nor do we need to increase the State's already hefty payroll. More bureaucracy equals more feather bedded jobs and higher taxes. Additionally we should not be making it harder to make a living in Vermont, after all it has become known as the "challenge you to make a living" State.
491	I am an avid hiker and snowmobiler. I would see snowmobile trail maintenance and development as a form of public use that promotes conservation of Vermont natural lanscape, promotes jobs and economic growth in our rural towns, and promotes tourism. I would not want to see trail development and maintenance subject to the same regulation as real housing, commeercial, or energy development projects.
492	<p>I feel the Act 250 permit process takes lifelong Vermonters out of the picture. The only people that can afford to do projects that involve Act 250 are big business, the wealthy, the State, and out of state developers. The average Vermonter can't afford or have the time to go through the process. Big business, including the State of Vermont, utilities ... have money and staff and they always get their permits. I truly want to protect our beautiful state but we are going to far with rules, regulations and then tax dollars to support all the these rules. Feeling like I won't even be able to give my children land to build on, keep them in Vermont, because they will not be able to afford the permits and taxes. Please find a way to continue protecting our state and its residents without forcing Vermonters out. Making Vermont a state for the rich and very poor only. No additional rules and regulation, please. We have enough now.</p> <p>I heard that the state is thinking about not even letting us have trails on our property without Act 250 permits. Those trails do a lot more good than harm. Many have been there for generation and so many have and do enjoy them like property owners and their family, friends and tourists For example, hiking, cross country skiing, snowmobiles, bird watchers, mushroom hunting, berry picking, cutting fire wood, amature photography, hunting, atv's, logging, and for some handicapped and elderly people the only way to use our great Vermont forests. Please don't go overboard with regulations. Let us have a chance to enjoy Vermont as we have for generations. There is no sense having</p>

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	a beautiful State to live in if we can't use and enjoy the peaceful beauty that Vermont has to offer. Leaving it to the rich and powerful only.
493	Recreation should be exempt as long as basic management practices and other state rules/regulations are being followed. The term Development needs to be clearly defined and recreation trails should not be included and in fact should be excluded specifically from this definition. Act 250 cannot become any more far reaching than it already is with its current staff or projects will never be seen through completion in this state.
494	Act 250 is essentially legalized extortion. If you want to "buy your way out" of Act 250 restrictions the commission is more than happy to let you, if you can afford to purchase their required amount of "mitigation land" somewhere else. The problem with this is that only big developers can afford to do this, every day Vermonters who just want to use their own land the way they see fit, can't. Act 250 was a good thing back in the 1970's. Now it's just a bureaucratic roadblock to prosperity and success, making Vermont one of the least business-friendly states in the nation. Enjoy living here when the only people that can afford to are the trust fund babies that moved here to live out their days in this quaint and quirky little state. This native Vermonter will be moving south to a better climate, and I'm not talking about the weather.
495	Relax
496	The public needs to more involved and informed on the proceedings.
497	Exemption of snowmobiles since we already have controls that benefit the environment.
498	Less regulation. Protect against pollution but don't make climate change sound like something we can control.
499	act 250 should not be expanded to include trails. the majority of trails in vt are on private land. private landowners should not be discouraged from trail development on their land by act 250.
500	Act 250 should not affect current recreational trails used by VAST or others.
501	tourism is all Vermont has left that hasn't been regulated out of competitiveness and our borders. don't apply Act 250 to limiting tourism access to lands: snowmobiling, ATV, Skiing, etc.
502	Eliminate it...
503	More friendly towards snowmobiling and other recreational activities.
504	Allow more access to Vermont forests for snowmobiles and four wheelers, motorcycles. NH currently has great programs but VT limits access to lands to only a few activities that very few can take advantage of. Act 250 is to political and time consuming, costly. If you have friends it works if not you need tons of money. Wonder why businesses / working class are

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	leaving? Taxes and Act 250.
505	Get rid of Act 250 all together! It is too stringent and will affect the off road community (ie VAST, VASA, and other) and where they can ride. Vermont needs to embrace all recreational activities not just hiking.
506	I have lived in Vermont for only the last 7 years but have been coming here my entire life as a second home owner. While I love the natural beauty of this state I fear that if the overreaching power of Act 250 isn't curtailed it will eventually sniff out any business that is looking to grow and push them to other states. From businesses to homeowners to town managers, everyone knowledgeable that I have spoken to are overwhelmed with what Act 250 has become and the power over everything that it has.
507	The Act 250 process often does not take into account the economic impacts of it's regulatory process nor does it take into account the seasonal recreational/tourism business that is so important to Vermont's overall economy. Some things have to be decided in the best interests of the livelihood of the people who live and work in Vermont and not just on scientific data based on a standard created by persons with a limited agenda.
508	Make it easier and faster to navigate and complete the process
509	Please don't change anything to make it more difficult to build and maintain outdoor recreation trails (bike, hike, ski, snowmobile, ATV, etc.) that so many Vermonters use and that bring so much out of state money to our state. Please change regulations to allow I 289 (the circ) to finally be completed to alleviate congestion in the greater Burlington area.
510	I think it should support more the snowmobile trails.
511	The process takes entirely too much time. It needs to be more streamlined and efficient. It can add significant costs to a project and that's just not right. Hiking, biking, ATV, snowmobile trails and roads should not be subject to Acct 250 permitting.
512	This was a truly slanted survey aimed at enlarging the scope of the law. It is a horrible example of claiming opinion to favor a point of view. Almost all off the answers could have included "depends" as most of the questions had an incredible amount of gray area...BAD JOB!
513	Stop trying to change things that we don't have any control of. The earth can take care of itself. Do something about the cities dumping sewage into lake Champlain.
514	Repeal the regulation
515	Act 250 does not always seem to differentiate among different uses that in fact have different impacts. For instance, a winter

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	trail v. a summer trail.
516	The application process is confusing and unpredictable
517	Get rid of it. It is not good for Vermont.
518	REPEAL ACT 250! It is such a economy destroying farce.
519	be clear rules, do not duplicate/conflict with other agencies jurisdictions. be helpful in the process from the view of make it happen well not from making it costly, more costly - be efficient and timely
520	Leave The Vast trail system alone
521	Remove Act 250.
522	Make process simpler and less expensive
523	Waste Water easements for single family dwellings.
524	Act 250 is state wide zoning implemented under the pretext of environmentalism. It is a fraud and should be eliminated entirely.
525	Think of everyone's opinions, not just the watch groups. The opinions of Vermont residents are the important ones, not those of special interest groups who "think" they speak for us all.
526	Nanny state
527	ACT 250 has NO PLACE interfering with recreational trails. The impact is not significant (or nonexistent) enough to have to be overseen by these strict regulations. Recreational trails get people outside to enjoy nature and wildlife and learn respect for it. Act250 should not be making it harder to build and maintain recreational trails.
528	Protecting snowmobile trails - these should remain fully allowable under any future ACT 250 revisions. Modern snowmobiles are increasingly quiet and low emissions, with virtually no impact to land, water, or wildlife...yet provide enjoyment to residents and non residents alike, while bolstering VT's economy and fostering small businesses.
529	Act 250 too often interferes with the private landowner wanting to develop their property. This should be left to the towns to best decide what to do not the state. By adding the second layer of complexity and cost to the process Act 250 has made Vermont very unaffordable and driven out our younger generation.
530	Exemption for recreational trail construction and maintenance falling under VAST or VASA jurisdiction.
531	To be more friendly to the modern economy and Vermont's housing needs. It should also allow for more municipal and regional say in housing development that loops in Act 250 jurisdiction. If a regional and local plan say it's okay, why should Act 250 trump that? Act 250 really should only play a heavy-hand in very large new developments, or when there is no/sub-par local regulations. Some old Act 250 permits really shouldn't even need Act 250 review. Some projects/parcels under Act 250 that look to expand or re-permit need to have an easier way to get those approvals because, for example, if gravel pits

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	can't get those approvals, and few/no new pits are approved, that has a direct, negative effect on our road infrastructure (cost, access to, negative impact on water quality, quality of gravel, etc.) That's just one example that comes to mind. It's things like that that just don't make sense - cause more harm than good - and need to be updated moving forward.
532	I would like to see recreation trails exempt from ACT 250 since it is not the "development" that ACT 250 was based on when it was enacted. More regulation does not make a better Vermont. Recreational trails in Vermont are the backbone of many small towns and hamlets that rely on them for jobs. The trail groups that run these trail systems are all environmentally friendly with the goal of getting folks out into nature, while respecting Vermont's lands, forests, animals and waterways.
533	Additional incentives for rural economic development.
534	Jurisdiction. The current crazy quilt of what Act 250 does and doesn't apply to does not allow the State to regulate a lot of development, while it does regulate projects that are not likely to have significant environmental or land use impact.
535	Exempt any designated growth center from ALL Act 250 requirements - AND open growth center statute to a minimum threshold-standard
536	Amend Act 250 to exempt the definition of trail projects that are part of the Statewide Trail System and develop alternate standards to guide development, maintenance, and operation of trails designated under the Statewide Trails System.
537	Jurisdiction should exempt areas well-planned for growth and capable of development, such as municipalities that have done the up-front planning and regulation to protect resources and have the capacity to do high-quality development review of projects that do not have a regional or statewide significance (such as extractive activities [quarry], major trip generators [stadium], or major sewer service area expansions).
538	<p>Jurisdictional triggers: The factors driving where a dwelling or commercial project is built are complex, but cost is always an important consideration. The conventional wisdom is that development costs tend to be cheaper where regulations are lax or they do not exist. While the capacity and sophistication of state and local regulations was limited 50 years ago, municipal and state permitting framework have advanced and matured since the creation of the Act.</p> <p>Many believe Act 250 would do a better job protecting what Vermonter's care about if it were modernized to recognized this change. A more nuanced and strategic approach to jurisdiction would be for Act 250 to spend less time reviewing projects in areas with robust local regulations. This would free up staff time to fill gaps where the local ability and capacity to regulate is</p>

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	<p>limited (which speaks to the Act's original intent).</p> <p>While 10 acres of impact/10 unit subdivision creates a bright line, many projects are intentionally designed to be sub-jurisdictional (practitioners estimate that Act 250 participates in less than 5% of all development).</p> <p>Wherever the line is drawn, it's inevitable that projects will be designed to avoid review. However, if the Act is to remain relevant for the next 50 years, a smarter approach to jurisdiction is needed.</p>
539	<p>Jurisdiction. It needs to be designed in such a way that the kinds of development we want to encourage are below the threshold for an Act 250 permit. Because rational people do what they can to avoid extra permitting and we should make sure the thresholds themselves drive a form of development that minimizes impacts.</p> <p>Also the thresholds should be designed to recognize the high levels of permitting capacity that exist in some municipalities (the existing 1/10 acre thresholds are not a meaningful way to recognize local capacity) as well as at ANR, and seek to either fill the gaps or provide coordinated permitting for large, multi-permit or multi-municipal projects.</p>
540	<p>In general, it should be strengthened.</p>

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	because Act 250, Criterion #8 (and towns/villages) requires that the project conforms to existing architecture and/or has an adverse aesthetic effect on existing structures. In short, Frank Gehry would have a hard time building a structure (other than residential) in Vermont.
31	Remove act 250 all together and Vermont will do fine on it's own with local control !!
32	It needs to be more of a citizen friendly environmental review and less of a politically motivated legal process.
33	Move energy siting from section 248 to Act 250 (siting decisions being subject to Act 250 & restricting Section 248 to project development)
34	More protection and recognition of the importance of forests and the value that they provide to our health and welfare. Forests should have, at a minimu, the same recognition and protection as farmland. Forests provide clean air and clean water. They should be protected from fragmentation.
35	Giving more voice to local residents in the Act 250 process!
36	Simplify the application and all administrative procedures so they are less onerous and time consuming.
37	Have qualified individuals on commission - should be interview process (not just someone who can grow tomatoes on a small plot of land)
38	More support of citizens throughout the process & full enforcement when permits are violated
39	Criterion 5 - transportation. A traffic study is an incomplete analysis of a multi-modal system and too much emphasis is still placed on relieving traffic congestion. Consider rewording Criterion 5 to emphasize that a proposed development "improves pedestrian access" (i.e. the ability of a pedestrian to reach their destination). Every trip has a pedestrian component. Every person can be a pedestrian (a commuter, the young, the elderly, the disabled, and visitors to the state. Compact settlements and village/urban centers are based on pedestrian designs and land use patterns. The pedestrian should be the "design vehicle" rather than the automobile.
40	The less than 10 acres "loophole"
41	Decrease the bereaucracy. Keep the oversite, decrease the complexities.
42	The public review process. It would be good to see the board work WITH citizens who are trying to protect wetlands/village centers, rather than against them.
43	More attention to citizen voices
44	Making it easier for the average citizen to participate in without having to hire an expensive lawyer.
45	see survey
46	It seems as though people don't see compact downtowns as an economic driver for the state. There needs to be more dialogue around the value of our landscapes for tourism and for quality of life and concerted effort to address concerns that Act

Question 28: What is one thing you would like to change in Act 250?

	250 hates all development.
47	it need teeth to survive/deflect the corporate onslaught to enrich few at the cost of many.
48	It should be more comprehensive and cover more projects. The incremental, small projects are more harmful than we realize
49	If Act 250 could be tweaked to actually address and limit sprawl and development that fragments habitat, that would be great. Also it would be awesome to keep Act 250 review to major issues in a project, not nitpick small or insignificant aspects of the project.
50	I do not have enough knowledge of Act 250 to adequately respond to the question.
51	It applies to projects that are too small and benign. As a small business owner, I wanted to hold a farmers market at my place of business but was told I'd have to get an Act 250 permit since it was a commercial enterprise. Really? Act 250 is intended to prevent me from letting neighbors sell tomatoes in my parking lot? That's crazy.
52	Whatever can be changed to stop the ongoing fragmentation and loss of Vermont's forests.
53	Better reflect the new realities facing Vermont -- 50 years after its inception. In particular, updating it to be as strong a tool as possible to mitigate and adapt to climate change.
54	The perception of it! It needs a marketing rebrand!
55	To make it less confusing for the public and for permit applicants. Expand jurisdiction so that the full extent of development that has a substantial impact on the environment is regulated under Act 250 instead of falling under different organizations (eg, wind turbines under PUC)
56	Not sure. Have not been following recent Act 250 discussions, but do feel strongly that Act 250 is the only statewide expression that exists that can at least try to implement the "compact settlements surrounded by working landscapes" policy.
57	Incentives for redevelopment in commercial ares, cumulative impacts
58	I would like to see policy that does not penalize developers of residential property. Under current policy to avoid the long expensive process developers are building fewer and thus more expensive homes which is causing a housing crisis all the way to the rental market and increasing homelessness.
59	Less willingness to let developers turn country living into suburban living !
60	There should be regulation which requires all Act 250 jurisdictions be subject to similar execution of regulation. Commercial development under 1acre should be required to follow the same rules as that over 1 acre.
61	A simplified process for applicants.
62	review to prevent exurban sprawl

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	<p>creation of tiny paths through the woods so that people can experience the natural environment. Furthermore, the permitting process is inefficient and lengthy, and costly for small clubs to expense.</p> <p>These activities occur in our state by generous landowners and volunteers so that the beauty of the environment can be experienced. Environmental stewardship and conservation is top of mind with trail development. Consider, too, that these activities bring valuable commerce and tourism to our towns and state as a whole.</p> <p>Therefore, the permitting of trails should consider the differences and ACT250 should be updated/changed.</p>
316	Not apply to multi-use trail projects. - Hiking, biking, etc.
317	<p>Questions 14. While renewable energy generation is important new projects should also incorporate storage and microgrid capacities. As weather events get more extreme the grid is possibly going to be damaged by these events more.</p> <p>There should also be exceptions for trails built by non-profits. Guidelines for building trails for water quality would be enough.</p>
318	Not sure, just be thoughtful of how ACT 250 impedes or hinders recreational opportunities..like mt. biking and hiking trails..we want people to get out and to enjoy your natural areas and by doing so, they will want to care for them..
319	I would like see Act 250 not consider the construction of non-motorized, recreational trails as "development." This activity should not fall under Act 250 review
320	<p>I am involved with recreational trail development and management as President of the Woodstock Area Mountain Bike Association. (WAMBA) This is a volunteer role, in a volunteer led community organization.</p> <p>I am a life long Mountain Biker, skier, hiker, and paddler - having grown up in Randolph, Vermont. My time spent on a bike in the woods helped me through difficult times in High School, and led me to pursue an incredible education at the University of Vermont's School of Natural Resources (Now the Rubenstein School) Like many young Vermonters do - I left after college to see some other places. Family connections, combined with Vermont's incredible recreation opportunities brought my young family back to the State of Vermont, after 10 years in the Pacific Northwest.</p>

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	<p>WAMBA manages approximately 8 miles of trails on 358 acres of private property in Woodstock Vermont. Many of these trails are 30 years old. Our Chapter was established in 2016 and took over formal management and improvements. The trails are widely used by bikers, runners, hikers, and dog walkers. We host regular youth and family rides, and the High School Mountain Bike club team uses our trails for training.</p> <p>Our trails have recently come under Act 250 review because of what we believe to be an unfortunate circumstance resulting from the law as currently written.</p> <p>Our trails at the Aqueduct have come under Act 250 jurisdiction because of a Water Storage tank built in 1986. Once there is an Act 250 permit on a property, anything you do in the future has to go through a permit process to amend the initial permit. Because of the 1986 permit, we are required to go through the amendment process. IF there were no pre-existing Act 250 permit on the property, our trail system would not meet the disturbance threshold required to undergo Act 250 review.</p> <p>Essentially, the Aqueduct Trails have come under Act 250 review because of a 32 year old permit for a completely unrelated development on the other side of a town road.</p> <p>WAMBA leadership has been working through the process with the State of VT since January, and to date, our volunteer time spent is in the hundreds of hours. We are far from done - we now need to hire a Wetlands Specialist, and perhaps a permitting specialist to help us through the rest of the project.</p> <p>We're all very pro - environment here, but the current Act 250 process puts trail projects in the same review process as development of shopping plazas, and doesn't recognize that we are trying to create tiny paths through the woods so that people can experience the natural environment.</p>
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<p>Permitting of trail projects needs to occur in a way that reflects a true understanding of trail impacts (or lack thereof) and the State of Vermont needs to understand what a benefit trails represent for communities and residents across our State.</p> <p>Our recent and ongoing efforts to comply with the requirements of Act 250 have diverted our chapter's volunteer hours away from trail improvements, signage, maps, and community events. We are spending membership dollars on permitting and specialists that could instead be spent on making our trail system better, and more environmentally friendly.</p> <p>We would like Act 250 changed to have a more straightforward, and appropriate path for permitting trails in Vermont.</p> <p>Please consider the following facts about recreation trails in Vermont:</p> <p>Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont</p> <p>Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by volunteers for commercial purposes</p> <p>Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails</p> <p>Over 70% of trails in Vermont are on private land – we need regulation that will support their generosity and encourage even more trails and conservation</p> <p>Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be</p>

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	<p>considered "development" and lumped into the same regulation categories as other construction projects</p> <p>Currently, Act 250 limits Vermont's ability to fully realize the benefits that could come with greater support for trails and outdoor recreation</p> <p>Trails and outdoor recreation not only make Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont (Outdoor Industry Association)</p> <p>Seth Westbrook, WAMBA President [REDACTED] [REDACTED]</p>
321	Trail development within the forest should not require an ACT 250 permit. There should be a basic environmental review.
322	Its a very slow cumbersome process with each agency protecting its turf. There appears to be very little coordination and prioritization of the issues. There is no recognition of the time value of money and the risks that the developer is incurring.
323	Drastic changes of use to properties with existing Act 250 should be considered exempt - for example low impact development of hiking and and bicycle trail networks meant for outdoor recreation. Trail networks that if not for the existing permit from another/past project would be exempt should not be put through the same permitting requirements.
324	<p>Act 250 should not apply to hiking, and biking trails, or should have completely different set of guide lines as for someone putting in a shopping mall!</p> <p>Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont</p> <p>Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by volunteers for commercial purposes</p>

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325	<p>The cumulative counting of lots by a developer and how Act 250 applies to a developer. The standard for small residential lots & neighborhoods should be the same for a "developer" as for a small builder. i.e. my 3-lot subdivision should not require Act 250 review (because I have been through Act 250 before) if 'Joe Blow's' does not require review. Small developments should NOT be subject to Act 250.</p>
326	<p>Abolish it. It is redundant with other oversight. It has dramatically harmed the economy on VT. VT's economy is in a dangerous position. Without a good economy we will have no ability to do any good social and environmental services.</p>
327	<p>Make exempt or allow for a streamlined, inexpensive way for land owners to develop Mountain biking, back country skiing and other outdoor recreation opportunities. Act 250 should not be an obstacle for land owners, non profits and others looking to make land available to help increase the overall health of the Vermont population and our visitors. We should be encouraging and paving the way for this type of development, especially with the relatively low amount of public land and the</p>

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	large amount of privately owned land in the state.
328	Allow streamlined permitting for recreational trail building in areas that have an existing act 250 permit. Groups looking to develop trails have very little money that is usually raised to improve trails and work for the groups that use those trails. Not to hire lawyers, wetland specialists, etc. Use of these trails is typically light and should be controlled locally.
329	As someone who loves public multiuse trails and a member of VMBA. I stand with them! VMBA and the Council fully supports the work of the Commission as conservation and environmental protection are core values for all of us. However, we are also concerned because Act 250 regulation can and has created confusion, expensive and time consuming obstacles to improving and maintaining trails.
330	I would like its purposes to be more readily available and understood by the general public.
331	Act 250 regulation can and has created confusion, expensive and time consuming obstacles to improving and maintaining trails in Vermont. Currently, Act 250 limits Vermont's ability to fully realize the benefits that could come with greater support for trails and outdoor recreation. Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont. Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Trails and outdoor recreation not only make Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont (Outdoor Industry Association). It is critical that any potential reforms consider the irreplaceable benefits of Vermont trails. We must inform our legislators and state leadership charged with modernizing the law understand that support of the trails and volunteers is required at this time. Creating cumbersome and confusing obstacles for the landowners, towns, nonprofits and volunteers that create, build and maintain virtually all of the trail infrastructure for the public good will have tremendously negative impacts. Therefore, trails should not be considered "development" and lumped into the same regulation categories as other construction projects.
332	Simplify the process and lower costs for private land owners regarding development/maintenance of recreation trails and paths for hiking and mountain biking. Hiking and Mountain Bike

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	trails could have large impacts on our state in terms of bringing tourists and their money to our economy as this is a very lucrative business.
333	Include trails for people and bikes in exempt status
334	The political bullshit
335	<p>We need to ensure the Act 250 process does not hinder or impede the sport of MT biking in the state. The idea that building MT bike trails should be considered as development is ridiculous.</p> <p>Do we consider all the trail maintenance and rerouting of the Long trail development?</p> <p>Come on, let's use some common sense as MT bike Trails are invaluable pathways to better health and conservation in Vermont.</p> <p>Placing permitting fees attached to "development" are a deal breaker for building a responsible trail system as MT trails are not built for commercial purposes, but as a community resource.</p> <p>Currently, Act 250 limits Vermont's ability to fully realize the benefits that could come with greater support for trails and outdoor recreation, let's make a change and start leading by example.</p>
336	The ability fro for mountain bike trails in vermont to be built. They are low impact to the land and bring needs recreational opportunities to the region.
337	higher costs and delays
338	Eliminate the entire Act. By far the most useless piece of legislation in any of the 50 states.
339	<ul style="list-style-type: none"> • Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont • Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by volunteers for commercial purposes • Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails • Over 70% of trails are on private land – we need regulation that will support their generosity and encourage even more trails and conservation • Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be

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	<p>considered "development" and lumped into the same regulation categories as other construction projects</p> <ul style="list-style-type: none"> • Currently, Act 250 limits Vermont's ability to fully realize the benefits that could come with greater support for trails and outdoor recreation • Trails and outdoor recreation not only make • Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont (Outdoor Industry Association) <p>Creating cumbersome and confusing obstacles for the landowners, towns, nonprofits and volunteers that create, build and maintain virtually all of the trail infrastructure for the public good will have tremendously negative impacts.</p> <p>Over 70% of our trails are hosted and maintained on private land and made possible through 100,000+ volunteer hours annually</p>
340	<p>Fundamentally, Act 250 serves a critical role in preserving the qualities of Vermont many, including myself, hold close to the heart. That said, I strongly encourage the review to consider how changes in Act 250 could make Vermont a better (more vibrant) place. Act 250 should be working with local communities, in the planning and development to designate and preserve areas of prime agricultural and forest values, while also designating areas for growth and development. Many communities have seen numerous subdivisions, where a 100 acre parcel becomes a few lots. The lots are sold and split until that 100 acre parcel of rural land now becomes 5, 10 and 15 acre house lots, no longer capable of supporting significant agriculture or forest conservation practices. In addition, changes in regulation to allow for modern updates in aesthetic characteristics, so that "cookie cutter" type developments are not the prominent finished product of the process would be great. Imagine a 40 lot housing development in Williston that consisted of Brick Colonials, Cedar Shake Capes and Split level ranches. It would make for much more aesthetically pleasing developments.</p>
341	<p>Speed and efficiency of the process.</p>
342	<p>Reduce the power of unaccountable government bureaucrats. Simplify the law and create predictable outcomes. Regulation through obfuscation increases risks, and reduces affordability and economic activity.</p>
343	<p>Incentives for landowners for development of new recreational trails and inter connectivity of existing trails.</p>
344	<p>A better understanding of what the review process is for the public to eliminate the sound bites that developers and others</p>

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	use.
345	Trails aren't exempt from Act 250 (used by conservationists, low impact and important for tourism), but Agriculture is (Agriculture has a huge negative impact on water quality and wildlife corridors). It would be great if Act 250 was less cumbersome on trail development and provided some oversight on Ag with respect to water quality and wildlife corridors.
346	Issuance of DEC permits prior to submission of an Act 250 permit should prohibit any further discussion at a hearing related to any Criteria which has been satisfied by the issuance of the DEC permit. Act 250 hearings should be for non-DEC Criteria only, not a public hearing to discuss the merits of an issued DEC permit. Also hearing requests should not be granted if they are only to discuss DEC related Criteria (Water, Sewer, Stormwater, etc.) There is now a public process for those permits so there is not need for further public participation overlap by Act 250 which is a laymen board as it pertains to DEC related Criteria.
347	Needs to be reasonable. Hysteria has taken hold especially concerning lakes and ponds. The state should not be isolating ponds by closing class 4 roads and blocking off accesses. The hysteria concerning water resources is way out of control.
348	There should be an exemption or added flexibility to waive criterion 9B (prime ag) in areas where towns have specifically zoned/ planned for growth/development as part of their approved town plans.
349	The jurisdictional triggers are currently inadequate and should be changed to address easier development in designated centers, and have modified triggers in towns with more sophisticated planning/zoning. Reduce redundancy between state permits and criteria. Reduce opportunities for appeals, increase opportunities for mediation.
350	Make reviews of land that truly could be impacted not just a global ruling. One by one approach.
351	Hand-built trails should be exempt from review.
352	Adding permits for trail building is a step in the wrong direction
353	Get rid of it. It is a significant impediment to economic growth in our state.
354	Decouple telecommunications and broadcast from Act 250 altogether -- those types of development should be regulated by the PUC under 248a to use a comprehensive, planning-based approach to improved wireless service and access to high speed broadband (similar to what is done with electrical transmission / generation).

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355	I am concerned about the access to recreational activities in our state - which can increase the economy - and its interface with Act 250.
356	Streamline and or remove some regulations. Force the state to provide evidence that a project will be not compliant instead of the applicant trying to prove that their project will be compliant.
357	Must be business friendly, dramatically reduced time frame to approval, competent review staff
358	Its negative impacts on recreational trail networks.
359	eliminate it
360	It is redundant. It should be used for its original purpose of slowing down large developments and nothing else. It should not get involved in things like water quality which already have their own rules every development has to follow. Also, public assets such as recreation trails and roads should be exempt.
361	The process. I'm not anti-ACT250 and for the most part support the concepts and goals. I am a fourth generation Vermonter and have been involved in over 30 ACT250 projects over the past 28 years. I have been a consultant, an applicant, an abutter and an expert witness. The biggest issue I have is the lack of predictability and the layers of redundancy. If the legislature is serious about improving ACT250, they need to begin with the process, how it's administered, training of District Commissions, Coordinators, etc.
362	There should be on-the-record review of District Commission decisions.
363	<p>Why is it so cumbersome to work with private landowners to connect recreation paths/trails in the state? More and better access means more participation in healthy activities for Vermont residents and visitors.</p> <ul style="list-style-type: none"> • Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont • Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by volunteers for commercial purposes • Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails • Over 70% of trails are on private land – we need regulation that will support their generosity and encourage even more trails and conservation • Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered "development" and lumped into the same regulation categories as other construction projects

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364	STOP being so controlling and getting rid of all our fun
365	Allow motorcycle to traverse the trail system. Motorcyclists are more conservative and environmentally conscientious than 4 wheelers
366	I feel your regulations are making property very expensive to buy, and expensive to higher engineers so you can build.
367	<p>This survey was to simplistic to provide meaningful input. I believe it was created to justify conclusions the panel has already reached. I believe it will find Vermonters overwhelmingly support ACT 250 and want to expand its jurisdiction, except in places it wants to build. In those places it recognizes Act 250 is overly burdensome and will release jurisdiction. I find that ironic and disingenuous. If Act 250 is going to work, Act 250 should apply equally to all projects that meet the threshold for development necessary for statewide review. I do not believe those thresholds should be lowered.</p> <p>Act 250 has done good things. It serves as very good checklist for things to think about as one develops or chooses not to develop land. However, it is also a smorgasbord of options for NIMBY opponents trying to deny a project because it lies in their back yard. It also adds significant upfront, at risk costs to projects. Have you ever wondered why there are no medium sized housing developers in Vermont? Economically, all either choose to go under Act 250's thresholds, or they are large enough to enjoy the moat Act 250 risk and expenses create.</p> <p>Act 250 should work to narrow its criteria and make them as objective as possible.</p> <p>I understand the land use development process in Vermont very well. I will never invest any of my own money in developing a new project in the State of Vermont. Between the local municipal process, the State regulatory agencies (All of</p>

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	which are demanding expanded jurisdiction) and ACT 250, it is simply to risky an investment.
368	Human powered recreational trails should NOT trigger Act 250. This is economically irresponsible.
369	Make it easier for trail development and matenance. Also, lots created with an Act 250 should not continue to be under Act 250 supervision.
370	Fees should be paid to obtain permit after the review and appeal process rather than up front. Significant funds can be spent up front without assurance of approval with reasonable conditions. Banks won't loan on projects, including permit fees, until permits are valid and therefore the applicant's cash flow has to be significant to even get through engineering and permitting. The process is becoming exclusive to the largest developers with funds to gamble on permits and discourages new players in the market.
371	Either simply the process or increase resources so the process can move faster
372	Dissemination of real data from the State on the overall ease/difficulty of permitting, i.e., not just widespread anecdotes about specific projects' permit successes or failures. Also, I feel that Act 250 gets blamed for many other regulatory snafus.
373	We need to help commercial projects navigate the process. Vermont need to attract taxable entities so the ACT250 administration should shoulder the burden of assisting commercial entities with the process. IT should not be a year long fight it should be executed in a timely manner.
374	Reviews for farming and logging especially in sensitive watersheds
375	Abolish act 250.
376	Act 250 puts up roadblocks on a lot of projects that benefit community, I'd like that to change. I.e., mtb/hiking trails should never have to deal with act250
377	Not necessarily Act 250 per se, but self-certification by licensed engineers for wastewater disposal and storm drainage that their stamp on drawings certifies that the work meets the regulatory requirements of the State. Consulting engineers are more qualified than State employees for starters, anything they do must meet regulatory requirements, and they are liable, and they have errors and omissions insurance. What more do we want? There is no justification for idiotic and time consuming reviews by individuals that are less qualified and competent than those who are doing the engineering. Ironically, most of the whining and complaining about sprawl results from projects that have been developed after the enactment of Act 250. By that standard, the Act is a failure.

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	<p>The whole process has been hijacked by consultants and lawyers who profit from it. And the only those deep pocket developers and subsidized entities, including regulatory agencies and planners, can afford the cost and the time it takes to navigate Act 250. Vermont's economy is suffering from it. Act 250 has outlived it's original purpose. There are enough regulations on the books at all levels that makes the process cumbersome and redundant, but it can be said that it provides employment, for whatever that's worth.</p> <p>We rely on property taxes to pay for education, and municipal services, including public development, and yet we willfully hinder the development of real property that underwrites essential services. That's the Vermont definition of insanity.</p> <p>The State of Vermont is not over developed. It's a myth.</p>
378	Speed and costs of getting through the permitting process.
379	Most recreation resources developed by communities and non-profits such as recreation trails should be exempt from Act 250 review. The associated development brought by the trail or resource developed will already be subject to Act 250. Most of these project further protect and conserve open-space, ag & forest land promote stewardship of natural resources.
380	<p>I'd like to highlight the importance of considering recreational trail development in the review of Act 250.</p> <ul style="list-style-type: none"> • Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont • Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by volunteers for commercial purposes • Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails • Over 70% of trails are on private land – we need regulation that will support their generosity and encourage even more trails and conservation • Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered "development" and lumped into the same regulation categories as other construction projects

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381	<p>I am writing as somebody who appreciates the vital role that Act 250 has played in keeping Vermont, Vermont. It has shielded our state from becoming suburban sprawl and strip malls like our neighbors. It also has provided important environmental protections. All of this is very positive and I am generally supportive of the role of Act 250.</p> <p>However, I am writing to ask that human-powered (Mountain Bike, Backcountry Ski, Hiking), non-commercial recreation trails be exempt from Act 250 review regardless of size. These trails are often built and maintained by volunteer-led organizations, which are generally supportive of Act 250’s goals of conservation and protecting natural resources. These projects lend minimal impact to the land, encourage recreation, tourism and offer many community benefits. They also already go through a thorough planning process, especially when they are on state land.</p> <p>Once Act 250 jurisdiction is triggered on a human-powered non-commercial trail network, it serves as a death sentence for the project, as the volunteers do not have the resources or time to go through the Act 250 review process.</p> <p>Please exempt human powered non-commercial trail networks from Act 250 review.</p> <p>Thank you for your time.</p>
382	<p>Be reasonable. The process to adhere to Act 250 for land development can seem confusing and non-applicable. Forest management and certain setbacks should allow for better plant life and wildlife. Act 250 constraints don’t take into account particular nuances of a land area.</p>

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383	Make it easier to develop local trail networks
384	Remove Act 250 entirely in downtowns, village centers, growth centers, neighborhood development areas, etc.
385	Time and expense to get through the process.
386	Stop closing recreational opportunities. Try to be a bit like NH by allowing OHRV.
387	It should be abolished or decreased significantly. It made sense in the seventies. But now there is a regulatory body for every natural and cultural resource concern ever dreamed up by the state. Act 250 review is a redundant regulatory body that drives businesses away, keeps new businesses out, and takes land owner rights away from tax paying citizens. It also empowers neighbors to allow them to have more right to neighboring land uses than the actual land owner.
388	Act 250 should not be involved in recreational trail development.
389	Make it easier for landowners and trail organizations to create and maintain recreational trails. Make the process more business friendly to allow for local exemptions with regards to economic development.
390	<p>Vermont's trail based community is an assembly of thoughtful trail professionals that are responsible for the lion's share of all outdoor recreation economic activity in Vermont. This is done on the backs of volunteers and private landowners - they state pays virtually nothing for trail networks.</p> <p>Cumbersome, expensive and confusing permitting has become a major hurdle for these nonprofits as they approach private landowners seeking more opportunities to build trails. Why? Modern trails are built and maintained to a level that would make any Act 250 regional coordinator raise an eyebrow with surprise. Trails to be lumped into a broad definition of "development" is an absolutely tone deaf and an obstinate position on the state's part.</p> <p>I've personally sat across the table from regional coordinators and asked questions only to see heads nod and shake simultaneously. They have zero clue about their own system relative to trails. Their oversight shifts from region to region. It's time to modernize relative to trails. Please also consider the following:</p> <p>* Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by</p>

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	<p>volunteers for commercial purposes</p> <p>* Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails</p> <p>* Over 70% of trails are on private land – we need regulation that will support their generosity and encourage even more trails and conservation</p> <p>* Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered “development”</p> <p>and lumped into the same regulation categories as other construction projects</p> <p>* Currently, Act 250 limits Vermont’s ability to fully realize the benefits that could come with greater support for trails and outdoor recreation</p> <p>* Trails and outdoor recreation not only make Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont.</p> <p>(Outdoor Industry Association)</p> <p>Thank you for considering this feedback.</p>
391	Consider economic impacts.
392	Multi-use recreational trails should be exempt
393	Act 250 as created too many barriers for recreational trail development. Outdoor recreation is the largest industry in our state and much of the work is accomplished through non-profit organizations and volunteer hours. The barriers in place by Act 250 have had a negative impact in our ability to build and maintain trails which in turn has a negative impact on our economy! People traditionally visit VT for the beauty of our state and the outdoor recreation opportunities that can be found here. Recreational trail development for non-motorized use should not be part of Act 250 reviews!
394	Commercial developments under 10 acres should be included
395	The constant lawsuits and delays of projects to benefit Vermonters. The concept is good but in practice, it is being used to stop important and necessary projects from occurring. (ie. Costco Gas, etc.)
396	Less applicability to small-scale projects supporting outdoor recreating, e.g. hike and bike trails.

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397	Act 250 makes it really difficult for private landowners to develop trails, inhibiting the expansion of recreation. This is a public health issue and an economic issue. Vermont is poised to benefit from the further expansion of non-motorized trails, be they for bikes, skis, or foot traffic. Act 250 is a hindrance in this process in a way that seems wildly unnecessary. Landowners should be encouraged to open their land to public recreation and Act 250 does just the opposite, scaring folks into keeping their land private. Vermont does not have enough accessible public land, so the use of private landowner networks is paramount. Act 250 must accommodate this better in the future.
398	The appeal process is cumbersome and appellants can appeal based on vague issues. It promotes NIMBY appeals and takes much too long.
399	I want to make sure that trails for recreation are easy to build if they're done in a way to does not significantly disturb sensitive habitats. I also wish this survey included a link to know more about act250-- i know it affects my life hugely but I don't know exactly how!
400	Trails should not be considered development and included in the same categories as other construction projects. We need to encourage trails as conservation measures. Many are built by volunteers and non profits - cumbersome fees can be a dealbreaker
401	Streamline the review process. The act puts a huge burden on the applicant and creates unacceptable time delays.
402	Act 250 SHOULD NOT be applied to VAST and VASA
403	Tough to say. The Act 250 process can be cumbersome, but process wise and substantively. But, as I see the only way to make it smoother is to restrict the ability of non-applicant parties to participate and/or scale back the review criteria, such as not reviewing aesthetics. Overall, I think Act 250 strikes a good balance and I think it does not need any major changes.
404	Continuity in district coordinators
405	We can't forget the past and organizations like the Vermont Traditions Coalition need to be heard. Thank you.
406	Get rid of CBES
407	less restriction and regulation, not more. Residents, businesses and local government of vermont are perfectly capable of policing themselves
408	the whole thing is a scam all it is the state to gets rape the tax payer yet again typical Vt government screw the small business person
409	Keep recreation in VT free of ACT 250!!
410	Consistency among District Coordinators in their interactions with applicants, particularly in recommendations to Commissioners on the adjudication of the presumption of compliance, for criteria satisfied by other statutorily authorized permit programs (e.g., wetlands, stormwater, WW).
411	Eliminate the act

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412	Less expensive, burdensome and bureaucratic regulations. More common sense, best practice and timely regulations to encourage development that has good benefits for economic prosperity for Vermonters. We do not need ACT 250 for jurisdiction for recreational trails like snowmobile trails. Most are on private lands and maintained by volunteers with no compensation. WE DO NOT need that bureaucratic, useless bull threatening the survival of these recreational endeavors that is so important to Vermont's recreational industry. We need state employees on these regulatory boards who are willing to listen to what is needed instead of pushing THEIR agendas upon us. Vermont is slowly dying, we need to change that.
413	Act 250 has too much control and does not need more.
414	The cost and an easier process with a quicker time resolution! We need to keep our businesses in the state, not move out to cheaper locations out of state due to the act 250 cumbersome process.
415	Recreational use of act 250 preservation land is too restrictive.
416	exemption for businesses located on more than ten acres but utilizing less than 10 acres of the parcel for operations in a 10 acre town
417	Act 250 has been in large part responsible for the sprawl it was supposedly passed to prevent. The 10+ acre exemption has caused way too much fragmentation and only laid the groundwork for more development in wild areas.
418	Less restrictions
419	ACT 250 should hold accountable the municipalities that are dumping raw sewage into Vermont's waterways [Lake Champlain etc.]
420	Simplify, streamline and make less expensive
421	ACT 250 can hinder construction- when people want to put time, resources and create jobs- this needs to be fixed.
422	Nothing
423	More consistency from county to county. Definitions that would work no matter which commission was hearing the application
424	As an avid outdoors person, I overall like what Act250 is doing to preserve what we all love about Vermont. I am active in my snowmobile club. Snowmobiling is a sport run by volunteers and brings a lot of tourism \$ into our town. I am just concerned that if changes to Act250 make trail maintenance and trail reroutes become too involved with red tape and expense that snowmobiling will fall apart. Volunteers and small clubs simply do not have the bandwidth to handle it. There are only a few volunteers and many have day jobs. If snowmobiling goes down, a lot of restaurants and hotels/motels, plow guys, etc. will suffer. Thank you for giving me the opportunity to have a voice.
425	The average Vermonters struggle to keep their land to pass on to family is a dying dream. The estate tax & cost to divide, survey, put in septic & power if their children wanted to build has become insurmountable. My husband & I built our own

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	home , if my children wanted to lots of luck, the banks require contractors & licensed electricians etc for a loan. Vermont was originally built on blood, sweat & Yankee ingenuity . If you were a hard worker you could get somewhere. Now you need deep pockets to grease a politicians hand. Out of staters come in here & buy up everything & then want something for nothing. Well you wanted an opinion , you got it.
426	Stress the importance of supporting intact ecosystems, habitats and wildlife corridors, and limit the size of solar installations. Removing forests and prime ag soils for corporate RE projects should be prohibited.
427	I like vermont the way it is. That's the attraction. I would continue to focus on natural resources and renewable energy. It's also important to continue to accomade public use like snowmobiling or hiking trails.
428	Definitely not more restrictive.
429	Act 250 should be abolished! It is not needed with local zoning and environmental court! It has ruined VT and taken away all right of property owners! Your questions on this survey are slanted to produce more act 250 bullshit! I spent 13 years and over 1.6 million dollars on a project just to have the court state we would have to start all over again because of one jerk in our town who hadn't even lived here 2 years! We went through ACT 250 Denovo it was a circus run by the head monkey Jeff Greene! Disgusting! The disrtict commissioners act like CZARS they should be replaced every four years so you don't get little dictators! This state has zero business and people fleeing because of the property taxes every day yet you wan more regulation! This survey made me want to puke!
430	It is lawyers run amok. There should be less micro managing of project details which run Engineering and legal costs up before Permit is issued. No one in there right mind would build a business in Vermont to meet a market need due to undefined time line for permits. Act 250 needs to be streamlined and more timely in decision process. Too many people leave the State due to lack of good paying jobs.
431	There needs to be much more oversite of the regional offices and they should be reminded frequently that there job is to ensure development is done in a positive and environmental friendly way not to find ways to stop it completely.
432	reduce the expense and burdensome regulatory process for businesses.
433	Nothing
434	Less regulation for private land owners.
435	1) What does climate change have to do with ACT 250? 2) Why were we not given a chance to actually talk about the ACT 250 process and what works and what does not?

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	<p>3) Why was it not explained to everyone there the difference between ACT 250 and other required permitting like Storm Water and Wetland permitting so folks understood what they were being asked?</p> <p>In regards to the VAST trail network:</p> <p>We fully support the work of the Commission as conservation and environmental protection are core values for all of us. However, we are also concerned because Act 250 regulation can and has sometimes created confusing, expensive and time consuming obstacles to improving, maintaining and conserving trails.</p> <p>It is critical that any potential reforms fully consider the irreplaceable benefits of Vermont trails and the unique, complex and somewhat vulnerable nature of the system making them accessible to all of us. We must remind everyone who is considering these reforms how important it is to support rather than obstruct the landowners, towns, nonprofits and volunteers doing virtually all of their work for the public good. Over 70% of our Vermont trails are hosted and maintained on private land and maintained with over 100,000 annual volunteer hours</p>
436	Repeal the Act
437	Give better access to snowmobilers
438	It needs to move at a faster pace.
439	Allow jurisdiction to lift if a JO finds that the project site is fully reclaimed to pre-development conditions (or to conditions as set in an Act 250 permit if temporary jurisdiction for all projects becomes an option).
440	Act 250 should not impact the VAST snowmobile trail system.
441	Trails are not the same thing as roadways and big development and should not have the same level of permitting regulations. There should be more incentives for landowners who open their private lands for public use such as snowmobiling, mountain biking, hiking and reasonable recreational activities. This opens up a whole new world of beauty for all who participate in these activities. Many times some of the most beautiful pieces of Vermont are on private property and this would allow people the opportunity to see hidden areas of this state. Snowmobiling brings in much revenue from out of staters who brave the Vermont winters to catch a piece of this tranquility. Don't forget that Vermont is a state that relies heavily on a snowy and cold

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	quibbling; make all submitted documents available at local library; get qualified people as commissioners; have at least half of hearings in evenings; let people participate in hearings, whether by submitting testimony or interrogating presenters; develop a systematic method for evaluating impact of proposed projects; for a crucial survey to ask whether Act 250 has had a positive impact, overall or on environment, economy, or QoL reflects a true ignorance by the survey makers -- the natural environment and the developing social infrastructure are very complex systems and to expect a participant to know the cumulative impact of Act 250, positive or negative, is really very naive (by Cope); and the implication of answer #3 I do not know, clearly implies an ignorance on the part of the participant, when it is probably the only intelligent answer.
6	Reduce the burdensome and expensive process.
7	More coherent and timely end to end process. No need for rulings to take years.
8	Give Act 250 some teeth. Developers complain about Act 250, but also say compared to developing in other states, Vermont's Act 250 is easy to get around.
9	To have the review happen next time in LESS THAN 50 years. Things are changing rapidly in our state, and Act 250 needs to keep up.
10	consistent implementation throughout all DEC's, a reasonable timeline,
11	Better participatory process
12	Increase regulation of water resources, water ways, wetlands.
13	Act 250 should apply to siting energy projects.
14	dump the PUC & control vermont's power, fossil fuels, and telecommunications through act 250
15	It's WAAAAAY too easy to "mitigate" and get a project passed. I want stricter standards. Make it hard to do a project that is going to have impacts on those resources/ criteria that are so important.
16	Make it stronger to protect our rural character and also provide alternative renewable energy sources.
17	Provide for and encourage expedited local review where the local review carries equivalent or higher standards.
18	Increase jurisdiction to include commercial projects in 1 acre towns. Or at least in the rural towns.
19	Exempt communities with professional staff from Act 250 jurisdiction. Act 250, as a statewide initiative, could still apply to major projects that involve multiple municipalities, multiple federal or state agencies, or similar instances to help coordinate the process. The State of Georgia has a good example for "Developments of Regional Impact" where the state gets involved, or doesn't.
20	The law needs to better address scattered development. The law needs to ensure that development is better located and/or is located on already existing water and sewer infrastructure.

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	These needs to be combined with additional concentration at a state level at helping municipalities pay for water and sewer infrastructure.
21	reinstate the 800 foot rule
22	The jurisdictional triggers should be overhauled so that the size of a project is NOT what requires Act 250, but the location of a project. Don't require it in existing settlement areas so we can incentive growth there. Do require it in environmentally sensitive areas and critical resource areas for the State.
23	The perception that it is not good for Vermont. We need to promote it as a benefit to all - business as our well as state resources and its people.
24	The overlap and redundancy between ANR/Act 250 and Local/Act 250 review processes.
25	Your survey doesn't allow for other answers, but the ones you want. Give the respondent an opportunity to write in their thoughts then. That said ACT250 shouldn't be required for most projects over 2,500 feet. Logging, landowner's and trail projects should be allowed without issue. Many projects require review by other Vermont agencies. Why duplicate with ACT250? Return Vermont to a business friendly state. Stop requiring applicants to pay thousands of dollars while working their way through the ACT250 process. This survey and the public meeting were typical of the State of Vermont. The agency or committee only wants to hear what they want to hear. Meeting contents are directed that way by means of the cards or writing down comments on an easel. There's no doubt what with be the results of the meetings. The Northeast Kingdom's meeting's comments won't be considered as important as those at a meeting in a metro area like Chittenden county.
26	Expand exemptions for projects in planned growth areas within municipalities with adequate development review processes
27	Eliminate the Environmental Court as the appeals forum and establish an administrative board with at least 5 members to hear appeals.
28	Reduce thresholds - developers avoid Act 250 with 9 unit subdivisions. Also, same land that is sequentially subdivided by each new owner should be subject to reviews, even though landowners changed. More use of online notices (not only bulletins posted or newspaper articles) and notices should go to communities, not only abutters, since resources affect entire community/multiple generations.
29	More common sense in creating and applying regulations - not such a power happy attitude and how powerful I am attitude.....more of a teamwork process. Shorter time periods for approval or disapproval and simplification of an often complicated bureaucratic process
30	Contemporary architecture has little room in most reviews

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	<p>provide funds for legal aid in those situations, similar to a public defender, to help level the playing field. Otherwise citizens are dependent on the help of pro-bono experts and outside groups for help, which are often not available to help in all cases.</p> <p>The big developers and their top law firms know that Act 250 is ultimately a war of resources, and they often approach it that way, figuring if they do not get what they want in the Act 250 process, they will take it to the environmental court if they have to, and if they want to. That is not how the process was originally intended to work.</p> <p>I hear some people in the business community whining about how Act 250 is "bad for business", but yet those very same people who say that are running businesses that seem to be thriving, so clearly that is not the case. Some of them just resent things that get in the way of their unbridled greed and actually protect the interests of the broader community and health of the environment.</p> <p>Also, 97% of Act 250 applications get approved, so clearly it is not causing a major road block to business. In the best cases, it is preventing really bad, poorly planned and detrimental development from happening, which Vermont does not need. Act 250 is the reason Vermont still looks like Vermont.</p>
142	<p>Repeal the act and start over and provide a law that will attract investment creating a climate for business opportunity and a reason for young people to stay in the state or move here. Act 250 has been detrimental to business growth and expansion and the mass exodus of young people and wealthy citizens is evidence of this. Government needs to regulate less and create a business climate that will grow the economy and expand the skilled labor pool. Please do something about the state of our business environment in Vermont. Thank you.</p>
143	<p>Act 250 should be deeply considered in solar and wind development. Question 21 shows the real intent of this survey. As a Vermont citizen, I would like to know who develop this questionnaire? Please let me know at [REDACTED] Richard Carroll [REDACTED]</p>
144	<p>speed up appeals processes</p>
145	<p>Should not be so complicated for small projects we all don't have lawyers ready to defend our wishes.</p>
146	<p>There is not enough communication with ANR. For example ANR will approve expansion of the landfill because it "appears"</p>

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	fine to them. (within their parameters).It is unlikely that Act 250 will allow this. Cooperation between the 2 would be great
147	Get back to basics. The permitting process and conditions have become too burdensome.
148	The many agencies that feed into the process do not work together nor work in a timely fashion, thereby making the entire process cumbersome and tedious. The purposes of Act 250 may be commendable, but the process almost makes me wish it didn't exist.
149	Change jurisdictional triggers to reduce review in designated growth centers (inc. villages and neighborhoods) where local standards are robust and increase review outside growth centers.
150	Reinstitute land capability and development plan, maps for use in Act 250 review -- particularly under Criterion 9, as intended (e.g., to address siting/location, cumulative impacts, scattered development, public investment, etc.).
151	Permitting should be more predictable for the applicant - time and expense.
152	I will be writing to the Commission about this. This survey was very difficult to answer. You should have had a place to offer caveats to answers. I couldn't answer some of the questions because they were so simplistically stated.
153	appeals process - the Environmental Board was much more efficient and resulted in better outcomes than the court
154	VAST TRAILS SHOULD NOT HAVE TO GO THROUGH ACT 250 AND THIS PROCESS HAS BEEN MISLEADING!!
155	make it easier for the genral vErmont population to understand its scope and how citizens can be engaged.
156	Where there is strong municipal regulations that basically mirror the ACT 250 review they should stand down and concentrate on the gaps in the review process. Those who object to a proposal should only be heard if they have valid planning reasons. renewable enrgy should be review as any other proposal is reviewed. For example do the proposal meet the vermont brand standard which is compact settlements surrounded by productive open farmland.
157	Easier public engagement with decisions and approval of projects. Attorneys should not be necessary for individual entrepreneurs starting projects in rural or compact areas.
158	Ideally, a project would get one "state permit" for all things state and get one "local permit" for all things local. VERY cumbersome to bounce around 12 state agency/departments for the average investor that doesn't have a development team.
159	Make it more useful by considering multiple public goods.
160	remove trails from juristicition
161	* Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by volunteers for commercial purposes

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	<p>* Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails</p> <p>* Over 70% of trails are on private land – we need regulation that will support their generosity and encourage even more trails and conservation</p> <p>* Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered “development”</p> <p>and lumped into the same regulation categories as other construction projects</p> <p>* Currently, Act 250 limits Vermont’s ability to fully realize the benefits that could come with greater support for trails and outdoor recreation</p> <p>* Trails and outdoor recreation not only make Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont.</p> <p>(Outdoor Industry Association)</p>
162	I believe Act 250 could be improved to make it easier to develop where we want it - in our downtowns and villages - while better protecting our natural resources and working lands. We also must address climate change, which will dramatically impact the state over the next 50 years.
163	Increase oversight of large downtown projects like the Burlington Mall.
164	Transparency Better communication and coordination between local planning and permitting process in overall natural resource evaluation and analysis and engagement of VTrans and local officials in development of transportation infrastructure. Don't let VTrans have a separate process. There needs to be greater transparency and accountability between developers and VTrans.
165	Allow more mountain bike/ski trails.
166	Clean energy projects, if approved (and note that I disagree with ruining fields and ridge lines with power projects), need to benefit the communities in which they exist. Almost all large-scale projects that have been built recently benefit energy consumers in other states south of us. Large corporations are devastating Vermont’s landscapes and sending the power elsewhere. Regulatory agencies and elected officials promote Vermont as a “clean energy state” as though Vermonters use clean energy. Regulatory agencies are complicit in the deception being perpetrated on Vermont consumers. The whole

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	concept of carbon credits and how they are used and traded to benefit entities that ruin our environment is a disgrace. The only reasons the public tolerates this is because either they don't really understand what it's about, or they feel powerless and stay silent. The Act 250 Commission needs to do a much, much better job of telling the truth.
167	Allowing trails and other outdoor activities to be exempt from act 250.
168	More leniency in regards to constructing community recreation opportunities.
169	There is a public interest component (health, clean water, clean air and carbon sequestration) in all open rural lands so Act 250 should accommodate more input and testimony from the general public to promote these benefits.
170	Bring the Water Resources Panel and the Land Use Panels back. Remove the environmental court from the process. Project district coordinators from top down pressure from management. Insulate decisionmakers (commissioners) from administration influence. Protect the environment and its people. Reduce exemptions.
171	I have never applied for nor been involved in any Act 250 hearings but we constantly hear how onerous the process is. Can the process be streamlined and yet still meet the goals of Act 250.
172	Strip malls and cookie-cutter housing developments must be prevented at all costs! They are a blight on our landscape! How are these allowed through Act 250? They are detrimental to preserving contiguous forest and cause harmful suburban sprawl. Also, there should be penalties for having grass lawns (that are not hayed but just mowed with a garden mower) over a certain square feet for personal property. Mowing those kinds of lawns leads to carbon emissions and lawns cause biodiversity deserts. We need to incentivize people to grow food on their property or to let it go wild. Thanks for this survey! I hope that Act 250 can keep expanding to preserve the health of our state!
173	Act 250 already covers a lot and does a good job. I don't think it should further expand beyond where it is.
174	Stronger enforcement!
175	have it address suburban sprawl and smaller housing developments (9 and below)
176	The idea that ownership of mountains is allowed... If anything should be protected, it should be the mountains that make the state. People have always lived along rivers, but there has never been as much hillside development as there is now. It is impacting streams, wildlife and people who like to adventure into the country side for health and peace-of-mind. And, actually, lakeside living is a much more 20th century trend than riverside living. That seems to be reserved for the very well heeled... Champlain has become a lot like Lake Michigan. Let's

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	be more like Acadia!
177	Shorten the permit process time to boost construction and convince companies to move here to provide jobs for our children.
178	Reform it to get more people on the state and keep more people.
179	Towns that have adopted town plans and zoning regs in effect do not need Act 250 review. In 1970 very few towns had plans & zoning. Local control is a smarter approach.
180	Jurisdiction is unpredictable and the process is WAY to costly for any average person, especially for small "commercial" operations on >10 acres.
181	<p>Act 250 must be ammended for public use trails. It cannot be the same for giant developments and for non motorized trail projects. It is insane that a housing development is exempt but small nonprofits doing trail development have to jump through massive, hoops with language that is unclear. Near my house 5 housing units were built with no restrictions on the same land where a very small trail project was denied. The trails would have been a benefit to the community, used by the schools, and had zero negative impact on water quality.</p> <p>..but backfilling and paving and building these homes (one of which still hasn't sold in over two years since it was built) got away with it.</p> <p>Private landowners are confused and don't want to deal with ACT 250 so many trail projects can't get off the ground. How can these non-profits wwho do the work of the "R" in FPR continue to thrive and create recreational opportunities. Opportunities that the state of VT loves to show off but can't seem to help make happen. The trail non-profits, specifically VMBA have been at the forefront of addressing this and have been able to get nowhere. They are offered lip service in three languges but no action follows. They have thrived in spite of the state in these regards. It MUST be simplified so that landowners that want to participate in trail projects are not slopped into the ACT 250 queue for their agreement to participate in public use trails. It makes no sense. The trails are professionally designed by people who take sustainability seriously.</p> <p>Act 250 has done a lot to preserve and maintain the beauty of Vermont. It has a place and a purpose...just not on the trails.</p>

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	Thank you for seeking public comment.
182	Simplified application process.
183	Regarding the question about whether Act 250 should require energy efficient construction, I agree that the Vermont Energy Stretch Codes should continue to apply to Act 250 development while ALSO being required for all development in the state. The way the question was written did not allow me to express this.
184	Their management. Local staff are great but they are horribly mismanaged and treated very poorly by current Managers.
185	Don't let Neighbors, community members, regional planning commissions, and local officials use the Act 250 to Blackmail and extort money out of businesses or individuals in order for them to go along with a project like it looks like they did to the Diamond Run Mall in Rutland.
186	A more streamlined review application/review process (especially AAs) I also would like to see more communication between state agencies involved in the Act 250 review process. It's tough when different agencies (i.e. highway, fish/wildlife, Historic Preservation, etc.) make conflicting recommendations/ comments on applications.
187	The permit process
188	make it more friendly to business and housing development
189	Repeal
190	Make act 250 apply to more projects
191	Add in the protection of scenic views.
192	Focus on the basics for the VT quality of life including: air and water quality, VT rural esthetics, healthy forests, and dovetailing them with how to address our needs to combat climate change..
193	Flexibility of the Act to meet case by case contexts and specifics. One size does not fit all.
194	be strict on water quality rules and enforcement
195	Jurisdiction over recreational trail building projects, that meet certain land area criteria.
196	The return on investments must be looked at. The more efficient your heating source, the less return on investment your building insulation becomes. Don't make people spend money on insulation if they will never reap the financial benefits as advertised.
197	My opinion is that Act 250 has cost us numerous jobs as employers have left the state because of difficulty in obtaining necessary permits for building their businesses. The amount of time needed to obtain an Act250 permit in ludicrous. There needs to be a defining time in obtaining a permit so that the process isn't drawn on for an infinite amount

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	of time.
198	that it be better integrated or respect local zoning and permitting. there is currently no connection.
199	Reasonable accommodation of trails for recreational use.
200	The process needs to be streamlined in time frame and in the steps needed. I think most people agree that there are too many redundancies in the process. This includes people who believe the process is valuable. It needs to be streamlined.
201	Reduce the Restrictions and regulations pertaining to state forest usage.
202	<p>I think the whole philosophy of act 250 should change. The attitude of the regional directors is to limit growth as much as possible not help business. Job development seems to be perceived as a negative thing. The charge of act 250 should be to allow and encourage environmentally responsible development not discourage it. I've been involved with the process many times and I have found it to be a frustrating discriminatory and expensive process. Because of this small business growth is limited. As a direct result of this law our state is the second oldest in the countryside and many of our best and brightest are forced to leave. My company employs 55 people and it has become increasingly difficult to fill those positions. It is my opinion that the real impact of 250 is now becoming reality. The state has aged. We're losing our young people and with that their earning power and tax revenue. State workers and teachers need to be paid their promised benefits but where is the revenue to come from?</p> <p>If this law continues to move down the path it's going we will end up with the National Park of Vermont with little revenue or good paying jobs.</p>
203	complete repeal
204	I'm concerned Act 250 will stifle any economic progress in VT. It's all about responsible land management so if we can be open to development while making those responsible for their impact that's the end goal. It appalls me to see the city of Burlington, Rutland and Winooski dump millions of gallons of raw sewage and runoff into the lake and "it's OK" yet we hammer our farmers, any form of motorized recreation and soon even any trail work even for hiking and bicycles will be blocked. It's a delicate balance I know, but with the rate we're losing young people, lack of quality jobs/employment and recreation for all ages we won't be able to afford to take care of what we have.
205	Transparency and public access to the process is important. Communities and citizens need better access and representation in energy project reviews than what happens now. Developers want to benefit from creating new business in a community. Should we ask What is the benefit and positive impact for the community. Act 250 is vital and should be kept

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	strong.
206	Applied to large development projects with tougher criteria
207	-Make it harder to build single family homes in forestland/important wildlife corridors/mountaintops -Make it much easier for commercial development in areas designated for growth/downtowns etc -Appeals should be on the record
208	IT NEEDS TO BE REDUCED IN ITS SIZE AND SCOPE. Act 250 is strangling growth needed for new jobs and increased economic activity. It's far overreach on private landowners is almost unconstitutional .
209	Act 250 needs to work hand in hand with the goal of strengthening economic development opportunities for businesses in Vermont. Business owners/ developers should be able to work with Act 250 to make their projects happen.
210	Let us cut our own ski trails on our own property.
211	Reduce permitting cost and paper work
212	Protection of ground water
213	broader scope
214	It is far FAR too weak on Sprawl - and local towns are too close to the issues - ACT 250 needs to come down much harder on sprawl - as the WHOLE STATE will impacted by a few towns going crazy.
215	Commissions should have adequate resouces to fully review applications, when deemed complete, and engage experts if needed
216	Reducing the need for permit amendments for small, inconsequential development where previous Act 250 jurisdiction runs with the land, thus triggering permits for one house or residential addition, change to a sign or lighting fixtures, or increases in impacts already covered by other state permit processes (redundancy). There is an enormous expense associated with the permit application process, not just the fees, that is imbalanced given the scope and scale of small projects and their potential impacts.
217	Simplify where possible.
218	Do not consider trails for outdoor recreation as development as these are mostly maintained by volunteers and created sustainably. Vermonters need trail access for health and wellness and most trails rely on cooperation of private landowners, not corporate development.
219	I would like to see State-level funding for the initial Historic/Cultural Resources assessments of Act 250 project applications much as State Fish&WL enjoy. This would help preserve that non-renewable resource base while giving project proponents an early "heads up" without incurring a cost - a cost which might result in the abandonment, re-design, or other

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	modification of their plans. Currently the developer often has the burden of paying for these early stage surveys, field work or assessments which may well work against his/her best (economic) interests. If the State paid for or performed those early assessment and there ARE resources requiring investigation or mitigation, then the choice to proceed and pay for that can be part of the larger mix of the project's estimated cost. This seems like a win-win and would also contribute to even better working relationships between developers and archaeologists or historic preservation folks. I realize this is an anonymous survey, but if there is interest in discussion this further I can be reached at dmlacy51@gmail.com.
220	Many of the Act 250 criteria area duplicative of existing ANR/DEC permits and are no longer a necessary part of Act 250 review.
221	Currently, Act 250 limits Vermont's ability to fully realize the benefits that could come with greater support for trails and outdoor recreation. Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered "development" and lumped into the same regulation categories as other construction projects. With over 70% of trails located on private land, we need regulation that will support landowner generosity and encourage even more trails and conservation. Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trail building and maintenance, Act 250 is currently too static in my view in its role and policies making them dated and cumbersome for Vermont. Act 250 must find more agile ways to set policy allowing it to take a more dynamic role in how Vermont moves forward. Being able to accommodate more diverse needs in its role, as well as being able to adapt to changing and shifting environmental and economic demands will ensure Act 250 maintain and grow its relevancy in development and land use.
222	Make it less subjective.
223	bring agriculture and public utilities under Act 250 jurisdiction
224	Ensure no impact on the snowmobiling industry in Vermont.
225	For those who administer it to have to go through it when they want to do anything with their own property.
226	It needs to be seen as pro business, while protecting the environment. What's good for the environment is ultimately good for business.
227	Less strict regulations.
228	To limit neighbors from filing consecutive complaints; to reserve from permits not simply "farming" but also the economic activity which pays for farming, and similarly with logging, and the associated trucking.
229	Pay attention to the unintended consequences of exemptions such as the 10 acre rule.

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230	<p>1. Most energy projects are really about land use and therefore should be under Act 250.</p> <p>2. The entire appeals process needs to be overhauled.</p> <p>3. Act 250 is not the real problem, the real issue is the total morass of state permits required. A complete streamlining of the permit process needs to be undertaken.</p>
231	The length of time to get the okay from Act 250 Process is too long.
232	Prevent frivolous challenges/appeals - maybe refine the criteria for such challenges
233	Questions 19,20 and 23 are not proper survey questions and should be removed. There was no choice for NO!
234	Eliminate oversight of trails. That's over reach. Do not pass the forest fragmentation bill. Do not prevent development on the basis of wildlife corridors. For example, in the Bolton area both sides of the interstate contain miles upon miles of woods and open space. Wildlife corridor designations are totally unnecessary, subjective, speculative, and should not be a basis for stopping development.
235	Clear and concise rules with predictable results.
236	Remove the power of one voice to control the outcome. 10 acre zoning should be the only trigger not weather or not a town has zoning regs.
237	The Environmental Court should not hear the appeals. Too legalistic. Should be a board or commission.
238	The cumbersome navigation, it's processing inefficiencies, and it's costs. I think VT should create zone for development and zones that are off limits for development. P
239	Not sure
240	Synchronize with local regulation better so there is not duplicative and sometimes contradictory permitting
241	Repeal it.
242	Everything
243	It has held the vt economy back for years and people are struggling with the lack of jobs. Get rid of it
244	Higher review of location of solar fields. Should be obscure.
245	Location of hearings. They should all be within 20 miles of projects
246	All towns in Vermont should be either 10 acre towns, or 1 acre towns. There should not be any difference. This discrepancy likely gives 10 acre towns a significant advantage in commercial growth, at least in many cases.
247	Anything subject to Act 250 should require Net Zero in alignment with the CEP.
248	Remove any barriers or challenges for landowners to host non-commercial, human-powered (hike, bike, ski etc) trails crossing their lands.

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249	It has not saved the farm landscape -- and it has stopped affordable housing and business from coming here. A complete overhaul and fewer limitations are required.
250	for it to be more restrictive of development of any kind so that climate/energy and wildlife/wildness take precedent over human aggression/destruction
251	Include industrial scale renewable energy development within Act 250 regulations.
252	make it less costly
253	Industrial Wind Development on VT ridgelines should be banned forever going forward. However, if the legislature is short sighted enough to continue to allow industrial wind development, then meeting ACT250 requirements must be necessary
254	exempt recreational trail systems from A250 provided those systems adhere to best practices developed by the Agency after public input.
255	Consider forest fragmentation more.
256	Simplify the application process. The application process is too complicated for an average landowner to complete without hiring lawyers and/or consultants even for relatively small projects. This creates an unfair advantage for wealthy landowners who have the resources to hire all the specialists needed.
257	All trails of a certain length, including VAST trails, should be required to meet Act 250 guidelines especially as regards natural resource protection (e.g., wetlands, wildlife), parking, and other high impacts. Application of Act 250 on trail systems should be uniform across the state.
258	Act 250 needs to very carefully make distinction between 'development' and trail building. Trails built for human powered usage (hiking/biking/skiing) should not be subject to Act250 review. It is plainly ridiculous and a severe waste of time/resources as well as being completely counterproductive to afford a human powered trail the same level of scrutiny as a strip mall or even ATV trail. This should include the development of such trails/trail networks on site with an existing Act 250 permit. Human powered trails are exactly what VT needs more of to balance out and from which to appreciate the lack of development that Act 250 has provided us with.
259	Streamline and shorten the permitting process while retaining its robustness.
260	D
261	I have no idea what this is all about. How about someone laying this out with all the issues in layman terms so everyone can understand and make informed choices. Very confusing!
262	Tighter deadlines for process, especially including appeals.
263	I have a lot of things! But if I had to pick one, I would say there should be a project size threshold. For some of the projects I have worked on, for small non profit organizations who are

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	<p>doing minor improvements or renovations, under \$250k they should not be required to go through full Act 250 review. In these cases the cost of the permitting process can exceed the cost of the actual construction project! Maybe a more nuanced definition of what defines "commercial use" is in order.</p> <p>I think it is also worth mentioning one of the biggest challenges from the perspective of the applicant is getting a realistic idea of the length of time for the permitting process. In numerous cases we were on a tight design and construction timeline, and submitted all our application materials, only to have state agencies request extensions over and over, delaying the process for months.</p> <p>It is also unclear as an applicant what to do when different state agencies give you conflicting requirements. In the cases I worked on, we had historic preservation telling us we couldn't touch the historic buildings, while simultaneously being told we had to meet stretch energy code... or the floodplain people telling us we had to raise our building by 3 ft but the historic preservation people telling us we couldn't. Who decides when the various agencies disagree? That has not been clear throughout the process.</p> <p>(Also the survey is somewhat flawed in that it did not allow for multiple responses on the question "what was the resolution of your Act 250 application?". I have represented the applicant in a number of Act 250 permits and have had them accepted, accepted with changes, and denied.)</p>
264	Exempt recreational trail development from Act 250 review requirements, especially if nonprofit organization and free use.
265	<p>It has created a very cumbersome process that hurts Vermont's already poor economy.</p> <p>I am also very concerned about it's impact on volunteers being able to create new recreation trails.</p>
266	Get rid of it. Bad for business. Bad for VT. Too expensive. Too time consuming. Hack it now!
267	Increase or decrease the acreage to be preserved according to the site specific maximum or minimum acreage needed for that land to serve its function. For example: a wetlands needs to be large enough to fulfil its natural function; if farmland needs to be a certain size to obtain a viable agricultural income for its highest best use, that size should be determined and limited accordingly. As well, if any given use is to be protected for an intended use, it should have an appropriately-sized buffer to protect that use, and to protect the use of adjacent land, and/or within the particular water basin.

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268	Make CBES standards more flexible and streamline the Act 250 process.
269	Less public input on projects causing delays in development and business growth.
270	Keeping pre existing trail systems maintained and improved without scrutiny for the well being of the states economy, whether it be for biking hiking or snowmobiling horseback riding etc. Very, Very important to the states revenue and future survival.
271	Recreation trails should Not be subject to act250
272	I am a CT resident who owns a house in VT and plans to move to VT within the next year or so. I am active in my snowmobile club as a volunteer. I like what Act250 does, however, I am concerned that putting too much red tape on VAST trails will force many trails to close. We have hardly enough volunteers as it is and to make those few (already tapped) volunteers have to do even more could possibly fold the sport. Folding the sport could have serious impact on a lot of towns in VT that rely on the tourism \$ that snowmobiling brings. Thanks for hearing my concerns.
273	How it handles the planning and construction of non-motorized recreational trails.
274	Make it easier for very small projects with low impact. I.e. responsible trail use or small farmers or individual home owners. Larger projects should not be exempt and should be the ones to undergo highest scrutiny.
275	I would like to change the current application of Act 250 on volunteer trail development and maintenance projects. High permitting costs associated with private "development" can quickly make non-profit community trail projects economically unviable. In large part, these trail projects encourage conservation through public use & education, and are minimally invasive, ecologically. I believe that this type of project is hugely beneficial for Vermont residents, and should not be lumped into the same development category as commercial projects.
276	Redundancy with municipal and state technical permit processes.
277	let think about laws for protecting the slate valley land, acres, and forest.
278	Blackmail by abutters. I hate your project but for \$10,000 I will love your project.
279	Making sure that it is less confusing for landowners as they contemplate opening their lands for public use (ie. trails for walking, hiking, biking)
280	THE PROCESS. No accountability by state act 250 to get reviews completed on a timely basis. The current system is not friendly to the realities of small businesses trying to execute plans. Act 250 often results in delays and cost overruns that make it extremely hard for small businesses to start-up or improve so that jobs are retained or added to in the state.

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	<p>Having been through the review process multiple times, businesses are often met with a "silo" mentality from all the ANR and DEC divisions. Act 250 lacks the understanding of businesses needs and that permit delays and "one size fits all" regulatory approval makes the state unattractive for small business. Businesses want to do right by the environment but the Act 250 process is way to slow and meandering with no oversight from the state to drive a particular project forward with no repercussions to project delays and permitting cost overruns by Axt 250 offices. It's only the businesses that has to deal with the realities of the marketplace. Every project needs an advocate within Act 250 to see it through on an agreed to timetable. That way businesses can more accurately plan and budget. ANR and DEC should be accountable to act 250 offices to deliver paid for resources as all businesses pay for permitting and should get a reasonable service back for their money.</p> <p>Act 250 has done much good for the environment. But silo approach leaves no overarching authority driving the process. This needs to change quickly if Vermont's economy and businesses are to grow. We need balance. We need support for our agencies. We need accountability to deliver service of permits on a timely basis with someone to partner with on each project permit to see it through to a successful conclusion that helps the state and its businesses.</p>
281	Party status should be narrowly defined for abutters and formal groups, not just ad hoc groups that get together because they don't like a project or the applicant. They should show real impacts on their property.
282	Timeliness and consistency across commissions
283	The slate quarry exemption is preposterous. If codified into law for the next 50 years the slate quarries will be a prime object of interest for large mining companies like OMYA to buy out the locals.
284	this act has been used more and more by people with financial means to thwart any projects they happen to not like for various, usually personal, reasons. They make any kind of development more trouble and more expensive ...and in the end, most times not worth it. More and more they are also stifling recreation (unless it's the recreation of their particular choice) opportunities in Vermont, particularly any motorized.
285	Nothing, this year (2018) I was involved in ACT 250 on 6 different properties. ACT 250 is perfect the way it is. The critics of ACT 250 are interested in their own profit motives only & Vermont belongs to all of it's residents.
286	Permit process is too subjective. The rules need to be black and white so you know going in if you will get a permit. Process takes too long and is way, way to expensive. Most Vermonters

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	<p>can not afford to get a permit.</p> <p>Make the process easy, set clear rules.</p>
287	<p>Create a different process for non-motorized recreation trails and don't try to fit them into the same process used for larger scale developments.</p>
288	<p>For applicants, the gathering information and the process itself is intimidating and costly. Streamline the process so that applicants don't feel that they have to hire lawyers to prepare their cases. It can be overwhelming. Possibly have a agency who can help with this process.</p> <p>It is also hard to maintain unbiased review of some applications, too small of a state to not form opinions of some applicants.</p>
289	<p>Act 250 should be overhauled. It's negative impact on Vermont's economy is substantial.</p>
290	<p>It allows small people with a NIMBY agenda to halt progress and development that we desperately need in our state. Limit the power individuals have.</p>
291	<p>Should not be applied inappropriately to projects as it has been.</p>
292	<p>I believe farmers should have the right to sell their 'Ag Land'. Farms are going out of business every day because of low milk prices. For farmers selling their property is their retirement fund. There is a lot of property already that is barred from development, forests, etc. Allowing sale of ag land would lower land costs for Vermonters. Now only the wealthy can afford property in Vermont.</p>
293	<p>Process & policies seem to be the same regardless of what the "project" is and this causes significant time & money for the applicant and the state... There should be a review and process to simplify projects like building a nature / hiking / Mtn Biking trail on land that had a Act 250 permit years ago for a totally unrelated project (water storage tank)</p> <p>Over all I feel Act 250 has stunted economic growth for our state hindering job growth and creative development that fits the VT uniqueness and thus affordable for young families to stay or move here.</p>
294	<p>assistance for low income landowners in complying with Act 250</p>
295	<p>ACT 250 should not apply to single track mountain biking trails. These trails are important economic drivers for our state and barely impact the wilderness through which they are built. ACT 250 should focus upon buildings, roads, and infrastructure, not hiking and biking trails that can barely be seen from approximately 20 feet away.</p>
296	<p>I Mtn bike, hike and cross country ski. With the growth of trail</p>

Question 28: What is one thing you would like to change in Act 250?

	building within VT, most of which currently occurs on private land, we need to ensure the small non-profit groups managing these efforts, much of which includes volunteer labor, have an easier time managing the process. These trails are a major economic benefit to local communities, improve the health and well being of residents, are sustainable and if necessary reversible.
297	Act 250 is damaging to our economy and in my opinion, a large contributor to our financial difficulties.
298	The complexity and duration of the process....really puts a damper on some projects that are good for people, good for economy, energy-efficient, etc, and the costs get really high by the time you hire all the requisite engineers and specialists.
299	When projects are already for renewable energy or building more mountain bike trails not subject them to the Act 250 permitting because it is very timely and may deter landowners from doing these projects which are ment to help the community. Thank you!
300	Public recreational trails need to be handled in a uniform manor amongst ALL districts. In the past, the different treatment that long distance trails received from the various Act 250 administrators drove trail managers to distraction. Ideally, public recreational trails should not come under Act 250 jurisdiction because the threat of getting involved in Act 250 and having an Act 250 permit encumber their properties deters many landowners from hosting public trails. If we are to continue to improve our public trail networks (an important economic asset for VT) we need to remove as many barriers as possible so private land owners will be willing to host trails.
301	Reduce the participation of corporate lawyers and curtail the quasi-judicial process while giving more weight and consideration to the opinions of ordinary citizens in Act 250 proceedings.
302	Although I have not been involved in Act 250 hearings, processing time seems to be the biggest complaint of those who have. I would like to see this changed to be more efficient. Thank you for welcoming feedback from Vermont residents.
303	remove recreational trail construction from "development" category. Not for profit recreational trails systems should not trigger Act 250. Nor should their proposal on existing Act 250 properties, be viewed as opportunities to revisit larger issues, or be considered a negative impact
304	The way the NRB and district commissioners are appointed, so they are independent of the governor's political interference. Since you offered no other place to make comments, some of

Question 28: What is one thing you would like to change in Act 250?

	<p>the questions did not have answers that I agreed with but I was forced to choose one and would have preferred to write a comment. The result is that I had to check boxes for things I didn't agree with but were closer than the others. This survey is superficial and is not asking the right questions. For instance, why isn't there a question about Environmental Court, about people's experience with it, about whether it should remain or be replaced and if so, by what? Why isn't there a question about the district commission process and how it is working? There is so much more to discuss, but between this survey and the cards at the public forums it has not been possible to provide meaningful input, as much as I would like to.</p>
305	<p>Act 250 should have a new criterion: Ecosystem review. It would essentially encompass the other criteria, which now are considered in almost an individual smoke stack manner without considering the interrelationship of all the parts.</p>
306	<p>Act 250 is at its best in the projects that don't even make it there- the ones that it prevents from even being considered.</p>
307	<p>The useless waste of our tax dollars</p>
308	<p>Make recreational trails and landowners who allow these trails exempt! Snowmobile trails bring huge money to this state and leave almost zero environmental negative impacts. Making and creating new trails need to be made easier, not harder.</p>
309	<p>Exempt Act 250 review for mixed use high density development in town centers and cities. Any development within 1 mile of a rail station should be exempt. Act 250 with the 10 acre loophole forced people to the rural areas and increased the use of cars and energy. We must move people to towns again to live and work. We no longer have cheap fossil fuels and we must stop using them.</p>
310	<p>Allow for full public input on development proposals, less constrained by legal status (abutters etc.)</p> <p>The way to improve Act 250 is to strengthen it, not weaken it. Act 250 has helped save Vermont from many unfortunate development mistakes and should be appreciated and strengthened. Thank you for engaging the public on Act 250.</p>
311	<p>Please consider the following related to how Act 250 affects the volunteer created and maintained trail networks in VT, particularly for mountain biking and hiking on private land.</p> <p>Trails are invaluable pathways to better health, rural economic stability and conservation in Vermont</p> <p>Cumbersome permitting fees attached to "development" are a deal breaker for nonprofits. Our trail infrastructure is not built by</p>

Question 28: What is one thing you would like to change in Act 250?

	<p>volunteers for commercial purposes</p> <p>Trail organizations and users are conservationists, completely dedicated to environmentally friendly and sustainable trails</p> <p>Over 70% of trails are on private land – we need regulation that will support their generosity and encourage even more trails and conservation</p> <p>Trails have a low environmental impact with great benefits, including the inspiration of greater conservation and environmental protection. Therefore, trails should not be considered “development” and lumped into the same regulation categories as other construction projects</p> <p>Currently, Act 250 limits Vermont’s ability to fully realize the benefits that could come with greater support for trails and outdoor recreation</p> <p>Trails and outdoor recreation not only make</p> <p>Vermonters healthier with over 72% of Vermonters participating, but they also provide over 50 thousand, or roughly 1 in 7, of the jobs in Vermont (Outdoor Industry Association)</p>
312	<p>I would create an exemption for recreation development, such as hiking, cross country and backcountry skiing, and mountain bike trails. These trail systems have little impact on the land, increase tourism (and tourism revenue), increase healthy options for Vermonters and make up a large part of the Identity of Vermont. They should be easier to develop and maintain.</p>
313	<p>Not specifically related to changing Act 250, but would be helpful for community members if there were more awareness about Act 250 and what it tries to accomplish.</p>
314	<p>Run by people who are representative of the public.</p>
315	<p>Trails in Vermont:</p> <p>The permitting of trail projects needs to be changed!</p> <p>The current Act 250 process puts trail projects (mountain biking and snowmobile) in the same review process as development of shopping plazas. This process doesn't recognize the difference between large commercial developments and the</p>

Question 28: What is one thing you would like to change in Act 250?

Respondents	Responses
1	Act 250 should help business development find solutions to environmental challenges, rather than being the roadblock.
2	Have it based on a broad, state-wide plan that focuses development in already developed areas and protects rural areas.
3	<p>As a preface, my thoughts are that the process I witnessed was extremely "clubby", with the applicant's lawyer behaving very chummy with the District Commissioner. It was like being in one of the old-fashioned "smoke-filled rooms", except that they used fig leaves to pretend that the outcome was not pre-determined: they were not embarrassed stating in front of the public audience that they would work around obstacles "like we did with [a previous project]", and they treated the public commenters and even the spokespeople for State Agencies like annoying flies. The applicant's lawyer ran the hearings in his demeanor and top-dog body language. The Commissioners seemed abject and subservient, almost apologetic.</p> <p>I came to learn from people in the system that few-to-no projects are ever rejected by the Act 250 process, and that developers ask for the moon so that they can be seen to be "compromising" in the final equation.</p> <p>Perhaps there is nothing that can be changed in the Act, since it is just human nature to pervert things in a devious and ultimately self-deluding fashion. "Out of the crooked timber of humanity, no straight thing was ever made." (Kant)</p> <p>The state's suicidal desire for "growth" and "development" is counter-productive, as we kill the land that nourishes us. Thus, the entire concept of "development", to my mind, is doomed from the get-go. You can't eat concrete (or solar panels, or wind-turbines). Forests and farmland and watersheds will continue to experience immane pressure (one new craze now is pellets), and we will die with dust in our mouths.</p> <p>The best thing I can say about the Act 250 process is that I'm sure elsewhere things are worse, so there is that...</p>
4	Predictability in timelines
5	Make hearings open to public input; reduce the amount of legal

Question 28: What is one thing you would like to change in Act 250?

	depending on how many cleared forest acreage they will take out and how high up in the watershed they are. This is also due to water quality impacts that will occur due to the deforestation. The higher up in the watershed will effect how much for water will go downstream and thus will effect the water quality downstream.
94	More sensitivity to local economic development concerns.
95	I do not know.
96	Remove guidance on "strip development".
97	Increase enforcement Decrease bureaucratic personnel Increase local authority
98	Improve access to implementation, enforcement, public reporting of violations of Act 250 AND create a team that investigates problems in the field.
99	Renewable energy projects should be subject to Act 250 guidelines and review.
100	Having lived near an area that was an illegal use and violation of Act 250 and taken out of that status along with adjacent parcels, merely because the Act 250 Commission bows down to pressure from out-of-state land owners. They also held site visits and hearings at time that were not convenient for residents. The general feeling amongst the community is Act 250 is not VT resident friendly.
101	stronger and longer teeth - with broader reach
102	making the process less cumbersome for applicants
103	streamline the process so that projects don't become cost prohibitive, driving up housing costs and making it impossible to build affordable housing.. in other words.. if the housing, to be built, is designated affordable... make the process simpler and less expensive, so that the desired outcome is possible.
104	Exempt recreational trail development, including mountain biking trails, even if the land already has an existing Act 250 permit
105	Reestablish a citizen-based appeal panel. I.E. the prior Environmental Board.
106	Public misconception and confusion of ANR and Act 250.
107	The Appeals Process
108	Speedier review and approval process
109	Develop physical design standards so criteria are clear, predictable and complement surroundings. Very pleased to discuss further. KateLalley@comcast.net
110	A better document system for processing of applications
111	Reduce restrictions on recreational, unmotorized, trail and land-use development.
112	Put proceedings on the record so facts are not relitigated on

Question 28: What is one thing you would like to change in Act 250?

	appeal.
113	act 250 needs to go away
114	Tie Act 250 to a stronger planning framework to enhance predictability and ensure that development decisions are made with respect to the overall settlement pattern.
115	I think Act 250 should require plans for new development to demonstrate effective control of energy use and incorporate systems that use renewable energy.
116	The "under 10 unit" developments which are not subject to review. has created an excess of 8 and 9 unit ugly little developments in some communities
117	Maybe a more coordinated online Act 250 permit with other state permits (like Stormwater or Waste Disposal) so that the applicant doesn't have to be repetitive.
118	It must apply to residential subdivisions of three lots or more in rural areas .
119	ten-acre towns should be removed from the list if they do not review applications as thoroughly as under Act 250 review.
120	Act 250 as currently set up is too difficult for the public to participate. Hearing dates, notification, location, and times are inconvenient. More deference should be given to those who submit feedback but cannot attend the meeting. It also is not implemented adequately by the commissioners in my region, who appear to have a pro-development, anti-environment bias. This needs to change! Chittenden County is becoming a horrible place to live...I don't even recognize it as Vermont anymore.
121	Act 250 capacity has recently been diminished at the state and district levels, leading to brain drain and diminished staff morale, and undermining the program at large. To the extent consideration is being made of modernizing or expanding the program - all worthy goals - this is a key consideration.
122	On the record appeals of Act 250 permits
123	simplify the process
124	Only one? :) The appeals process should be simplified so that developers and neighbors can participate without long delays and without spending a lot of money on attorneys.
125	Enhance public outreach of the law and the permit participation process.
126	I'd like the Chair of the NRB to be replaced. Also, the management, including the Chair, has created a toxic regulatory environment undermining its function partially because they are corrupt and partially because they are incompetent. Enforcement and appeals are carried out unfairly

Question 28: What is one thing you would like to change in Act 250?

	and unequally benefitting those who carry political weight with the Governor.
127	The 10 acre loophole should be corrected
128	The current Administration and its toxic management of the program.
129	I think the current appeal process, using the Environmental Court, is too slow.
130	party status, should only people involve this project and community groups, not national and out state organizations
131	bring back an a 250 appeals process that applies the law with more accuracy and rigor
132	This survey, for starters - it presumes a lot of feelings that are not necessarily universal. It also presumes that Act 250, as currently constructed and implements, works well. I noticed there were no questions about the current process (other than appeals) and certainly none about the lack of consistency from District Coordinators and their oversized authority, relative to the actual District Commissioners.
133	Elimination of duplicative review of technical environmental topics already addressed through federal and state agency environmental permits.
134	I wanted to comment about your survey that it would be helpful if you started with a basic overview of Act 250 including the criteria used to review projects.
135	New resident and will educate self starting now. I don't want VT to go the way of my birthplace CA, which has gotten closer to crisis in my 71 year lifetime.
136	Change legal framework for enforceability of language in town plans under criterion 10 so that aspirational plan language can have regulatory effect in light of the hortatory nature of town plan goal statements
137	Repeal the entire act! It has stifled small business.
138	Act 250 should have a simpler process for approving low impact development that is being done for non-commercial purposes, such as mountain bike or hiking trails.
139	Education - people need to understand how and why Act 250 is working all around them.
140	Simplifying the process so that it moves along more quickly.
141	It is not an equal playing field when wealthy developers with unlimited money can come to the table with an army of lawyers and paid experts, while normal Vermont citizens are left to fend for themselves in the Act 250 process. The average working Vermonter is not familiar with the technical workings of the Act 250 process, and how to participate in it, so they are at a major disadvantage when attempting to participate in the process, particularly when going up against another party that has a team of paid lawyers and experts who know all the fine details, procedures and workings of the process. The state should

Appendix I: Email Responses

Valerie A. Rooney MD [REDACTED]

“Thank you for soliciting public input.

As one of the Planning Commissioners in Grafton, I have spent quite a bit of time researching and thinking about the issue of protecting our ridgelines. Also, as you probably know, Grafton had lengthy community discussions, followed by a vote, regarding proposed industrial wind installations on our ridgelines. You also probably know that the proposal was voted down overwhelmingly by both Grafton and Windham residents.

Based on the information I reviewed, I am writing to encourage you to protect Vermont ridgelines from similar projects. I am sure you have all read the research about the environmental impacts of these installations, so I will not include the long list of reasons why I am requesting that you recommend that NO MORE of these types of projects be permitted in Vermont.”

Thank you.

Sincerely,

Valerie A Rooney MD

Grafton, Vermont

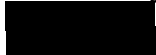
George T. McNaughton [REDACTED]

I am attaching comments that I delivered upon arrival at the meeting in Springfield. After listening to the discussion, I have the following comments:

1. While there is currently no specific “ecology criterion” the subject is thoroughly beat to death in the other Criterion – given the fact that most of those are redundant with ANR permits – it would be better to either eliminate those criterion, or have the conditions of the ANR permits which govern those criterion set by Act 250. But duplicate regulation is not necessary.
2. Most of the issues for which Act 250 was created could be resolved by simply concentrating on Settlement Patterns and Scenic Beauty – if you concentrate on those two factors the agriculture/forestry production becomes a non-issue, the eco-system incursions become much less, and you don’t really interfere with economic development as it is encouraged to be within the developed portions of the community.
3. I am concerned by the comments made at the closing by the Representative. Under no circumstances should we go back to having the appeals heard by a bureaucratic “citizen” board like was the case when the appeals went to Environmental Board. If anyone has any doubt about how badly that worked, they should look at the transcript of the McLean Quarry case in Cavendish.
4. In addition, we should not under any circumstances go to a pre-filed testimony procedure like happens before the PSB – that would be drastically bad for real citizen participation and for small project applicants.

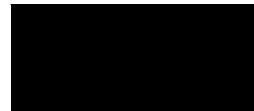
5. Finally, consistent with Vermont traditions, we need to move the majority of the Act 250 decision-making back to the local Town Planning Commissions, with the District Coordinators reporting to the local planning commissions when a Town has a Town Plan, Subdivision Control and Zoning Ordinances – or at the very least those portions of the Towns which are served by municipal water and sewer.” **

Sincerely,
GT McNaughton
Lamb and McNaughton, PC



LAW OFFICES OF
Lamb and McNaughton, P.C.

George W. Lamb
George T. McNaughton*
Ethan B. McNaughton**
(*also admitted in Indiana)
(**also admitted in Massachusetts)



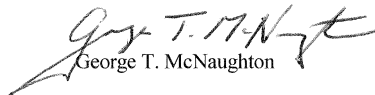
Wednesday, June 27, 2018

Legislative Committee
For Act 250
[Hand Delivered at Public Forum]

Suggested changes:

- 1.) Lands which triggered Act 250 because of lot size before the Town adopted a Town Plan or Zoning and Subdivision Regulations, which would not otherwise be subject to Act 250 Jurisdiction if created or developed today should be released from Act 250 Jurisdiction.
- 2.) There needs to be a new Criterion which requires some form of balancing test between the public good to be accomplished by restrictions, and the cost of compliance.
- 3.) Where CAP has been agreed to and imposed upon a property, its terms apply and Act 250 jurisdiction cannot impose more restrictive restrictions.
- 4.) Act 250 Jurisdiction should not extend to areas within a Town which are served by municipal water and sewer, if the Town has adopted a Town Plan and Zoning and Subdivision regulations.

Sincerely,


George T. McNaughton

Lou Magnani – Wells, VT

To all committee members:

I attended the July 11 meeting of the Act 250 commission and have negative comments I would like to make. I left the meeting just before 8 because I was physically uncomfortable so I don't even know what the results of the meeting were. Nevertheless, my comments follow:

Firstly, the format was, in my opinion, deeply flawed. If you wanted to know the answers to how people feel about aspects of Act 250 (e.g. too hard or too easy to get a permit), we could have simply filled in a survey. Leave a little space to write in a particular gripe and ask a bunch of questions. Get lots of data from lots of people and get a sense of how the public genuinely feels.

But the format of trying to get a table of 6 to reach consensus on issues that they didn't even bring to the table felt very contrived. One woman at our table, after hearing the facilitator talk about what he wanted us to do, said something like; "this sounds all really good but I'm not buying it". With that she expressed the distrust we all felt in a process that seemed to have a design inconsistent with why each of us came to the meeting. The only thing we reached a consensus on was that the process was wanting. Most of us expressed a distrust of the process.

I came to the meeting to express my complete dissatisfaction with the fact that Act 250 permits an entire industry, the slate quarrying business, to circumvent the Act 250 process. It is a legislative injustice to the people in the handful of towns effected by this exemption. It would be no less absurd to exempt marble, granite, gravel, or any other mining operation from the protection of Act 250. The people who have had to fight the industry over the years this law has been in effect, have had to do so without the use of Act 250. It is the only tool we have to prevent the use or abuse of land inconsistent with the well being of the citizens who live near them. Yet the slate quarry exemption was not even on the "exempt card" that we were supposed to reach consensus on.

I came to the meeting to ask everyone on the commission to view the hearing held by David Deen ([Vimeo.com/126458374](https://vimeo.com/126458374)) and the bill he introduced shortly thereafter to revoke the slate quarry exemption (H.662). Instead of having that opportunity I was instructed to "reach consensus" on other issues.

If you really want input from the community, revise this method before you continue taking this show on the road. You could ask the same questions on a questionnaire and get enough data to derive what the consensus is among Vermonters on where Act 250 should be going for the next 50 years. Put the questionnaire on the web and get all the input you want from

Vermonters who would like to have a say in this process but don't want to go to public meetings.

Thanks for hearing me out, if you do.

Lou Magnani, Wells, VT [REDACTED]

Act 250 should be deeply considered in solar and wind development. Question 21 shows the real intent of this survey. As a Vermont citizen, I would like to know who developed this questionnaire.

Richard Carroll
[REDACTED]

I would like to see state-level funding for the initial historic/cultural resources assessments of Act 250 project applications much as State Fish & Wildlife enjoy. This would help preserve that non-renewable resource base while giving project proponents an early "heads up" without incurring a cost- a cost which might result in the abandonment, re-design, or other modification of their plans. Currently, the developer often has the burden of paying for these early stage surveys, field work, or assessments which may well work against his/her best (economic) interests. If the state paid for or performed those early assessments and there ARE resources requiring investigation or mitigation, then the choice to proceed and pay for that can be part of the larger mix of the project's estimated cost. This seems like a win-win and would also contribute to even better working relationships between developers and archaeologists or historic preservation folks. I realize this is an anonymous survey, but if there is interest in discussing this further, I can be reached at [REDACTED].

Marilyn Allen

Dear legislators:

I attended the forum in Manchester last week and would like to pass along my impressions and concerns.

My group was composed of 7 individuals all of whom were articulate and concerned residents who were participating in good faith. We discovered early on in the discussions that we were all wary of the way issues were presented and that the design of the cards was a bit too constricting. We wanted to be sure that any changes considered would clarify our priorities. The process of settling on a "list of priorities" was simply not the way we as a group wanted to be heard.

Some concerns that I expressed focused on ANR and the fact that some of the changes we have heard were being considered reflected an awareness that ANR is understaffed and underfunded. Rather than focus on curtailing the process of appeal I suggested that the important work of ANR, especially in Act 250 processes, should be funded to allow more "boots on the ground" assessments rather than concentrate on more abstract issues and data that cannot really see the environment that is being evaluated.

The rules of ANR also need to be updated to reflect concern for climate change. In a an Act 250 application in our town, Halifax, the rule for planning for floods is still set at 100 year flood levels. We had Irene with its 500 year flood damage and the loss of 4 bridges. It is true that climate change was mentioned as a "disrupter" but there were other potential disrupters mentioned in our group. A sudden shift to fewer appeal options to speed the Act 250 process was also mentioned as a potential risk factor. Since 98% of applications are approved, that possibility seems problematic. It is also important to make sure that the 10 Criteria are allowed to function as they were intended to function; eg. if a project will not bring jobs or financial benefit to the town as a whole (i.e., only the developer wins), then that should be a real problem in the permit process.

It is reassuring that Vermont is taking the time to hear from as many Vermonters as possible. It is also important that the public continues to be informed of potential changes that are being discussed. I hope that this will continue!

Thank you so much for considering this feedback!
Sincerely,
Marilyn Allen

West Windsor, Vermont

July 27, 2018

West Windsor has commented to State officials on two occasions recently that Vermont's development regulatory process – culminating in, but not necessarily limited to Act 250 – has become unduly burdensome on entities struggling to enhance local economies and community services. On both occasions we were urged to testify before a legislative group, the Commission on Act 250, currently evaluating Vermont's land use law. To date West Windsor has not done so, principally because:

- conveying our experiences in brief testimony is not easy, and
- potentially complicating on-going permit negotiations is not in our interest.

Nonetheless, we have concluded that this advice, repeated to us twice now, cannot be ignored. We therefore submit the following outline of issues that we think warrant review by the Commission. We recognize that there is nuance behind each one of these points that would make our perspective just one side of a complicated matter. Nonetheless you must hear "our side," since operators on the other, State, side often seem to lack much appreciation for the validity these opinions.

Issues to Consider

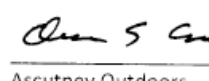
1. Continuing jurisdiction – A late 1980's plan for development at Mount Ascutney prompted a comprehensive master plan for development of a four season resort. This plan was never built out, yet the Act 250 jurisdiction it triggered still runs with all of the land it covered, which is now in fractured ownership. As a result, the threshold for development review is still what it would be for the now non-existent master plan imposing an undue burden on property owners who have no connection with the original development plan. Case in point: mowing a narrow bike trail on a field hayed annually and unconnected in terms of ownership and geography to the established "resort area" required Act 250 review delaying "development" of the trail one year.
2. Storm water control – Another 80's era plan, this one for storm water control, now covers an area in fractured ownership, with no single entity ready to accept responsibility for system governance (maintenance, permitting, etc.). The permit for the system has lapsed. The State's solution is that a new "managing association shall be developed to administer the operational responsibility of the renewed storm water authorization to discharge." No precedent for creation any such association has been cited and simply mandating that it must happen is not helpful. The individual entities, most of which had no knowledge of their inclusion in this system, do not understand the requirement, are struggling just to get by with their individual day-to-day challenges, and resist such direction from "on high." As a result, the problem remains unresolved while every application for development review is held up pending either some settlement with the State or an alternate often costly remedy. Case in point: The intractability of this issue (and unwieldiness of the mandated resolution) resulted development of the new Ascutney Outdoors Center incurring a large unexpected outlay to engineer and develop its own on-site storm water treatment system in order to obtain a permit, despite the fact that this property is within the previously permitted storm water treatment area.
3. Regulatory overreach – Regarding the permits that have been issued, many of the conditions attached seem unnecessarily burdensome, naively intended to achieve a perfect, at the expense of a practical,

outcome. One of the buildings built as part of the original resort master plan has fallen into disuse, largely as a result of the collapse of that plan. The current owner, one of the many now operating within the original plan area, wants to demolish it. An Act 250 permit is required, a circumstance we do not dispute. In addition, however, to being held up for the reasons described in #2 above, a proposed permit attaches many other seemingly excessive conditions. Case in point: One of the conditions for this straight forward demolition project reads as follows, "The Permittee shall file a Certificate of Actual Construction Costs, on forms available from the Natural Resources Board, pursuant to 10 V.S.A. § 6083a(g) within one month after construction has been substantially completed or two years from the date of this permit, whichever shall occur first. Application for extension of time for good cause shown may be made to the District Commission. If actual construction costs exceed the original estimate, a supplemental fee based on actual construction costs must be paid at the time of certification in accordance with the fee schedule in effect at the time of application. Upon request, the Permittee shall provide all documents or other information necessary to substantiate the certification. Pursuant to existing law, failure to file the certification or pay any supplemental fee due constitutes grounds for permit revocation. The certificate of actual construction costs and any supplemental fee (by check payable to the "State of Vermont") shall be mailed to: Natural Resources Board, 10 Baldwin St, Montpelier, VT 05633-3201; Attention: Certification."

Ours is a bottom-up view of the process and one which we readily acknowledge is limited to some extent by narrow interests. There are many other details we could add and other complaints we might make, but these three broad aspects of a process we have reluctantly come to resent should hopefully give you a sense of our frustration as we strive to rebuild our community's economic possibilities.

This paper is submitted by the chairs of the West Windsor Selectboard, Ascutney Outdoors and Sport Trails of the Ascutney Basin ("STAB"). In each case the submission is being made by us as individuals before endorsement of our respective organizations given time constraints, although we fully expect that these endorsements will be readily forthcoming.


West Windsor Selectboard
Edwin Johnson, Chair


Ascutney Outdoors
Owen Crihfield, Chair


STAB
Michael Bell, Chair

25 July 2018

To the Act 250 Commission,

As you consider revisions to Act 250 I hope you will remember that preserving Vermont's landscape is not a zero-sum game with economic vitality. Using a systems perspective approach is very helpful. Everything is connected; we cannot value the economy over the environment, nor the environment over the economy and the well-being of Vermont's people. They all go together. When one segment is healthy, the likely of the others being healthy is increased. In fact the ecosystem is a great model for building a vibrant society and economy.

Act 250 has done a good job of protecting Vermont's working landscape. Let's not sacrifice that as we move forward to include additional protections in a new version of the law.

Sincerely,



Lindy Biggs



In my humble opinion, Act 250 as originally conceived is broken. Although helpful in some aspects regarding state development, the Act as presently implemented is out of balance with many of the people of this state. It often has become a tool of the wealthy, the 2nd home owner and the state, which forgets that the state is comprised of its people as well.

Anecdotal but worth noting please:

1. Our family was shut out of Act 250 status b/c the state and applicant stated that the proposed development would have no impact on our historic home and viewshed. (West Viewshed)

2. After the ~~state~~^{steel} started to go in, it was clear we had been misled and we lost most of our historic viewshed.

OUT OF }
BALANCE }

3. In the effort to protect soils (which were trucked out anyway) the state completely failed and ignored Criterion 8, historic sites. As a fact, the state historic commission was never consulted on the new location, thereby resulting with a development that makes Shaws Supermarket look good by comparison. We were shut out of everything and face 250 lists in our face - even they could have been put in with history in mind.

4. The buildings are still mostly intact today despite applicants assurance that a waiting list for the

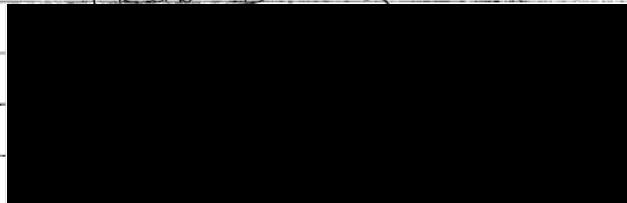
housing existed.

5. The environmental lab -

STATE entirely deaf on all R Center
community input. NO ONE opposed the project
but no one opted for its location on Furze Road,
opposite the Secord Veterans Cemetery.

6. ~~we asked for~~ Despite many assurances to the
contrary, from state and local officials, the project
is now being built blocking the eastern viewshed from the
Center. In other words what is permitted by Act 2500
is not what is actually built

Kenn Doering



Janet Eldridge-Taylor – Brattleboro, VT

Act 250: The Next 50 Years public forum in Manchester, VT – July 11, 2018

Act250Comments@leg.state.vt.us

To Whom It May Concern:

As a resident of the town of Halifax in southern Vermont, I am a member of the Halifax Conservation Group which formed in 2012 primarily to oppose a quarry development project in the designated Conservation District of the town. This district is densely forested and essentially undeveloped, comprises more than ¼ of the land in Halifax and is important wildlife habitat. The Halifax Conservation Group has 80 – 100 members who actively participated in Act 250 hearings as well as hearings for a Conditional Use Permit with the Halifax Zoning Board. The permit processes continued for 5 ½ years and resulted in both the Zoning Board and the Act 250 commission denying permits for the quarry. We were scheduled for Environmental Court this fall when the developer withdrew from this project. The process was time consuming and costly for both sides but we were fortunate to have the opportunity to present our arguments to protect the natural resources in our town from the adverse effects of the proposed quarry. The appeal for Environmental Court would have been de novo review (a new review) and in the past 5 ½ years several significant changes have occurred that we planned to add in support of our opposition to the quarry. It now appears that Act 250 wants to end the de novo review process and not allow such appeals in the future. This would disrupt our right as residents adversely impacted by a project and tip the balance in favor of development which might not be compatible with the proposed project location or in the best interest of town residents.

The 2016 Legislative Session passed the most comprehensive forestry legislation in the past 20 years, Act 171, which focuses on maintaining healthy forest integrity. The proposed quarry site was in an area now designated as “highest priority interior forest”. Keeping this forest block intact has also been given a high priority designation with the Connectivity Initiative. Information from Act 171 and the Connectivity Initiative were not available to us at the beginning of our Act 250 hearings and would have been essential for arguments in Environmental Court to help us stop the proposed quarry project in the Conservation District in Halifax.

Act 250 should have an appeals process that is accessible to the public and at the same time is efficient and affordable.

Respectfully submitted,
Janet Eldridge-Taylor



(Name withheld per submitter's request)

Opportunities for environmentally sustainable tourism development in Vermont are being undermined by Act 250's overreach into the realm of recreational trails. If Act 250 is applied to mountain bike and recreational trail networks, many host landowners will cancel their agreements with trail networks, and significant tourism revenue in rural Vermont will be lost.

One case is an independent trail entrepreneur, who made 8 repeated unsuccessful attempts to contact the VT Trails and Greenways Council over a 6 week period to learn about joining the "State Trails Network." The only response were apologies for being unresponsive. Without entree into the elusive "Network", the bike trails are apparently deemed "commercial" and would thus fall under Act 250 jurisdiction. Faced with possible Act 250 jurisdiction, the landowner plans to cancel the lease with the entrepreneur and convert the trails into wider logging roads for a future (Act 250 exempt) timber harvest and is considering subdivisions or a lucrative granite quarry opportunity. There needs to be a place for small businesses to operate trail networks without the threat of Act 250 to their host landowners. And, inclusion in this network does not make sense and is not even possible without a clear conduit or an obligation for some sort of timely response.

Furthermore, applying Act 250 to recreational trail networks by designating them as "development" undermines the intent of the Act itself: Trails by their existence on the land, deter parcelization, conversion, and conventional commercial development. Trails are viewed by communities as local resources and landowners are more likely to keep farmland and forest intact for trail systems when they know that they are serving a community.

Applying Act 250 to trail networks will discourage landowners from hosting trails. Without hosting trails the landowner is more likely to consider subdividing their land or seeking commercial development opportunities requiring Act 250 which would be profitable. Under these alternative scenarios, small tourism business opportunities are lost, healthy recreational opportunities for Vermonters are lost and the carbon mitigation capacity of Vermont's forests are diminished as well.

Appendix J: Contact Information for Citizens Wishing to be Contacted

- 1) "I would like to see more participation from the general populace – perhaps a VT PBS program or series of programs to explain why Act 250 has evolved, how it's been applied & how it can protect VT in the future."
 - Julia Lloyd Wright [REDACTED]
- 2) "I have already discussed my views on the on-line questionnaire. No one followed up. I elaborated and was explicit."
 - Daniel Kornguth [REDACTED]
- 3) (No Comment)
 - Hannah Dean [REDACTED]
- 4) "ANR science is influenced by politics, such as wetland science in regard to renewable energy versus building – ski area development"
 - Justin Lindholm [REDACTED]
- 5) "Better coordination on solar (PV) and power generation between section 248 & Act 250."
 - Robert Kischko [REDACTED]
- 6) "I find the Act 250 process, despite focused research + involvement in 3 orgs subject to Act 250, it has remained opaque + confusing. Inconsistent across state due to District Coordinators influence. Furthermore, I'm distressed, as a farmer that farm activities that can supplement unpredictable crop income can be subject to Act 250 while 500,000 tap "sugarbush" remains largely unregulated. Of course tubing over dozens of acres is going to have impacts on wildlife and water...Party status cannot be changed over time. One finicky voice can continue to find problems & change concerns years after their initial concern, which dictated "party status" have been resolved."
 - Chris Olsen [REDACTED]
- 7) "Expansion for energy projects – Yes. No other expansion [to include more types of permit applications."
 - Coatte Marton [REDACTED]
- 8) "Incorporate climate change in the Act 250 environmental review process. See attached memo."
 - Judith Enck [REDACTED]
- 9) (No Comment)
 - Pauline Moore [REDACTED]

- 10) "Act 250 is only as good as fair enforcement of the process exists. All applicants need to be fairly treated and equally treated. The same goes for local challengers."
- Linda McGinnis [REDACTED]
- 11) "I am impressed and proud of the Act 250 laws, my regional office and my one experience with my local board. My huge concern is for a lack of enforcement or very weak and politically influenced enforcement. It needs to be addressed!"
- Katherine Hall [REDACTED]
- 12) "I am interested in finding out how Act 250 is involved in regulating the use of synthetic pesticide/herbicides/insecticides in the State of Vermont. The Department of Agriculture allows too many hazardous toxic chemicals to be used in agriculture, on public land, etc."
- Carol Berry [REDACTED]
- 13) "Please pass fewer laws and enforce the laws you have voted."
- Steven Berry [REDACTED]
- 14) "Need consistency of administering permits but retained at the local level – fill all board vacancies."
- Greg Meulemans [REDACTED]
- 15) "The intent of Act 250 is good the problem is when people use the system to impose their personal opinion over what is good for the State of Vermont."
- Al Sands [REDACTED]
- 16) "1. Depends on how it's done. Current criteria can mitigate. 2. Yes if permit redundancy is reduced. 3. Greater weight for regional plans but offer statewide. 4. Engaged at present – will continue."
- Bill Botzow [REDACTED]
- 17) (No Comment)
- John DeBruin [REDACTED]
- 18) "Eliminate exemption of state quarries."
- Lou Magnani [REDACTED]
- 19) (No Comment)
- Joan Menson [REDACTED]
- 20) Discussion led by professional planner - _____"
- D Green [REDACTED]
- 21) "Q4: Represent my town to RPC now will likely be engaged in that capacity. Q3: All decisions should be made at the most local level at which competence to make them is present."
- Timothy O'Dell [REDACTED]

22) “The Act 250 process should be consistently applied throughout Vermont. Decisions made at the regional level should be informed for the state level but always responsive to local inputs.”

- David Brandau [REDACTED]

23) “Efforts should be made to evaluate different scenarios for the next 50 years e.g. climate refugees, cheap and abundant electricity, other potential futures.”

- Mark Kelley [REDACTED]

24) “As a professional I’ve been involved in dozens of Act 250 applications/projects over the last 25 years, I’m not anti-regulation. But I am pro-fair and consistent regulations. Q3: In order for Act 250 to be a statewide process there needs to be consistency and predictability. Q1: No, legislation should not be responsive to climate change, because everything we do has an impact on climate change.”

“As a father, business owner, professional I support responsible development. I support economic development. I also cherish Vermont as a fourth generation Vermonter. I’ve seen the good and the bad we cannot sacrifice one for the other. We need to create a process that supports economic growth while protecting what makes Vermont, Vermont.”

- Joe Greene [REDACTED]

25) “Citizens much not have to go into debt in order to participate. The financial threshold to participate in any meaningful way is far too high. Q2: When it comes to permit application types, utilities as well as big energy development need to be included.”

- Camden Walters [REDACTED]

26) “No mitigation for forest or agriculture operations. Flexible conditions on permits i.e. hours of operation, noise, traffic. Be flexible to needs of applicants. Needs to be consistent across all commissions – predictability – affordability – principles.”

- Ed Larson [REDACTED]

27) “Q1: Sure! I believe the question is how. We all acknowledge the problem – the question remains as to how to address it/the solutions. To me, this means we need more wind and solar. Q2: YES to exemptions but it should be done smarter so not all development needs to go through the process (if well done). Q3: The regions need to be streamlined and consolidated, it is 2018! We can access the world with the phone in our pocket. We can have folks work more efficiently remotely. Q4: I think that the burden of understanding of understanding and altering all this information should be not on the shoulders of those who are dealing with the threat in their neighborhood, but rather dealt with by government policy.”

- Shaina Kuser [REDACTED]

28) "Act 250 has developed into an act that favors wealthy over the day to day worker by shutting them out with day time hearings and by relying upon state appeals, which dots l's and crosses t's but often misses the larger picture."

- K Doering [REDACTED]

29) {No Comment}

- Lindy Biggs [REDACTED]

30) {No Comment}

- Christi Bollman [REDACTED]

31) {No Comment}

- David Moulton [REDACTED]

32) "It sounds like the biggest problems are rigging details for relatively small business owners. Takes way too long and too much money to resolve problems. Need much more individualization. Not fair that I homeowners can hold up part of a permit when others in neighborhoods don't object as long as vote major departure. Could you do case studies of businesses that tried to start here, left because of cumbersome Act 250 process and where the eventually went and how well they faired? Need more info on national and European approaches."

- Ann Vanneman [REDACTED]

33) "We need to get back to the basics and make it easier for business to go through the obstacles. We need more common sense."

- Roy Arthur [REDACTED]

34) "Streamline process. Simplify criteria statewide."

- Jerry Hansen [REDACTED]

35) "Act 250 needs to be overhauled and should be at a local level only."

- David Fuler [REDACTED]

36) "Less restriction is needed – not more regulations. Regarding question 4, if systems would work better it wouldn't need more input from citizens."

- Bill Ackerman [REDACTED]

37) "Large scale solar development should not be exempt from Act 250."

- Kasia Karazim [REDACTED]

38) "I think that power generation projects, such as wind towers, should come under Act 250." (Giselle Chevallay [REDACTED])

39) "Act 250 accepts many mote cases against agricultural & forester's operations than consistent rural economic development." (Bruce Shields | [REDACTED])

40) "As it stands today Act 250 is too expensive and

too complicated.” (Susan Hanos | [REDACTED])

41) “Utilities should be subject primarily under Act 250 – No exemptions for anything over 2500 feet” and “Aesthetics needs to be more clearly defined and not discussed as it sometimes is eliminated as a criterion.” (Claire Van Vilet | [REDACTED])

42) “Act 250 should consider impacts of climate change (rather than climate change reversal or mitigation). Electrical facility siting should be under Act 250. Large scale sugaring should be treated as forcible and should be required in Act 250.

43) “Act 250 has failed the state of Vermont economically, environmentally, and has vastly contributed to the fiscal disaster that we are in.” (Tim Hayes | [REDACTED])

44) “Act 250 needs to be updated for the time. NEK will be out of business if this affects the trails system. We as a family have been here 21 years with our kids to hunt, fish, and snowmobile 4 wheelers.” (Ried Stratton | [REDACTED])

45) “Recreation trails most importantly snowmobile trails should be exempt from Act 250. The snowmobile community has been very good stewards of the system and should be able to continue.” (Susan Purdell | [REDACTED])

46) “Exclude trails or more clarifying language in regards to trails. What is a project – define. Is a project the entire network or the individual trail on the individual private land owners land.” (Abby Long | [REDACTED])

47) “I want less and or simple regulations. The more complex you make it the harder for volunteers to build and maintain snow mobile and ATV trails. Our economy depends on snowmobile, ATV, and other outdoor recreation trails.” (Stacy Roess | [REDACTED])

48) “Less regulation, we do not need more regulation. Motorized recreation should be encouraged to help our business areas and or economy.” (Pete Pedersen | [REDACTED])

49) “Too much control over businesses and private property. People and businesses leaving the state – less laws – more oversight by real businesses. Reduced tax income.”

- Tonya Nuzza | [REDACTED]

50) No Comment

- Ben Avery [REDACTED]
- 51) "Please take trails and outdoor recreation into account with respect to jurisdiction. Trail for human power recreation (hiking, biking, backcountry skiing) are safer for the environment than other forms of recreation and great for VT economic development. Trails build community."
- Rosy Metcalfe [REDACTED]
- 52) "Look at exemptions – need oversight."
- Doug Grandt [REDACTED]
- 53) "ANR is abdicating its responsibility to review Federal Army Corps permits to fill. I believe that appeals should be heard by an environmental board – not one judge at E.C.T. ANR is not doing its job to protect Vermont's environment and representing the people of Vermont."
- Catherine Goldsmith [REDACTED]
- 54) "In all this discussion the cultural part was loudly lacking (historic, prehistoric)."
- Sarah Van Ryckevorsel [REDACTED]
- 55) No Comment
- Bruce Post [REDACTED]
- 56) "Looking to enact state aid for public school development support and information for Burlington High School."
- Clare Wool [REDACTED]
- 57) "As a recent neighbor investing over 100 hours, I have many comments."
- AJ Ross [REDACTED]
- 58) "Retain regional district environmental commissions with appeals to state. Regional planning is important, but we need to do more statewide planning as was anticipated in the 1970's."
- Beth Humstone [REDACTED]
- 59) "Criteria should address climate change, such as windfarms and solar farms. Keep district commission process, use EB for appeals. Important for private citizens to materially engage in projects that affect their community."
- Darlene Palola [REDACTED]
- 60) "Enforcement discussions was missing. What is the statewide development plan? Is there a vision for Vermont? Act 250 does not seem to address state sustainable limits. Check betternotbiggervt.org for a sustainability report."
- Wolfger Schneider [REDACTED]

61) "I like the district office approach but we need to protect the entire state. Act 250 permit process is so much fairer than our local permitting process. I fully support and applaud Act 250's work."

- Barbara Headrick [REDACTED]

62) No Comment

- John Killacky [REDACTED]

63) No Comment

- Zachary Mayo [REDACTED]

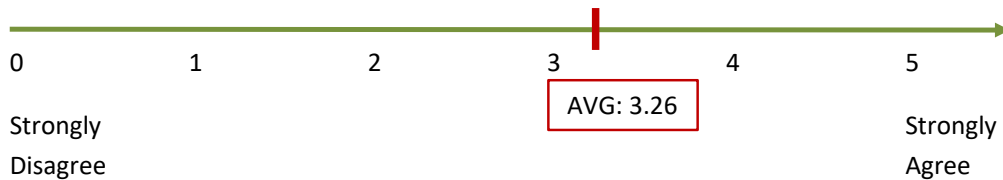
64) "Act 250 is draining the state of jobs, the young are leaving and the old are too. We need more business and jobs and population to be sustainable in the future."

- Greg Tatro [REDACTED]

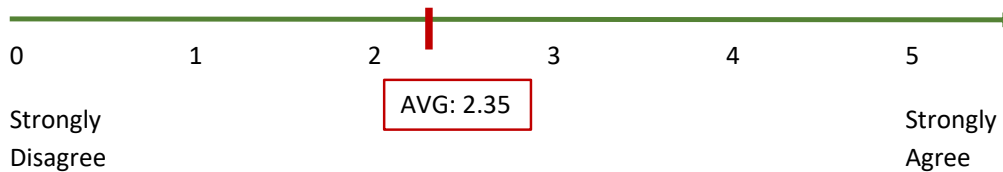
Appendix K: Public Forum Individual Preference Survey Responses (Averaged per forum)

Springfield:

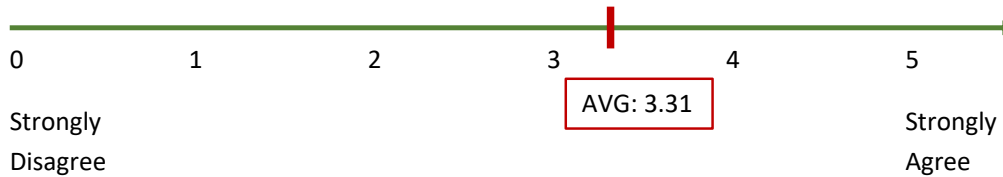
1. I want Act 250 to be updated and strengthened to be responsive to climate change data:



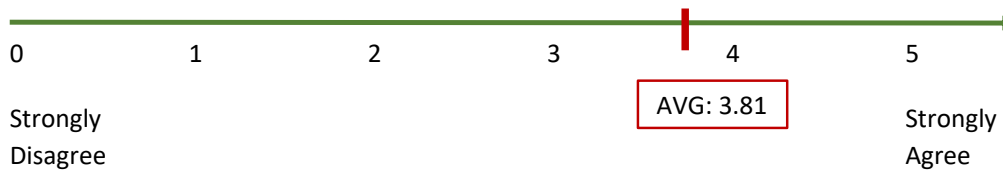
2. I want Act 250 to be expanded to include more types of permit applications:



3. I want Act 250 to be managed regionally, rather than be a statewide process:

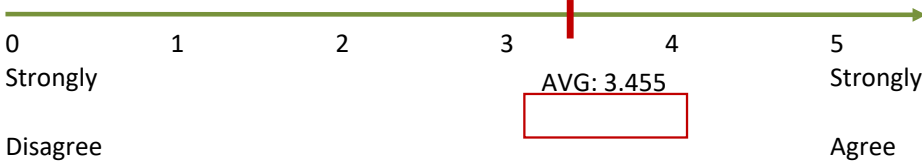


4. I want to understand and be able to engage more in Act 250 as a community member:

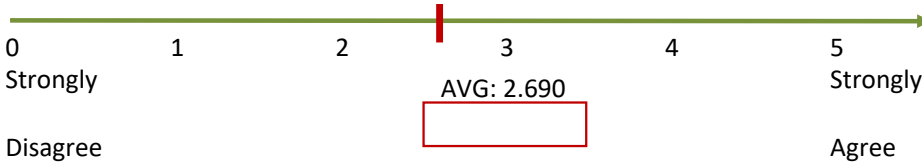


Manchester:

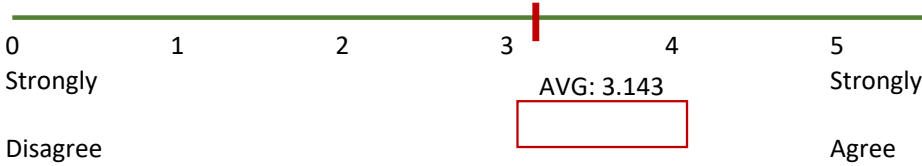
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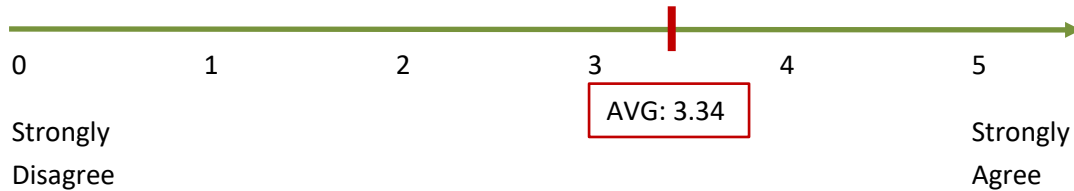


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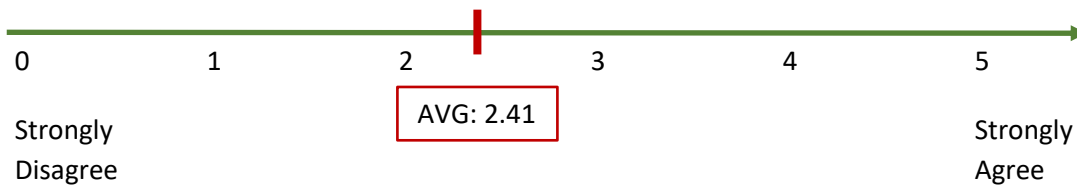


South Royalton:

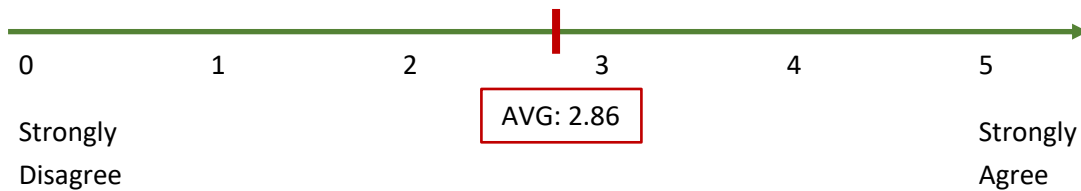
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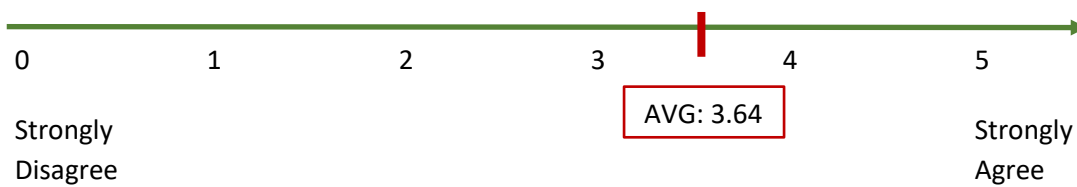
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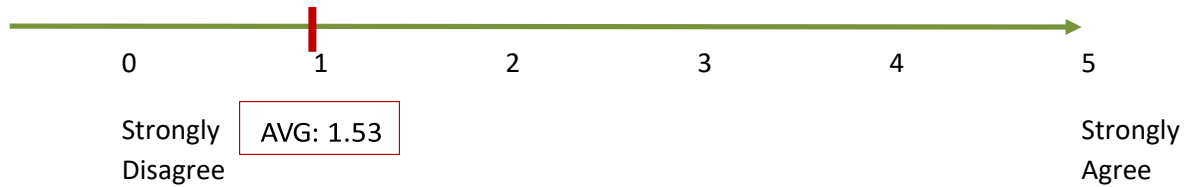


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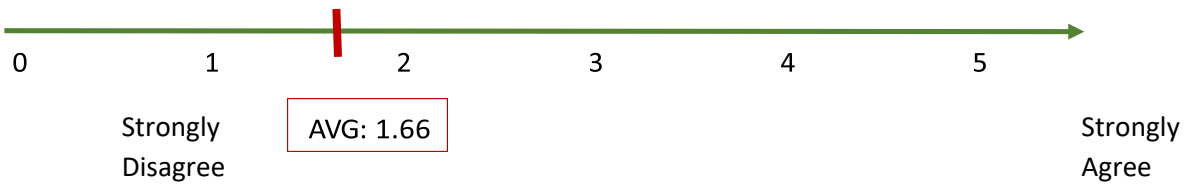


Island Pond:

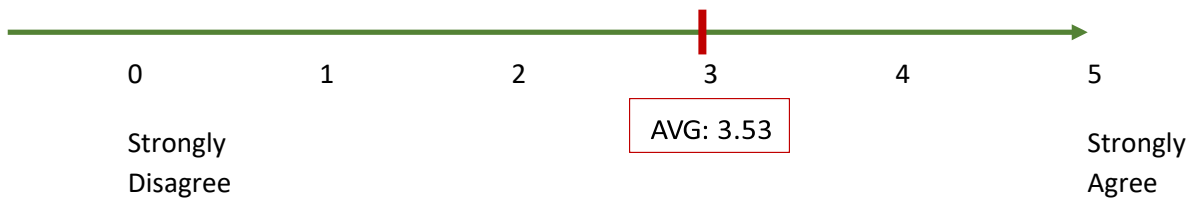
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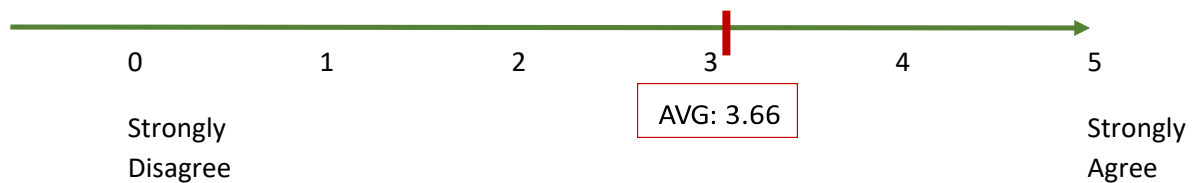
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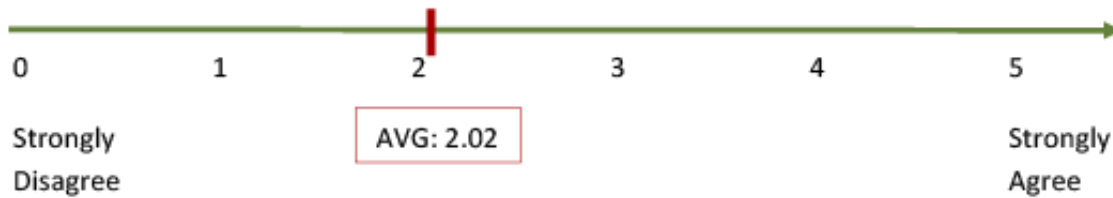


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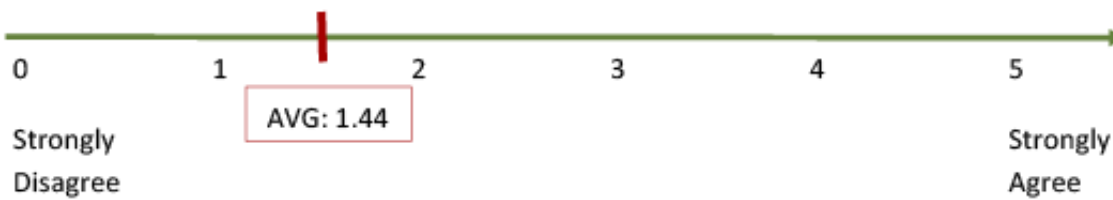


Rutland:

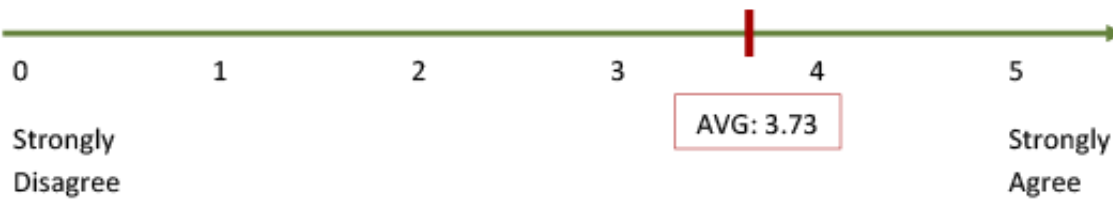
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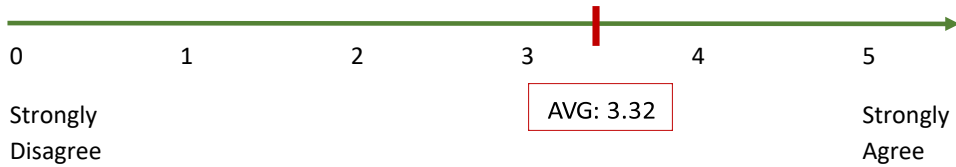


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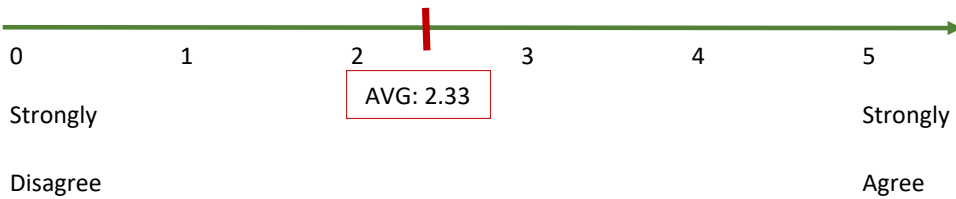


Burlington:

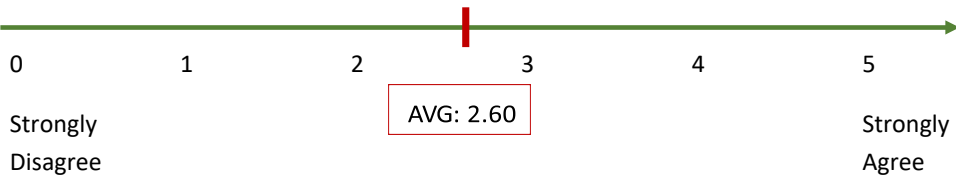
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