1. Add "**Protect our ridgelines**" under Act 250 criteria.

2. Add "**Protect our mountains**" under Act 250 criteria. When facilitators of this review process talk about priorities (intact forest blocks, habitat or climate change) they don't mention "mountains" Why is that? Mountains are the most distinctive geological feature of Vermont. Mountains must be protected under our premier environmental law.

3. Move **energy siting** from section 248 to Act 250 (siting decisions being subject to Act 250 & restricting Section 248 to project development)

4. **Protect agricultural lands**: we are losing our agricultural land base

5. **Forest fragmentation** is an issue that deserves attention. Keep forest blocks intact

6. **Improve public participation**: too often at Act 250 hearings & the PUC, Vermonters are introduced for the first time to the notion of "contested case." In order to participate meaningfully, you need to have experts & at the PUC you need a lawyer. District coordinators could facilitate informal discussions prior to contested case litigation. Public participation is almost nonexistent. Approximately 90% of all applications are reviewed w/o public hearings. Public participation— as in interested parties — should be expanded and not constrained. Interested party status to should be expanded beyond adjacent landowners. If ecosystems are to be such a high priority, why would we want to restrict interested party

status to adjacent landowners only? It should be expanded because ecosystems can encompass many people who would be affected.

7. **The process is user UNFRIENDLY**: Many Vermonters who request party status before a district commission find a process which has become "user unfriendly". These parties come away feeling that they were not provided a fair hearing and that concerns were not given proper weight

8. **ACT 250 should work closely w/municipal & regional planning** in shaping development in Vermont

9. **Provide training and resources to District Commissioners**. Evaluation of applications requires experiential learning. Given the significant diminishment of commission hearings, commission members have lost the "institutional memory" that ensured quality reviews.

10. Cases are being mismanaged by the NRB. The NRB focus has shifted from supporting concerns about "natural resources" to supporting "economic development". **Economic development has no place in environmental law**. District commissions are now told to put their draft decisions up on a drive so that the NRB can edit their decisions. NRB should not have the authority to negotiate with developers who were disappointed with local and regional decisions. NRB should never negate the ability of parties to appeal especially by resolving the issues in a way that preempts the ability to go to Environmental Court.

11. Adopt improved appeals process. NRB authority and power should be reviewed. Has the NRB misused its power as a statutory party to all appeals of Act 250 decisions? NRB should play an effective role by ensuring strict adherence to precedents. The NRB should not be able to cast aside jurisdictional determinations by staff and substantive decisions of the commissions and instead act as a "fixer" for developers via "settlements."

12. **Enforcement of ACT250 is uneven at best:** disproportionately against small developers.

13. **The number of jurisdictional and district commission decisions that are appealed has dwindled since "permit reform" legislation of 2005**. At the same time, the length of time to process appeals by the Environmental Court has increased. The Court has transformed appeals into extremely expensive and hyper-legalistic proceedings.

14. **Act 250 jurisdictional "triggers" have been eroded due to legislative amendments intended to encourage "smart growth" in the "right places"**. There has been no assessment of whether these well-intentioned provisions have had the desired effects. The outcome has been a significant decrease in the volume of development and subdivisions now reviewed under Act 250.

15. **Economic development has no place in an environmental law** : (A note about economic development: Your surveys and the public hearings didn't allow room for nuance

regarding ‘economic development’. While accommodation for economic development should not be made under a law that is intended to uphold environmental protections, I want the committee to understand that my neighbors, rural Vermonters who express desire for “economic development,” are not intending to approve large scale environmentally destructive development. They’re expressing a desire to participate fairly in Vermont sized, locally owned, small scale development. Developers should never be allowed to misinterpret community desire for, say, Renewable Energy, as an invitation to destroy mountains and ridge lines with large scale development. Never. Energy developers who masquerade as environmentalist while dynamiting our ridgelines should not find a safe haven in Vermont law.)

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