

March 14, 2017

To: Representative David Deen, Chair  
House Natural Resources, Fish & Wildlife Committee

From: Diane Snelling, Chair  
The Natural Resources Board/Act250  
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Re: Testimony on H.424, H.18, H.321, H.194, H.209, H.233, H.338, H.362

Thank you for the opportunity to be here today and testify on the proposed legislation before the Committee for consideration. I have previously testified in support of H.194.

As a Senator for fifteen years, I have some understanding of the weight of all the decisions before you as elected representatives. Above all, you have my complete respect for your individual opinions, and for the collective deliberations of this Committee.

H.424, H.18, H.321, H.194, H.209, H.233, H.338, and, H.362, all seek to make adjustments to the Act 250 process.

In the past year I have acted on my longtime commitment to accountability, and instituted significant management changes that are in direct response to concerns heard from applicants and citizens.

The NRB is one year into implementing a two year action plan developed from a week long Lean system analysis done in collaboration with ANR. Many of the ideas for necessary improvements are symptoms of an inability to properly access data. The NRB and ANR acknowledge the need for improvements to management and to technology. The NRB and ANR, are working with ACCD, AOT and AAFM, to establish consistent policy implementation for planning and regulation.

I respectfully request that the Committee agree to wait on any legislative action until next year. As a preliminary phase of review of Act 250, in the next year the NRB/Act 250 will engage in an inclusive multi-agency collaboration and a robust stakeholder process to be able to present a comprehensive Proposal for improvements to Permitting to you by December 2017.

The Proposal for Improvements to Permitting will include specific deliverables in the form of management practices, technology and possible legislative changes.

Also included will be specific review of current legislation and proposed solutions to the underlying issues.

The second phase of review would begin in 2018 by convening the Commission for Act 250 in the next 50 years, and conducting an education and outreach process through statewide conversation about the balance between protecting the environment and encouraging economic prosperity.

At its heart, Act 250 is a population level outcome about the quality of life in Vermont. Your constituents and all Vermont citizens deserve a process that works collaboratively across state government, to protect the environment and makes sense for smart growth. When the system works, the benefits and positive outcomes for Vermont will be evident.

This is not a study. It is a work plan, that's already in progress, and that's developing the data and evidence for informed decisions for the future.

I acknowledge the current problems that many people have encountered in Act 250, and also that many management improvements are already in place. I'm asking for the opportunity to continue to establish practices that promote clarity within the structure, and do not require statutory changes at this time.

I look forward to the discussion for finding agreement on this Proposal for Improvements to Permitting.

Thank you.