



Vermont Bar Association

• *Serving the Public and the Profession*

www.vtbar.org

35-37 Court Street
PO Box 100
Montpelier, VT 05601-0100
p. 802-223-2020
f. 802-223-1573
www.vtbar.org

April 7, 2017

BOARD OF MANAGERS

Michael E. Kennedy
Interim President

Michael E. Kennedy
President-Elect

Daniel P. Richardson
Past-President

Edward J. Tyler, III
Secretary

Matthew F. Valerio
Treasurer

Francesca M. Bove
Gavin Boyles
Thomas S. Durkin
Lauri A. Fisher
Gary L. Franklin
Eric K. Goldwarg
Ben W. Joseph
Elizabeth A. Kruska
Daniel H. Maguire
Elizabeth Novotny
Thomas S. Valente

VBA STAFF

Therese M. Corsones, Esq.
Executive Director
tcorsones@vtbar.org

Jennifer Emens-Butler, Esq.
Education and Communication
jeb@vtbar.org

Robert M. Paolini, Esq.
Government Relations
ropaolini@vtbar.org

Mary C. Ashcroft, Esq.
Legal Access Coordinator
mashcroft@vtbar.org

Lisa M. Maxfield
CFO/Member Benefits
lmaxfield@vtbar.org

Laura Welcome
Programs Coordinator
lwelcome@vtbar.org

Devlin Nicholls
Lawyer Referral/Membership
Coordinator
dnicholls@vtbar.org

Tami Baldwin
Office Administrator
tbaldwin@vtbar.org

Senator Christopher Bray, Chair
Senate Committee on Natural Resources and Energy
Vermont State House
115 State Street
Montpelier, Vermont 05633

Re: H. 424

Dear Senator Bray:

Thank you for the opportunity to elaborate upon the testimony that was given this morning in your Committee regarding H. 424, in particular with respect to the composition of the Commission on Act 250: The Next 50 Years.

As presently proposed, the Commission is to be composed of 11 members, including four current members of the General Assembly, the Chair of the Natural Resources Board or designee, a representative of a Vermont-based state-wide environmental organization, a person with significant real estate development and land use permitting experience, a representative of the Vermont Planners Association, a member of a Vermont-based state-wide business organization, a small business owner who has had to obtain an Act 250 permit, and an elected officer of a Vermont city or town.

The Vermont Bar Association respectfully suggests that an experienced member of the environmental bar would be an appropriate and helpful addition to the Commission membership. It has been common for a member of the bar to be included in similar work groups where the subject of the work group involves statutory, regulatory and/or court processes. The Vermont Bar Association has always been glad to serve as a resource to such groups, given the direct involvement that the bar has in the statutory, regulatory and/or court realm. I believe that an environmental bar member of the Commission on Act 250: The Next 50 Years would be particularly helpful, given the experience that the environmental bar has had with Act 250 since its inception.

I note the stated purpose of the Commission: to provide information regarding Act 250 and its operation and implementation to date, and to review and make recommendations on improving the effectiveness and efficiency of the Act as currently implemented in achieving the Act 250 goals. The environmental bar has been directly involved with the operation and implementation of Act 250, representing all manner of parties and other stakeholders in the Act 250 process over the years. There are currently 276 members of the VBA Environmental Law Section. A member representative on the Commission would be able to tap into that collective body of experience at any time, which might prove

especially useful when the Commission undertakes its seven public meetings in different regions of the state.

It's my understanding that Representative David Deen, the Chair of the House Committee on Natural Resources, Fish and Wildlife, is agreeable to adding a member of the environmental bar to the Commission, so long as the spot is in addition to the current list of members. I'm copying Representative Deen so that he is aware of this letter. Please let me know if you would like any additional details regarding the request, and thank you again for your and your Committee's work on this important bill.

Yours Truly,

A handwritten signature in black ink, appearing to read "T. Corsones".

Therese M. Corsones, Esq.
VBA Executive Director

cc: Rep. David Deen