

UPDATING ACT 250

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JANUARY 29, 2020

HOUSE COMMITTEE ON NATURAL RESOURCES, FISH, AND WILDLIFE
JANUARY 29, 2020





AGENDA

- About Energize Vermont
- Climate Action Project
- Land Use and Climate Change
- Climate Impacts in Vermont
- Defending Vermont
- Act 250 Recommendations





ENERGIZE VERMONT

- Promotes sensible energy and climate policies that protect our environment and respect our communities.
- Established in 2010 in order to
 - Educate Vermonters about the social, economic, and environmental costs of large scale renewable energy projects
 - Offer alternatives to the industrial wind energy projects that were being proposed for Vermont's most sensitive, high-elevation areas
- Volunteer organization with members across Vermont



ENERGIZE VERMONT'S CLIMATE ACTION PROJECT

- Sensible climate action for Vermonters in five steps:
 1. Protect the natural resources that defend Vermont from the effects of climate change
 2. Support strong and resilient local communities
 3. Change the ways we use energy
 4. Change the ways we produce energy
 5. Consider the climate impacts of lifestyle choices
- Our core principle is respect for:
 - The environment
 - Sound economics
 - Community values





LAND USE AND CLIMATE CHANGE

- **Recent headlines:**
 - Human Activity Places One Million Species at Risk
 - A Quarter of Humanity Faces Looming Water Crises
 - The Food Supply Is at Dire Risk, U.N. Experts Say
 - Birds Are Vanishing From North America
- **All of these stories describe the interplay of poor land use practices and climate change**



LIKELY CLIMATE IMPACTS ON VERMONT

- Extinctions
- Loss of food and water security
- Increased vulnerability to severe weather events
 - Farms, homes, businesses
 - Water resources
 - Transportation and energy infrastructure





ACT 250 IS OUR MOST IMPORTANT CLIMATE POLICY

- It protects our forests and mountains
 - Enable species to adapt to a changing climate
 - Protect lowlands from severe storm water events
- It limits high-elevation development that:
 - Upsets hydrological balances
 - Enables high-volume, high-velocity flows of storm water
 - Raises temperatures, washes contaminants into headwater streams
 - Counteracts efforts to clean our lakes
 - **Turns cool mountain forests into hot rocks**
- It protects our agricultural soils
 - We don't know what the future is for U.S. food producing regions
 - But we know we'll want to produce more of our food in Vermont





ENERGIZE VERMONT SUPPORTS A STRONG ACT 250

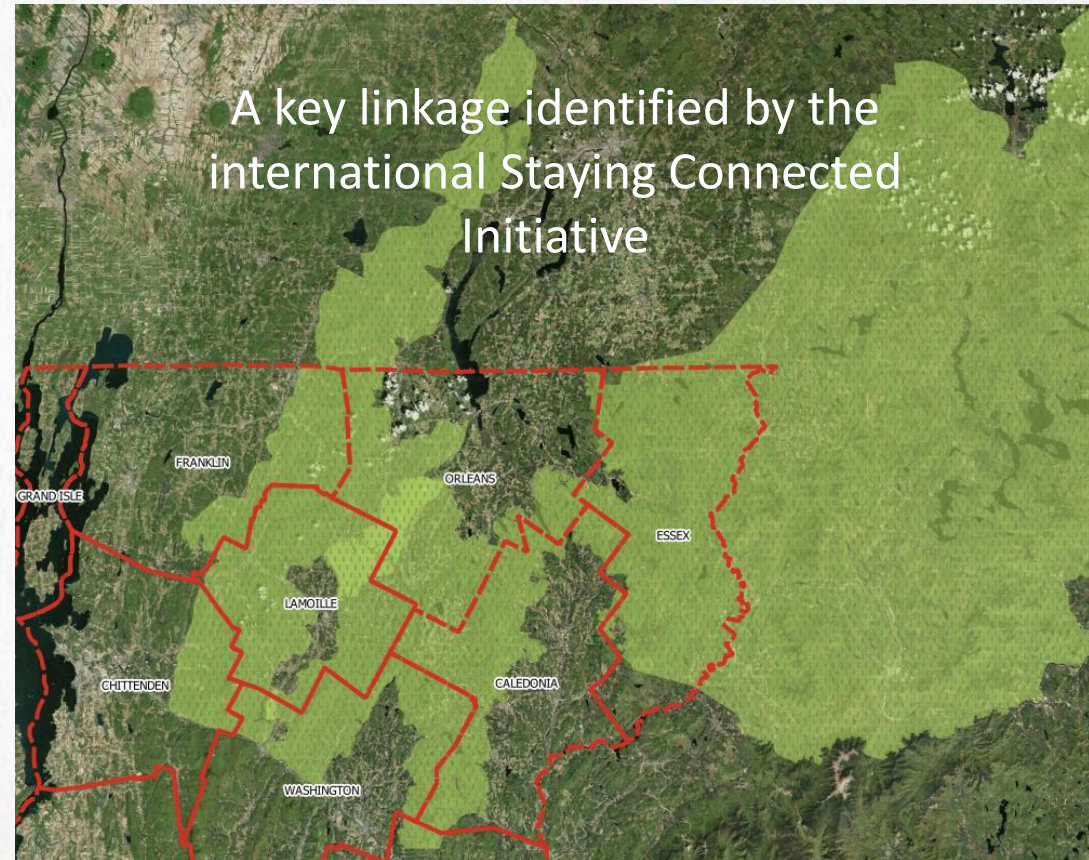
In particular, Energize Vermont supports provisions that would:

- Enable climate adaptation
 - Protect forest blocks and connecting habitat
 - Establish 1,500-foot elevation trigger (don't just protect ridgeline swaths)
 - Require consideration of cumulative impacts
- Close energy development loopholes
- End land swaps and pay-to-degrade deals
- Retain District Environmental Commissions for all projects



ENABLING CLIMATE ADAPTATION

- Adapting to a changing climate requires us to protect core forests, connective lands, and high elevation areas
- This linkage has already been degraded by the Lowell and Sheffield wind projects
- Other energy projects proposed in the last 15 years would have closed off this linkage completely and degraded more headwater streams
- Right now, we cannot rely on Act 250 to protect these lands





CLOSING ENERGY DEVELOPMENT LOOPHOLES

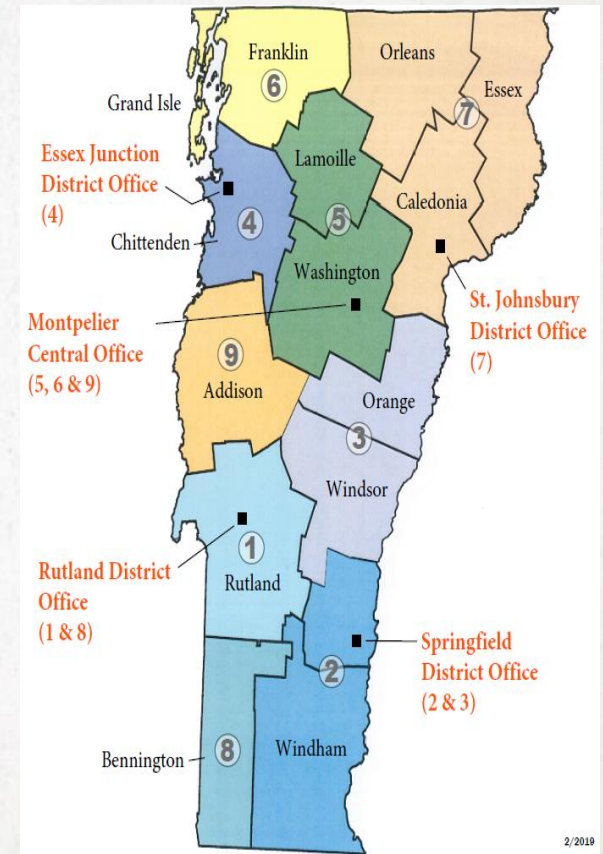
- The Public Utility Commission makes energy siting decisions
- Land use is not the core competency or primary concern of the PUC
- The PUC is required to consider the Act 250 criteria—but can override them in favor of an undefined “public good”
- **There is no public good that justifies the degradation of the natural resources that defend us from climate impacts**
- The “public good loophole” must be closed
- Energy siting should be placed under the jurisdiction of Act 250





RETAIN ACT 250'S REGIONAL APPROACH

- For 50 years, Act 250 has been administered by District Environmental Commissions
- The regional approach makes the Act 250 process
 - accessible to those who are most affected by land use decisions
 - a collaboration among developers, local and regional planners, neighbors, and regulators
- As Deane Davis warned, centralizing decision-making in Montpelier will undermine public trust in Act 250
- Now is not the time to further erode the public trust in vital state institutions





energize
VERMONT 

Photo: Moose Family in Fall by Roger Irwin