

Topic	Description	Sec/Page	Citation
Capability and Development Plan	Adds new finding for GHG emissions and Climate Change	Sec. 1, pg 3	1973 Acts & Resolves No. 85, Sec. 7 (a)(20)
	Amends Finding (2) to add ecosystem protection	Sec. 2, pg 4	1973 Acts & Resolves No. 85, Sec. 7 (a)(2)
§ 6000 Act 250 Purpose Section	Explicitly reference Capability and Development Plan and goals of municipal and regional planning	Sec. 3, pg 5	10 V.S.A. § 6000
Update maps	Requiring county-level Capability and Development maps be updated for reference in Act 250 review	Sec. 3, pg 25-26	10 V.S.A. § 6030
Climate Change Criteria	Amend Criterion 1- separates air from water pollution	Sec. 3, pg 32	10 V.S.A. § 6086(a)(1)
	Adds subcriterion 1(A) air contaminants	Sec. 3, pg 33	10 V.S.A. § 6086(a)(1)(A)
	Adds subcriterion 1(B) GHG emissions; climate change	Sec. 3, pg 33	10 V.S.A. § 6086(a)(1)(B)
	Amend Criterion 2- include existing water subcriterion Update floodways to Flood Hazard Areas and River Corridors, to match ANR's regulations.	Sec. 3, pg 34	10 V.S.A. § 6086(a)(2)
	Update definitions to match ANR	Sec. 3, pg 8	10 V.S.A. § 6001(6)&(7)
	Combines existing Criteria 2&3	Sec. 3, pg 34-37	10 V.S.A. § 6086(a)(2)&(3)
	Amends Criterion 5 to require review of projects for safety and congestion impacts to bicycle and pedestrian infrastructure	Sec. 3, pg 38	10 V.S.A. § 6086(a)(5)(A)
	Amends criterion 5 to better define when it is appropriate to require projects to incorporate transportation demand management strategies	Sec. 3, pg 38	10 V.S.A. § 6086(a)(5)(B)

	Amends Criterion 9(F) to include energy efficiency and stretch codes	Sec. 3, pg 42	10 V.S.A. § 6086(a)(9)(F)
Forest Fragmentation and Habitat Protection	Amend Criterion 8 to add 8(B) (forest block) and 8(C) (connecting habitat) and adopts an avoid, minimize, mitigate requirement for fragmentation	Sec. 3, pg 38-41	10 V.S.A. § 6086(a)(8)(B)&(C)
	Creates system for mitigation of fragmentation through fees	Sec. 3, pg 51	10 V.S.A. § 6094
	Applicant has burden of persuasion under Criterion 8(A)	Sec. 3, pg 48	10 V.S.A. § 6088(b)
	Requires ANR to include forest blocks on resource maps	Sec. 4, 54	10 V.S.A. § 127
Interstate Interchange protection	Adds Criterion 9(I) to protect areas in interstate interchanges that are outside of existing settlements	Sec. 3, pg 42	10 V.S.A. § 6086(a)(9)(I)
	Adds a jurisdictional trigger for development within an interstate interchange that is not within an existing settlement	Sec. 3, pg 7	10 V.S.A. § 6001(3)(A)(xi)
	Adds definition of “Interchange area”	Sec. 3, pg 13	10 V.S.A. § 6001(47)
Criterion 9(K)	Update public investment criterion to include forms of public investments that have developed since 1970	Sec. 3, pg 43	10 V.S.A. § 6086(a)(9)(K)
Regional Plans	Requiring regional plans be approved as consistent with the statutory planning goals	Sec. 8, pg 57	24 V.S.A. § 4348a
	Clarifying in Criterion 10 that regional plan provisions apply to a project if they meet the same standard of specificity applicable to statutes.	Sec. 3, pg 44	10 V.S.A. § 6086(a)(10)
	Requires that regional plans include the location of critical resource areas	Sec. 8, pg 59	24 V.S.A. § 4348a(a)(G)

Municipal Plans	Requiring municipal plans to be consistent with statutory goals for municipal and regional planning	Sec. 9, 59	24 V.S.A. § 4382 (a)
	Amends Criterion 10 so that to be used in Act 250, the plans must obtain approval from RPC	Sec. 3, pg 44	10 V.S.A. § 6086(a)(10)
Road Rule	Adds the “Road Rule” as a jurisdictional trigger	Sec. 3, pg 7	10 V.S.A. § 6001(3)(A)(xii)
Multi-tier jurisdiction	As part of a balancing of interests to support economic development in compact centers while promoting a rural countryside and protecting important natural resources, amending jurisdiction to allow municipalities to ensure compliance with the criteria in centers receiving an enhanced designation under 24 V.S.A. chapter 76A and increasing Act 250 jurisdiction in critical resource areas and at interstate interchanges. Because the designation under 24 V.S.A. chapter 76A would affect jurisdiction, the bill provides for appeal of designation decisions.		
	Critical Resource Areas: adds definition; any development within an area containing specific natural features is subject to Act 250 jurisdiction	Sec. 3, pg 6, 7, 10, 12	10 V.S.A. § 6001
	Rural and Working Lands: development or subdivisions within these areas is triggered depending on the number of acres or lots involved	Sec. 3, pg 6, 9	10 V.S.A. § 6001(3)(A)(iii), 6001(19)
Enhanced Designation	Establish an Enhanced Designation: municipality with designated downtown, village centers, new town center, growth centers eligible to apply; municipality must demonstrate: its bylaws comply with Act 250 criteria, that it has the capability to review development for compliance, identify critical resources areas; State Board grants designation	Sec. 5, pg 55	24 V.S.A. § 2793f

	Enhanced Designation appealable to VERB	Sec. 6, pg 56	24 V.S.A. § 2798
	Exempt projects within areas with enhanced designation	Sec. 3, pg 8	10 V.S.A. § 6001(3)(D)(iii)
	Repeal of exemption for farming, logging, and forestry in CRA	Sec. 3, pg 6	10 V.S.A. § 6001(3)(A)(vi)
Definition of Commercial Purpose	Clarifying the definition of “commercial purpose” so that it is not necessary to determine whether monies received are essential to sustain a project.	Sec. 3, pg 11-12	10 V.S.A. § 6001(44)
Development Cabinet	Requiring the Development Cabinet to meet regularly.	Sec. 17, pg 78	3 V.S.A. § 2293(b)
Per diem Rate	Increasing the per diem rate for District Commissioners to \$100.	Sec. 3, pg 24	10 V.S.A. § 6028
Appeals	Replacing the Natural Resources Board (NRB) with a Vermont Environmental Review Board (the Board), which would hear appeals from the District Commissions and the Agency of Natural Resources in addition to the NRB’s current duties. 5 members appointed by Judicial Nominating Board for 4 yr terms. Fulltime Chair.	Sec. 3, pg 14-24 Sec. 10-11 Pg 59-71	10 V.S.A. §§ 6021, 6025, 6026, 6027 10 V.S.A. chapter 219
	The Environmental Division of the Superior Court would continue to hear enforcement and local zoning appeals.	Sec. 12-16 Pg 72-78	multiple
	Assigns risk of non-persuasion to appellant in an appeal	Sec. 3, pg 49	10 V.S.A. § 6089(b)
Supervisory authority of permits	Reaffirming the supervisory authority in environmental matters of the Board and District Commissions, in accordance with the original intent of Act 250 as determined by the Vermont Supreme Court.	Sec. 3, pg 45	10 V.S.A. § 6086(d)

Permit presumptions	Revising and clarifying the statutory authority on the use of other permits to demonstrate compliance with the criteria, including ensuring the reliability of those other permits. To get a presumption, the Board must determine that the permit was issued as part of program that reliably meets its goals. Lowers the standard for rebutting the presumption. No presumption for permits that allow the discharge of pollutants into impaired waters.	Sec. 3, pg 47	10 V.S.A. § 6086(d)
Slate quarries	Slate quarries cannot be held in reserve if not in use	Sec. 3, pg 28	10 V.S.A. § 6081(j)
	Registered slate quarries must provide notice to neighbors	Sec. 3, pg 30	10 V.S.A. § 6081(k)(4)
	Add slate quarries to ANR Natural Resources Atlas	Sec. 3, pg 31	10 V.S.A. § 6081(k)(6)
Preexisting pits and quarries	Requires owners of preexisting pits and quarries to submit extraction data to the Board in order to establish a baseline against which substantial changes may be determined.	Sec. 3, pg 28	10 V.S.A. § 6081(b)
Release from jurisdiction	Create process under which property can be released from Act 250 jurisdiction	Sec. 3, pg 50	10 V.S.A. § 6090(c)