

On or before December 15, 2026, the Natural Resources Board shall issue a report ~~addressing the transfer of that evaluates whether the Environmental Division of the Superior Court shall retain the responsibility to hear~~ appeals of permit decisions and jurisdictional opinions issued pursuant to 10 V.S.A. chapter 151 ~~or whether those functions should be transferred~~ to the professional board established herein. The Board shall convene a stakeholder group composed of a representative of environmental interests, attorneys that practice environmental and development law in Vermont, a developer with experience in commercial and residential development in Vermont, the Vermont League of Cities and Towns, the Vermont Association of Planning and Development Agencies, the Vermont Chamber of Commerce, the Land Access and Opportunity Board, the Office of Racial Equity, a representative of non-profit housing development interests, the Agency of Commerce and Community Development, and the Agency of Natural Resources in preparing the report. The stakeholder group shall review the comparison of the prior and current appeals processes contained in the 2019 Report of the Commission on Act 250.

In evaluating whether to retain adjudication with the Environmental Division of the Superior Court or move that function to the Board, ~~t~~The report shall also address the following issues:

- Recommend how appeals of permit decisions issued under Title 24, Chapter 117 and/or the Agency of Natural Resources can be consolidated with Act 250 appeals, ~~and whether to allow consolidation of appeals at the Board, or with the Environmental Division of the Superior Court.~~
- Recommend ~~how the Board can be directed how~~ to prioritize and expedite the adjudication of appeals related to housing projects, ~~including the use of hearing officers to expedite appeals~~ and the setting of timelines for processing of housing appeals.
- ~~If appeals were moved to the Board, r~~Recommend procedural rules to govern the Board's administration of Act 250 and the adjudication of appeals of Act 250 decisions. These rules shall include procedures to create a firewall and eliminate any potential for conflicts with the Board managing appeals and issuing permit decisions and jurisdictional opinions.
- Recommend other actions ~~the Board should take~~ to promote the efficient and effective adjudication of appeals, including any procedural improvements to the Act 250 permitting process.

The report shall be submitted to the Senate Committees on Economic Development, Housing, and General Affairs and on Natural Resources and Energy and the House Committee on Environment and Energy.