

<p style="text-align: center;"><b>H.727 – Draft 1.4</b> Sec. 1 - 30 V.S.A. § 284(d)</p> <p style="text-align: center;">PUC findings that may overlap with Act 250 review</p>	<p style="text-align: center;"><b>Act 250</b></p> <p style="text-align: center;">10 V.S.A. chapter 151</p>
<p><u>(3) will not have an undue adverse effect on <b>aesthetics, historic sites, air and water purity, the natural environment, the use of natural resources, and the public health and safety, with due consideration having been given to the criteria specified in 10 V.S.A. §§ 1424a(d) (outstanding resource waters) and 6086(a)(1)–(8) and (9)(K) (conditions and criteria for State land use and development plans), impacts to primary agricultural soils as defined in 10 V.S.A. § 6001, community noise levels, and the attainment of the State’s greenhouse gas emissions reduction requirements;</b></u></p> <p style="text-align: center;"><i>(§ 10 V.S.A. § 1424a(d) identifies 14 criteria for “outstanding resource waters” designation)</i></p>	<p style="text-align: center;">§ 6086(a)(1)-(10) – (the 10 Act 250 criteria)</p> <p>(1) – will not result in undue <b>water or air pollution</b></p> <p>(8) – (Ecosystem protection; scenic beauty; historic sites)</p> <ul style="list-style-type: none"> <li>• will not have an undue adverse effect on the scenic or natural beauty of the area, <b>aesthetics, historic sites, or rare and irreplaceable natural areas</b></li> <li>• <b>Noise</b> levels considered under “aesthetics to assess if noise levels are unreasonable for the area</li> <li>• <b>Wildlife habitat and endangered species</b></li> </ul> <p>(9)(F)</p> <ul style="list-style-type: none"> <li>• Planning and design reflect principles of energy conservation, including <b>reduction of greenhouse gas emissions from the use of energy</b></li> </ul> <p>(9)(B)</p> <ul style="list-style-type: none"> <li>• Will not result in any reduction in the agricultural potential of the <b>primary agricultural soils</b></li> <li>• Will not significantly interfere with or jeopardize the continuation of agriculture or forestry on adjoining lands or reduce their <b>agricultural or forestry potential</b></li> </ul>
<p><u>(6) will not have an adverse effect on any segment of the waters of the State that have been designated as <b>outstanding resource waters</b> by the Secretary of Natural Resources;</u></p>	<p>(8)</p> <ul style="list-style-type: none"> <li>• No undue adverse effect on scenic or natural beauty, aesthetics, historic sites, or <b>rare and irreplaceable natural areas</b></li> </ul>
<p><u>(8) complies with applicable <b>air pollution control</b> requirements under the federal Clean Air Act, 42 U.S.C. § 7401 et seq. that were in effect on January 1, 2026, except to the extent such requirements are inconsistent with any other applicable State law or rule;</u></p>	<p>(1)</p> <ul style="list-style-type: none"> <li>• Will not result in undue <b>air pollution</b></li> </ul>

<p><u>(9) complies with <b>harvesting procedures and procurement standards</b> that ensure long-term <b>forest health and sustainability</b>, including the guidelines and standards adopted under 10 V.S.A. § 2750;</u></p>	<p>(8)(C)</p> <ul style="list-style-type: none"> <li>• Will not result in an undue adverse impact on a <b>forest block or habitat connector</b></li> </ul> <p>(9)(C)</p> <ul style="list-style-type: none"> <li>• Will not result in any reduction in the potential of <b>forest soils</b> for commercial forestry</li> <li>• Will not interfere with or jeopardize the continuation of agriculture or forestry on adjoining lands (or reduce their <b>agricultural or forestry potential</b>)</li> </ul>
<p><u>(10) is consistent with State energy efficiency requirements, including <b>commercial building energy standards</b>;</u></p>	<p>(9)(F) - Energy Conservation</p> <ul style="list-style-type: none"> <li>• Incorporate the best available technology for efficient use or recovery of energy</li> <li>• Complies with <b>commercial building energy standards</b></li> </ul>