

| <p><b>H.727 – Draft 1.4</b><br/> Sec. 1 - 30 V.S.A. § 284(d)</p> <p>PUC findings that may overlap with Act 250 review</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>Act 250</b></p> <p>10 V.S.A. chapter 151</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <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</b>, with due consideration having been given to the criteria specified in 10 V.S.A. §§ 1424a(d) (<b>outstanding resource waters</b>) and 6086(a)(1)–(8) and (9)(K) (conditions and criteria for <b>State land use and development plans</b>), impacts to <b>primary agricultural soils</b> as defined in 10 V.S.A. § 6001, <b>community noise levels</b>, and the attainment of the <b>State’s greenhouse gas emissions reduction requirements</b>;</u></p> <p><i>(§ 10 V.S.A. § 1424a(d) identifies 14 criteria for “outstanding resource waters” designation)</i></p> | <p>§ 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” - assess whether noise levels are unreasonable for the area; (and air, LURB)</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>(1)</p> <ul style="list-style-type: none"> <li>• Will not result in undue water pollution (many water types)</li> </ul> <p>(3)</p> <ul style="list-style-type: none"> <li>• Will not cause unreasonable burden on existing water supply</li> </ul> <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| <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> (noise is air, LURB)</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><i>(ANR would be involved with comments)</i></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 <b>agriculture or forestry</b> on adjoining lands (or reduce their <b>agricultural or forestry potential</b>)</li> </ul> <p>9(k)</p> <ul style="list-style-type: none"> <li>• Will not endanger use or enjoyment of access to public lands; hiking trails, <b>forest</b>, and game lands</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>                                                                                                                                                                                                                                                                                                                                                                                                                                              |