



VERMONT PERMIT NEWSLETTER

State of Vermont
Agency of Natural Resources
Department of Environmental
Conservation
Springfield, Vermont

Volume 7, Issue 1

April 2005

Act 250 Fees and Legislature Changes



New Act 250 Fees Effective July 1, 2004

The General Assembly has also approved increases to certain Act 250 application fees. As of July 1, 2004:

- The fee for each subdivided lot increases from \$50 to \$100;
- The minimum fee for a new application increases from \$100 to \$150;
- The minimum fee for an amended application increases from \$25 to \$50;
- The fee for construction increases from \$4.25 to \$4.75 per \$1,000 of construction cost.

For the full revised fee schedule contact the Natural Resources Board (828-5441) or go to: <http://www.nrb.state.vt.us/lup/publications/statute2005.htm>

Legislature Makes Changes to Act 250

During last year's legislative session the Vermont General Assembly passed Act 115, a law which makes changes to Act 250 and to Chapter 117, Vermont's municipal and regional planning statute. The changes to Act 250 are primarily focused on the appeals process. In summary, the law makes the following change:

- Consolidates into an expanded Environmental Court appeals formerly made to the following entities (which have been eliminated effective January 31, 2005):
 - 1) Environmental Board
 - 2) Water Resources Board
 - 3) Waste Facility Panel
 - 4) Solid Waste and Air Quality Variance Board

In addition, some appeals which currently go to Superior Court, such as ANR Air Quality Permits, will also be directed to the expanded Environmental Court.

- A new Natural Resources Board has been created effective February 1, 2005. This Board consists of a Water Resources Panel and a Land Use Panel. The Water Resources Panel will handle the rulemaking functions of the former Water Resources Board. The Land Use Panel will handle the rulemaking functions of the former Environmental Board, as well as the administrative oversight of the District Environmental Commissions.

- Redefines the statutory definition of party status in Act 250 for greater clarity. Petitioners for party status will now have to demonstrate whether they have a "particularized interest" under the criteria of Act 250 that may be affected by the project subject to the proceeding.

- Parties seeking to appeal to the Environmental Court must have actively participated at the early stages in an Act 250 proceeding and must allege an injury to a particularized interest. Effective January 31, 2005, any "aggrieved person" may appeal a decision of the Environmental Court to the Vermont Supreme Court.

For the full text of the changes to Act 250 contact the Environmental Board (828-5441) or go to: <http://www.state.vt.us/envboard/docs/2004statute.htm>

The Environmental and Water Resources Board continue to exist for the purpose of deciding cases on their Dockets as of January 31, 2005. At such time as these cases are decided, these two boards will cease to exist.

Inside this issue:

<i>Act 250 - What it means for you</i>	2
<i>Riparian Buffer Guidance</i>	3
<i>Summary of WWMD rules</i>	4
<i>Information requests from Public Records</i>	4
<i>Project Review Sheets — How Useful?</i>	4
<i>Public Records Request Form</i>	5
<i>Web Sites</i>	6

Permit Newsletter
Springfield Regional Office
Department of
Environmental Conservation

The Permit Newsletter is published free of charge at the Springfield Regional Office of the Agency of Natural Resources.

For information or comments about the newsletter, please contact:

Sandra Conant
Permit Specialist
100 Mineral Street, Suite #303
Springfield, VT 05156-3168
(802) 885-8850
sandra.conant@anr.state.vt.us