



Get Involved with Act 250 in Vermont

What is Act 250?

Act 250 is a Vermont land use law designed to protect the environment while balancing local, regional, and state interests. The Act provides opportunities for community members to get involved in the permitting of projects.

When does Act 250 apply?

Not all projects require permits. Generally, a project does require a permit if it involves: →

Who administers Act 250?

The Natural Resources Board (NRB) administers Act 250. The NRB supports nine regional District Environmental Commissions. The governor appoints members to each District Commission.

What is the role of a District Commission?

The Commission evaluates permit applications to ensure projects meet the Act's ten criteria designed for addressing environmental impacts. →

A glance at the Act 250 process:

1. The permit applicant submits its application to the District Office.
2. The Commission will decide if there will be a hearing.
3. If the District Commission decides there will not be a hearing, parties can request one.
 - Typically, the applicant, landowner, town and state, adjoining property owners, and people with particularized interests receive party status.
 - You can petition the District Commission for party status at nrb.vermont.gov/documents/party-status-petition-form.
4. A notice of hearing is mailed to adjoining property owners and published in the local newspaper. District Offices have copies of project applications.
5. A typical hearing process follows these steps:
 - The applicant gives an overview of its proposal.
 - The Commission asks questions regarding the Act's ten criteria.
 - Parties may give testimony and present evidence. →
6. The Commission will decide whether to grant, condition, or deny a permit.
7. After the Commission makes a decision regarding the permit, a party may choose to appeal the decision.

Projects that require a permit:

- Construction for a commercial or industrial purpose on more than one acre OR ten acres if the municipality has zoning and subdivision laws
- Construction of 10 or more housing units
- Subdivision of land into 10 or more lots OR 6 or more lots if there are not zoning and subdivision laws
- Construction for a governmental purpose if the project involves more than 10 acres
- Material changes or additions to existing permitted projects
- Substantial changes to grandfathered projects
- Construction for commercial, industrial, or residential use above 2,500 feet in elevation.
- & more

Find a full list at nrb.vermont.gov/documents/act-250-jurisdiction-categories

Ten criteria:

- Air and Water Pollution
- Water Supply
- Waste Disposal
- Erosion Control
- Transportation
- Educational Services
- Municipal Services
- Aesthetics, Historic Sites, and Natural Beauty
- Community Growth
- Local and Regional Plans

Find more information about criteria at nrb.vermont.gov/act250-permit/criteria

Parties are encouraged to:

- Speak from their personal knowledge, experience, or observations
- Present documents showing impacts from the project
- Connect their information to the ten criteria

Do you know about a project that might need an Act 250 permit?

Consider requesting a jurisdictional opinion from the District Office. The Office will decide whether a project needs to go through the permit application process.

Check on the status of projects:

Use the Act 250 database maintained by the Agency of Natural Resources to see if a project has a permit:
<https://anrweb.vt.gov/anr/vtanr/Act250.aspx>

If you think there is a permit violation, submit a complaint to the NRB. The NRB has enforcement powers:
nrb.vermont.gov/enforcement

Community Involvement makes a Difference:

Example 1:

- Applicant constructed a rock crushing operation without a permit on a preexisting quarry tract.
- Residents sought a jurisdictional opinion that applicants were required to obtain an Act 250 permit for their operation.
- Residents won their appeal at the Vermont Supreme Court, which ordered the applicants to obtain an Act 250 permit from the District Commission.
- Residents presented evidence at the District Commission demonstrating that the crushing operation created undue dust, noise, and traffic impacts.
- The District Commission denied the permit.

See more of their story: vtiaaer.org/2014/10/29/araniteville-landowners-oppose-rock-crushing-operations

Example 2:

- Applicant proposed a project within the Kidder Brook watershed.
- Residents testified that water runoff from building, parking areas, and pesticides would have adverse impacts on Kidder Brook.
- The District Commission issued a permit for a smaller project outside of the watershed.



Have Questions:

Check the Act 250 website:
nrb.vermont.gov/act250-program

Contact your District Office:
nrb.vermont.gov/act250-program/district-staff-and-commissions

Reach out to
Toxics Action Center
(802) 223-4099