



NATURAL RESOURCES BOARD

10 Baldwin Street
Montpelier, VT 05633-3201

NATURAL RESOURCES BOARD MEETING **TUESDAY, May 11, 2021** **11:00 am**

Board Members Present by Phone:

Diane B. Snelling, Chair; Don Turner, Member; & Andrew Collier, Member

ABSENT

Brad Aldrich, Vice Chair & Steve Larrabee, Member

Staff Present by Microsoft Teams:

Gregory Boulbol, General Counsel; Aaron Brondyke, State Coordinator; Michaela Stickney, Enforcement & Compliance Officer; Katharine Servidio, Enforcement & Compliance Officer, Katie Emerson, Legal Technician

The Vermont Natural Resources Board convened at 11:03 a.m. via Microsoft Teams, Chair Diane B. Snelling presiding.

11:03 a.m. Welcome and Introductions

Chair Snelling welcomed Board members, there were no members of the public present.

11:03 a.m. Opportunity for public to comment and agenda and non-agenda items.

Chair Snelling offered Public Opportunity to comment, no members of the public were present.

The Vermont Trails and Greenways Council have asked if they can appear at the June 8, 2021 Board meeting. There are no objections, but several board members expressed a desire to know more about what specifically they want to present.

11:05 a.m. Review and action on Minutes of April 13, 2021

Chair Snelling proposed one correction to the minutes of April 13, 2021. William Burke's title should be revised to read former coordinator not former commissioner. A motion to approve the minutes of the Tuesday, April 13, 2021 meeting (as amended) was made by Mr. Don Turner and seconded by Mr. Andrew Collier, and approved unanimously.



11:10 a.m. NRB office and budget updates

Ms. Kimberly Lashua who usually gives the office and budget update is out so Chair Snelling will give the update. The budget is under discussion with Legislature and Governor.

Mr. Greg Boulbol announced that former NRB Associate General Counsel Evan Meenan has left NRB employment to join the Department of State's Attorneys and Sheriffs. We have hired Alison Milbury Stone to fill that position. Alison will be starting on 5/24/21. She is currently working in the Vermont Attorney General's office, and we are very pleased to have her on board.

11:15 a.m. Approval of update to Records Management Policy to reflect that Alex Pastor is the Records Officer

Chair Snelling provided a brief background on the recent records management history. As part of our ongoing work to manage our records and with ARPA funding we are moving ahead with the scanning project, which includes scanning all the LUP records of District 5 and District 7 over the next 5 years.

Ms. Alex Pastor summarized some of the recent tasks she has been working on:

- Determining next steps for records management policy
- Working with VASARA on scanning project, including best practices to capture meta data, to make records easily findable and retrievable.
- Updating our records schedule from a general records schedule to specific records schedules.

Mr. Andrew Collier made a motion to approve the transfer of records officer position from Kimberly Lashua to Alex Pastor. The motion was seconded by Mr. Don Turner and unanimously approved by the Board.

11:18 a.m. Update to Administrative Amendment Guidance

Mr. Aaron Brondyke gave an overview to explain why a revision to the Administrative Amendment (AA) Guidance is necessary. The previous AA Guidance was from 2002, almost 20 years ago. Among other outdated content, the 2002 Guidance provided an inaccurate application fee, and stated that applicants could apply by sending a letter to the district coordinator instead of an application form.

The proposed AA Guidance cites relevant language from the Act 250 Rules and gives examples of types of projects that are suitable for administrative review. It stresses that if the administrative change involves construction, it should only be for projects that do

not enlarge the footprint of the project and do not impact the 10 criteria. It reminds applicants that Commissions hold the authority to determine whether a project is suitable for administrative review, and directs applicants to check with their district coordinator before filling out the AA application.

Mr. Andrew Collier made a motion to approve the updated AA Guidance, Mr. Don Turner seconded the motion, and it was unanimously approved by the Board.

11:22 a.m. Discussion regarding Act 250 legislative initiatives

Mr. Greg Boulbol reported that the Legislature hasn't moved any of the Act 250 bills out of committee or to a floor vote. The Legislature plans to end for the session in a week or so, as soon as the budget is settled. Act 250 issues will likely reappear in the next session.

Chair Snelling remarked that the co-chairs of the Vermont Trails and Greenways Council (VTGC) recently asked for some clarification with regard to Rule 71 - Jurisdiction over Trails. She agreed to invite VTGC representatives to attend the Board's June meeting, and will provide additional details to Board members regarding that agenda item in advance of the meeting.

11:25 p.m. Adjourn

At 11:25 a.m., Mr. Don Turner made a motion to adjourn, which was seconded by Mr. Andrew Collier and unanimously approved by the Board.