



NATURAL RESOURCES BOARD

10 Baldwin Street
Montpelier, VT 05633-3201

NATURAL RESOURCES BOARD MEETING **TUESDAY, July 13, 2021** **11:00 am**

Board Members Present by Phone:

Don Rendall, Chair; Brad Aldrich, Vice Chair; Steve Larrabee, Member; Don Turner, Member; and Andrew Collier, Member

ABSENT

Staff Present by Microsoft Teams:

Gregory Boulbol, General Counsel; Kimberley Lashua, Business Director; Alison Stone, Associate General Counsel; Aaron Brondyke, State Coordinator; Katie Emerson, Legal Technician

Guests:

Ed Stanak, Annette Smith, Zachary Handelman, Scott Baldwin, and Geoffrey Gardener

The Vermont Natural Resources Board convened at 11:00 a.m. via Microsoft Teams, Chair Don Rendall presiding.

11:00 a.m. Welcome and Introductions

Chair Rendall provided an overview of the agenda and did a roll call of participants appearing by phone and welcomed everyone.

11:02 a.m. Opportunity for public to comment and agenda and non-agenda items.

Chair Rendall offered the public the opportunity to comment.

Ms. Annette Smith commented that she was looking for information regarding staffing of district commissions, and the NRB. She also expressed concerns about the politicization of appointments (not specific to any governor). She remarked that at the inception of Act 250, the concept was for district commissions to include one businessperson, one environmental person, and one public figure. Ms. Smith also expressed concerns about gender representation on district commissions and the NRB, commissioner vacancies, commissioners and alternates with expired terms, and district coordinators being responsible for multiple districts.

Chair Rendall responded to Ms. Smith's concerns, acknowledging the vacancies, and expressing appreciation for her comments about diversity, and good customer service regarding stakeholders and their ability to get timely feedback.



Finally, Ms. Smith expressed concerns about extractive industries and blasting. She requested that the NRB place a special focus on crafting and enforcing permit conditions regarding blasting and quarries,

There were no other public comments.

11:14 a.m. Review and action on Minutes of June 8, 2021

A motion to approve the minutes of the Tuesday, June 8, 2021, meeting was made by Mr. Andrew Collier and seconded by Mr. Don Turner and approved unanimously.

11:15 a.m. NRB office and budget updates

Ms. Kimberley Lashua gave the office and budget updates. Kara Wheeler joins the NRB next Monday as the Information Management Technician. She will work closely with Alex Pastor on our records, data, and information management. We have been lacking resources in these areas, and her position will enable us to move forward on a number of initiatives such as digitizing our current paper records for better access for the public and our staff. She and Alex will also help us capture and interpret our data in more meaningful ways and will spend time implementing best practices for records management across all district offices.

Regarding the budget, this week Ms. Lashua will work with ANR to reconcile the Act 250 permit fund (the remittance of ANR fees collected by the NRB for ANR land use permit application reviews). After this process is completed, Ms. Lashua will report back to the Board on the status of that fund as we begin a new fiscal year. In the last two fiscal years, we've been running a deficit; and based on preliminary numbers, that will be the case again this year.

11:19 am. Chair Don Rendall introduction

Chair Rendall provided some information on his background and what he hopes to accomplish as Interim Chair. Chair Rendall was appointed by Governor Scott, is a lawyer by training, and was most recently General Counsel for GMP and then CEO of Vermont Gas Systems. He retired in September of 2020.

His goals as Interim Chair are to ensure a seamless transition to a permanent chair, and make recommendations to help a permanent chair be successful. The permanent chair appointment process will begin in August.

Chair Rendall will be spending the next several weeks getting to know the staff, district coordinators, and chairs of district commissions. He is looking forward to feedback from stakeholders and contributing to the long-term success of the NRB.

Yesterday, the NRB received a memorandum from Ed Stanak regarding NRB participation in appeals to the Environmental Division. Chair Rendall has shared the memo with the rest of the Board.

11:24 a.m. Discussion of appeals, enforcement, and attorney-client memoranda

Mr. Greg Boulbol gave updates on two appeals that have recently been withdrawn from the Environmental Division.

The first appeal was of a JO finding jurisdiction over an asphalt plant in Irasburg. The appeal was virtually stayed while the applicant applied for a land use permit. The applicant received a permit, and withdrew its appeal.

The second appeal was of a JO finding jurisdiction over a concrete batch plant in Colchester. The developer appealed, but later agreed that the project was jurisdictional, and withdrew its appeal. The developer will presumably apply for permit if it chooses to proceed with the project.

11:27am Reflection

Chair Rendall took a moment to thank and recognize the efforts of former Chair Diane Snelling for her work to ensure that the NRB has a strong board and staff as well as for her dedication to protecting Vermont's environment and the spirit of Act.250.

11:29 a.m. Adjourn

At 11:29 a.m., Mr. Steve Larabee made a motion to adjourn, which was seconded by Mr. Don Turner, and unanimously approved by the Board.