



NATURAL RESOURCES BOARD

10 Baldwin Street
Montpelier, VT 05633-3201

NATURAL RESOURCES BOARD MEETING **TUESDAY, April 12, 2022** **11:00 am**

Board Members Present by Phone:

Sabina Haskell, Chair; Brad Aldrich, Vice Chair; Steve Larrabee, Member; Andrew Collier, Member

ABSENT

Don Turner, Member

Staff Present by Microsoft Teams:

Alison Stone, Associate General Counsel; Michaela Stickney, Enforcement and Compliance Officer; Katie Emerson, Legal Technician

Members of the Public:

The Vermont Natural Resources Board convened at 11:03 a.m. via Microsoft Teams, Chair Sabina Haskell presiding.

11:03 a.m. Welcome and introductions

Chair Haskell welcomed board and staff in attendance.

11:04 a.m. Opportunity for public to comment and agenda and non-agenda items.

Chair Haskell offered the opportunity for public comment, there were no members of the public present.

11:05 a.m. Review and action on Minutes of March 8, 2022

A motion to approve the minutes of the Tuesday, March 8, 2022 meeting was made by Mr. Brad Aldrich and seconded by Mr. Andrew Collier and approved unanimously.

11:04 a.m. NRB office and budget updates

Staff updates: The NRB is in the process of recruiting for an Associate General Counsel. Kaitlin Hayes has joined us as an enforcement and compliance officer since the last meeting. We have reposted the business director position. Kara Wheeler was the Information Management Technician but has now taken a position with ADS. At this point we are not going to actively seek to fill that position because we are in the middle



of a scanning project and might use that funding to hire temp(s) to assist with file preparation.

Katie Emerson is transition to a long-term roving district technician focused on Districts 2 and 3.

Other Updates:

- The interior work at 10 Baldwin is complete after water damage from a burst pipe. Beginning in mid-May, the exterior will be painted and the roof replaced.
- The scanning project is underway, there will be more to report next month. The RFP is in process to scan the 1200 files in D7 and D4 which represent over a million pages.

11:09 a.m. Discussion regarding Act 250 legislative initiatives

Chair Haskell gave an update on two Senate bills (S. 226 and S. 234) that involve housing. The Chair and General Counsel Alison Stone will be testifying in Senate Natural Resources committee on H.446 a technical correction bill on Friday.

11:12 a.m. Discussion of appeals, enforcement, and attorney-client memoranda

General Counsel Alison Stone gave an update on the Weyerhaeuser case that was recently decided in the environmental court. The appeal was based on the District 7 decision that the application was incomplete because they had only given a partial list of adjoiners. They argued that they only needed to notice property owners directly adjoining the timber harvest rather than landowners that adjoin the property as a whole. They requested a waiver but did not substantiate it.

The court agreed the case was moot because the applicants had already given the complete adjoiner list and the permit was issued. But the court also went through the motion of reviewing the arguments and affirmed the NRB's arguments that the applicant needed to either provide complete adjoiner list or complete a waiver request. We are still within 30-day period where it could be appealed to the Supreme Court.

Ms. Stone entered a Notice of Appearance in the Burton appeal which Mr. Aldrich will be participating in his position as Vice Chair since the Chair is recusing herself.

The NRB received a public record request regarding the Snowstone appeal to produce emails sent or received by the current or former chair. Emails the board was copied on may be produced if they don't qualify for exclusion.

Ms. Michaela Stickney gave a brief enforcement update. With warmer weather, we are seeing an increase in complaints and also increased site visits. Yesterday, staff had a chance to see ledge blasting in action.

11:19 a.m. Adjourn

At 11:19 a.m., Mr. Brad Aldrich made a motion to adjourn, seconded by Mr. Steve Larrabee and unanimously approved by the Board.