



WORKING LANDS ENTERPRISE INITIATIVE
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Agency of Agriculture, Food & Markets
Department of Forests, Parks & Recreation
Agency of Commerce & Community Development

Act 250 Resources for Working Lands Enterprise Fund Projects

Can I apply for a Working Lands Project that may need an Act 250 permit if I don't have approval yet?

Yes. The Working Lands Enterprise Board (WLEB) may award funds to projects that may require an Act 250 permit if your business is ready to take the steps to apply for and complete an Act 250 permit application and complete the Working Lands Enterprise Fund (WLEF) project within the timeline of the Working Lands Grant. Most grants are 12 months and can be up to 24 months. WLEB recommends you get started on Act 250 permitting process at the same time as the WLEF application to ensure the project can be completed in time.

How do I know if I need an Act 250 permit for a Working Lands project?

Act 250 permits are more likely to be needed for larger scale infrastructure projects and across all sectors, especially those funded by WLEF Supply Chain or Market Level Impact Grants. Even for smaller projects, however, Act 250 jurisdiction could apply depending on the facts and context. For example, Act 250 applications or amendments could be required if there are proposed improvements for a commercial purpose on a tract of over 1 or 10 acres (depending on municipality); or whether there is existing jurisdiction on the tract and substantial changes proposed. A list of 1 and 10-acre towns can be found here; please contact a District Coordinator for more information:

<https://nrb.vermont.gov/sites/nrb/files/documents/2021-11-19%20Vermont%201-%20and%2010-acre%20town%20list.pdf>.

Since every project is different, the best thing to do is to speak with your Act 250 District Coordinator to determine if a written Jurisdictional Opinion request is needed, and to learn whether an Act 250 application or amendment would be required for your proposed project. All the information you need is available at the Natural Resources Board: <https://nrb.vermont.gov/act250-program/district-staff-and-commissions>.

Who can I contact for questions about Act 250 requirements for my Working Lands project?

District Coordinators are your local experts on Act 250. You can find contact information for your District Coordinator here: <https://nrb.vermont.gov/act250-program/district-staff-and-commissions>.

It may also be helpful to consult a business advisor or project consultant who is familiar with Act 250 to identify hurdles and work through the Act 250 process. Business advisors or consultants (such as consulting engineers or counsel) can be helpful in navigating paperwork or communicating with local officials and adjoining landowners if needed. To get started accessing local resources, visit <https://workinglands.vermont.gov/business-toolkit-resources>.

What resources are available to cover Act 250 permit costs needed for my Working Lands Project?

The Forest Products Permitting Assistance Grant Program (FPPA Grant) currently has limited funds available to assist businesses engaged in adding value to forest products within the state with costs



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related to permitting. Grants may be used to pay for expenses associated with State and local permit application fees, project consultation costs, engineering and siting costs, and expert witness testimony necessary for permitting.

This grant is available to Vermont businesses primarily engaged in adding value to forest products in jurisdictions that require permitting (municipal zoning, Act 250, DEC permits and so forth), such as sawmills, firewood processors, furniture makers, etc. Businesses that are limited to the activities of logging and forestry are not eligible. Additional information on FPPA Grants and application instructions are available online: <https://fpr.vermont.gov/FPPAGrants>.

What do I need to include in my WLEF application about existing Act 250 permits or applications for my enterprise?

It is helpful to note in your application narrative if you already have an Act 250 permit for a project or property where a project will be located. Explaining any existing Act 250 permits helps the WLEB understand the project timeline. If you don't have a permit yet or don't know whether a permit is needed, WLEB encourages you to work with your District Coordinator to determine if a permit is needed as you complete your WLEF application. Applicants are encouraged to include relevant notes about the process on the application, including whether any Act 250 application materials have already been submitted.

Where can I read more about Act 250?

Please visit the Natural Resources Board site: <https://nrb.vermont.gov/act250-program>.