

Are District Commissions a Problem?

On average over the last 5 years about 200 applications to Act 250 are processed as **minors**, about 30 processed as **majors** and about 200 as administrative **amendments**, totaling about **400 - 450 cases** processed by Act 250 annually.

Act 250 Applications Deemed Complete

	2016	2017	2018	2019	2020
Major (Hearing Required)	46	33	36	23	9
Minor (No Hearing)	218	236	192	220	191
Administrative Amendments	201	254	176	202	139
TOTALS	465	523	404	445	339

On average, about **30 cases are processed as majors with a District Commission hearing** annually.

Of those 30 major cases heard by District Commissions, on average there are **7 appeals to Superior Court, Environmental Division.**

The NRB has statutory authority to participate as a party in Act 250 appeals to the Superior Court, Environmental Division. In CY 2020, the NRB participated in 3 Act 250 **District Commission** decisions and 7 JOs that were appealed to the Superior Court, Environmental Division. The NRB participated, through its attorneys, as a party in all 10 appeals. Only 2 cases were appealed from the Environmental Division to the Vermont Supreme Court in 2020.

Appeals

	2016	2017	2018	2019	2020
JO Reconsiderations	9	NA	NA	NA	NA
JO Appeals	4	8	3	6	7
District Commission Decision Appeals	6	14	5	8	3
TOTALS	19	22	8	14	10

Only 2 cases were appealed from Superior Court Environmental Division to the Vermont Supreme Court in 2020.

- 23% of District Commission decisions are appealed.
- **77% of District Commission decisions are not appealed.**