

October 17, 2025

Act 250 Tier 3: Public Input for Draft 2





State is Seeking Public Input on Act 250's Tier 3 Rules, draft 2.1

Vermont's Statewide Development Review System (Act 250) Is Changing

- Limited or no review in downtown and village centers = Tier 1 areas
- Additional review in critical natural resource areas = Tier 3 areas

Introduction

Tier 3 areas contain critical natural resources that merit consideration in the Act 250 permitting process. Moving to location-based Act 250 jurisdiction means reducing or eliminating Act 250 permitting in areas planned for growth (Tier 1 areas) and increasing Act 250 permitting in critical natural resource areas that lack suitable State-level review and protection (Tier 3 areas).

Act 181 (2024) mandated Act 250 jurisdiction for projects in Tier 3 areas as determined by the rules of the Board. During the rulemaking process, the Land Use Review Board will identify what resource areas will be included in Tier 3, where these resource areas



are across Vermont, and what types of project will require an Act 250 permit in these areas.

The Tier 3 rule making process started with stakeholder and public outreach in April and May 2025. Engagement will continue throughout the process, leading to proposed rules and a formal public hearing, tentatively in May/June 2026. The Board has requested an extension to deliver proposed final rules to the Legislative Committee on Administrative Rules (LCAR) by September 30, 2026 rather than the February 1, 2026 deadline indicated in Act 181. Act 250 jurisdiction in Tier 3 areas, pursuant to the adopted rules, will begin on December 31, 2026.

Seeking YOUR Input on Tier 3 Areas

- What are your thoughts on the state's early draft (2.1) of the rules and mapping?
- How will this affect you and your community?

More information: <https://act250.vermont.gov/tier-3-rulemaking-and-report>

Upcoming Meetings

What: **Public Engagement Meetings – input on draft 2 of the rules and mapping**

When: **6pm to 8pm on the dates listed below.**

Where: **Locations below. All meetings are hybrid:** participate either in person or virtually.

How: Click the link below for more information on how to join or visit [the State of Vermont's Act 250 webpage](#).

- [October 21 – Morrisville – Morristown Tegu Building Meeting Room, 43 Portland Street, Morrisville](#)



- [October 22 – Rutland – Rutland Regional Planning Commission Office, 16 Evelyn Street \(2nd floor\), Rutland](#)
- [October 28 – Newport – Newport City Gateway Center Meeting Room, 84 Fyfe Drive, Newport](#)
- [October 29 – Windsor – Windsor Selectboard Meeting Room, 29 Union Street, Windsor](#)

Can't get to any of these meetings? **Email questions or comments to act250.rulemaking@vermont.gov**. Continued input is welcome after the October sessions.

Contact person: **Alex Weinhagen**, Board Member, 802-480-1885, alex.weinhagen@vermont.gov.

Tier 3 Rulemaking Timeline

April-May 2025

Working Group & Public engagement

June-July 2025

Rule drafting, draft 1

July-September 2025

Working Group & Board refinement

October 2025

Public engagement, draft 2

November 2025 – January 2026

Working Group & Board refinement

February 2026

ICAR review, draft 3

May 2026

Public hearing and input, draft 3

June 2026

Board refinement

July-August 2026

LCAR review, draft 4 (final proposal)

December 31, 2026

Tier 3 jurisdiction and rules become effective

we are
here

draft Tier 3 rules, map viewer, and more information online
<https://act250.vermont.gov/tier-3-rulemaking-and-report>

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Attachments

[Flyer about this opportunity](#)

