

Vermont Sustainability Sub-Committee Meeting Minutes—September 13, 2021

Jacob Policzer calls to order meeting at 12:05 pm.

Attendees

Advisory Committee Members:

- Billy Coster

Cannabis Control Board:

- Kyle Harris

NACB:

- Jacob Policzer
- Gina Kranwinkel

2 Members of public

Minutes recorded by Meggan Hau.

Jacob Policzer entertains a motion to approve the Board's minutes for the September 9 meeting. Billy Coster is only member, so we need to approve on Thursday, September 16.

The Advisory Board moves to discuss environmental aspects of Act 164 & Act 62 such as ground water quality requirements, building energy standards, energy audits, recommendations for permitting licensing, and priorities of issuing licensing.

Notable comment(s):

*Billy Coster- In response to role and enforcement of municipalities- I'd encourage you to reach out to Vermont League of Cities and Towns. Since act defines cannabis as nonagricultural, towns may be able to zone and regulate cultivation if it's a commercial activity. I believe but talk to the experts, you can't spot zone based on particular activity. Treat all commercial things the same.

*Kyle Harris- Towns can opt into retail establishments but not much local control over cultivation. A couple towns of NE that have decided they do not want retail establishments. We have survey out to all municipalities about their intentions on putting this on a ballot in next 6 months to a year.

Next there is a discussion of prohibited products and laws, rule-making around cannabis establishments (6 license types), nonretail packaging, gaps from 164 and Required Agricultural Practices (water quality testing, construction of farm structures, no air quality (exist outside of Required Agricultural Practices), pollution or odor control regulations, no energy regulations, no land management or biodiversity regulations).

Notable comment(s):

*Billy Coster- I agree we should dedicate a full meeting to have a discussion on waste management and environmental conservation department and have the experts speak in higher level sophistication to these questions.

*Jacob Policzer- nonretail packaging- runs the gamut, opportunity to at least in the licensing application to prioritize licensees who want to take initiative, but only thing to prevent is if there is going to be locking of materials during transport or safety concerns.

*Billy Coster- state laws and municipal laws, there are municipalities that adopt local by laws related to environmental issues. Town by town analysis. My sense is this board should focus on compliance with state law and letting individual operators navigate municipal system.

Next the subcommittee moves on to discuss Act 250 and parts of Act 83.

Notable comment(s):

*Billy Coster- Construction of improvements is probably biggest one. In towns that don't have robust municipal by laws, any parcel an acre or larger would trigger jurisdiction.

*Billy Coster- regarding pulling language from Act 250, recommend you do is work with the Act 250 natural Resources Board. Highly complex and specialized regulation. Guidance documents developed, charging them to come up with them is your best bet, and what's needed from cannabis board is how and if Act 250 will apply to this work.

*Kyle Harris- The Board has contacted with board members to start understanding intended or unintended impacts this emerging market will have on Act 150, have not gone so far as to ask for assistance, but something we will consider.

Next steps:

Kyle Harris- Will follow up with Jacob and subcommittee about the integrated licenses- separated or combined.

Jacob Policzer- Create a quick blurb on what additional requirements are needed that we can pass along to Compliance & Enforcement committee.

Jacob Policzer connect with Stephanie Smith to get her input on her expertise area.

Billy Coster and Kyle Harris share Act 250 contacts with Jacob Policzer. Greg Nobel, general counsel is a good start.

Jacob Policzer opens the floor for public comment. Member Kyle Harris noted there are no public comments in the room.

Following public comment and discussion, Jacob Policzer entertains a motion to adjourn. Meeting is adjourned at 1 pm.

Next Sustainability Subcommittee meeting is Thursday, September 16 at 12 ET.