

STATE OF VERMONT
SUPERIOR COURT
ENVIRONMENTAL DIVISION

In re: Secretary of the Agency of Natural Resources Act or Decision regarding a Threatened and Endangered Takings Permit for the Application of Pesticides by The Brandon-Leicester-Salisbury-Goshen-Pittsford Insect Control District)
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DOCKET NO. _____

NOTICE OF APPEAL

NOW COME Vermont Natural Resources Council and Center for Biological Diversity (Appellants), by and through counsel, the Environmental Advocacy Clinic and Ronald A. Shems of Tarrant, Gillies, Richardson & Shems, and give notice of their appeal to the Vermont Superior Court, Environmental Division, pursuant to 10 V.S.A. §§ 8503(a)(1)(M), 8504(a), and Rule 5 of the Vermont Rules for Environmental Court Proceedings, of the decision of Secretary Julie Moore, of the Vermont Agency of Natural Resources (ANR), dated July 19th, 2021 (Decision). A copy of the Decision is attached.

Secretary Moore’s decision concludes that the Brandon-Leicester-Salisbury-Goshen-Pittsford Insect Control District’s (District) chemical pesticide program does not require an Incidental Takings Permit pursuant to 10 V.S.A. Ch. 123 (Protection of Endangered Species). As such, the Secretary made the decision to not act under Vermont’s Protection of Endangered Species laws. Species at issue include the Indiana bat, northern long-eared bat, eastern small-footed bat, little brown bat, and tri-colored bat.

Appellants and their members are aggrieved persons pursuant to 10 V.S.A. §§ 8502(7) and 8504(a).

The notice to interested persons is attached.

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August 16, 2021

Vermont Natural Resources Council
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by:

/s/ Mason Overstreet

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Service List

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