



**State of Vermont**

Agency of Natural Resources – Office of General Counsel  
1 National Life Drive – Davis 2  
Montpelier, VT 05620-3901

Direct Tel.: 802-249-1720

DEC 29 '16 9:21 AM  
VT PUBLIC SERVICE BRD

Agency of Natural Resources

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December 27, 2016

Judith C. Whitney, Clerk  
Vermont Public Service Board  
112 State Street  
Montpelier, VT 05620-2701

**Re: Docket No. 8791 - Vermont Gas Systems, Inc.  
Investigation Regarding Harsh Sunflower Plants**

Dear Ms. Whitney:

The Agency writes to request that the Board lift the stay ordered on August 23, 2016, and schedule a status conference related to the Board's investigation in the above referenced matter.

By order dated August 23, 2016, the Board opened an investigation concerning the taking of a threatened plant species during pipeline construction in Monkton, Vermont. The Board immediately stayed its investigation pending the outcome of the Agency's independent enforcement action under 10 V.S.A. § 5403, and requested that the Agency notify the Board when that matter was concluded.<sup>1</sup> The Agency's enforcement action has been completed through execution of an Assurance of Discontinuance (AOD) which was approved by the Environmental Division of the Vermont Superior Court by Order dated December 7, 2016. A copy of the approved AOD is attached to this letter.

Please contact me if you should have any questions.

Respectfully submitted,  
State of Vermont Agency of Natural Resources

By: Donald J. Einhorn, Esq.

Copy: Service List

<sup>1</sup> Investigation pursuant to 30 V.S.A. §§ 30 and 209 regarding the alleged taking of harsh sunflower plants by Vermont Gas Systems, Inc., Docket 8791, Order dated 8/23/2016, at 3.

**STATE OF VERMONT  
PUBLIC SERVICE BOARD**

Investigation pursuant to 30 V.S.A. §§ 30 and 209 ) Docket No. 8791  
regarding the alleged taking of harsh sunflower )  
plants by Vermont Gas Systems, Inc. in Monkton, )  
Vermont )  
)  
)

**CERTIFICATE OF SERVICE**

I, Marcella Dent, certify that on December 27, 2016, I served a copy of the Vermont Agency of Natural Resources' *Comment Letter*, in the above captioned matter, to the following interested persons, by U.S. Mail, postage prepaid and by electronic mail:

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Dated at Montpelier, Vermont this 27<sup>th</sup> day of December, 2016.



Marcella Dent, Program Technician  
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