

State of Vermont
WATER RESOURCES BOARD

RE: Champlain Marble Company
61 Main Street
Proctor, VT 05765

Docket No. CUD-97-06
(Appeal of DEC File CUD #95-466)
Fisk Quarry Wetlands, Isle La Matte

ORDER
Request for Extension

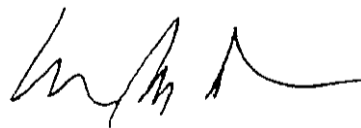
On February 5, 1998, the Chair of the Water Resources Board ("Board") issued an Order extending the deadline for filing of Appellant's prefiled testimony for witnesses Jeff Nelson and Peter Spear from February 6 to February 13, 1998. On February 12, 1998, Linda Fitch filed with the Board a request to extend the time for other parties to file rebuttal prefiled testimony and exhibits by two weeks from Appellant's rebuttal filings. On February 17, 1998, Stephanie J. Kaplan, Esq., representing South Shore Associates ("SSA") also filed with the Board a request for extension of time in which to file prefiled rebuttal testimony and exhibits until March 4, 1998. SSA asserted that due to the extension of the Appellant's filing deadline and a federal holiday, the SSA and other parties would not have sufficient time to prepare their rebuttal prefiled testimony and exhibits.

I have reviewed the requests made by Linda Fitch and SSA and conclude that an extension to March 2 is warranted and that such an extension will not result in prejudice to other parties, nor will it delay the hearing in this matter. Therefore, the following revisions are hereby ordered with respect to the schedule set forth in the Order of February 5, 1998. In all other respects, the requirements of the Preheating Conference Order of September 17, 1997, remain in full force and effect.

1. On or before 4:30 p.m., Monday, March 2, 1998, all other parties shall file final lists of rebuttal witnesses and rebuttal exhibits. They shall prefile the rebuttal testimony for all witnesses they intend to call as rebuttal witnesses as well as rebuttal exhibits. For each expert witness who has not previously been called as a rebuttal witness, they shall file a resume or other statement of qualification.
2. On or before 4:30 p.m., Monday, March 9, 1998, all parties shall file any evidentiary objections and/or stipulations as to the admission of prefiled testimony and exhibits.
3. A second preheating conference will be held at 10:00 a.m., Thursday, March 12, 1998, at the Water Resources Board's Office in Montpelier, Vermont. At that time, the Board's Chair will hear any oral argument with respect to any party's evidentiary objections and establish a final agenda for the hearing. Any party wishing to participate in this preheating conference by teleconference must contact the Board's Secretary, Karen Dupont, at 828-2870, no later than 3:00 p.m., Monday, March 9, 1998.

Dated at Montpelier, Vermont, this 20th day of February, 1998.

Vermont Water Resources Board
by its Chair



William Boyd Davies