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Act No. 175 (S.223). An act relating to water quality of the waters of Vermont

Subjects: Conservation and development; water quality; lakes; certification of wetlands professionals

This act establishes the Water Quality, Lake Classification, and Antidegradation Study Group to review water quality issues in the State and recommend legislative or policy changes to strengthen environmental protection, provide regulatory certainty, and support public uses of State waters. The Study Group shall include legislators, representatives of the Agency of Natural Resources, representatives of businesses with water quality permitting experience, representatives of nonprofit environmental groups, and representatives of other groups with interests in water quality.

The Study Group shall develop an inventory of State waters, including high quality waters that meet or exceed the minimum water quality criteria supporting reclassification for the waters. The Study Group also shall assess the State's obligation under federal law with respect to the adoption of an antidegradation rule to implement the State's antidegradation policy. The Study Group shall identify and evaluate the statutory and regulatory frameworks, rules, policies, and procedures governing Class A waters. In addition, the Study Group shall evaluate whether the existing water classification system in the State protects the ecological integrity of the State's lakes and ponds and adequately addresses threats to the water quality of the State's lakes and ponds. On or before December 15, 2026, the Study Group shall submit a written report to the General Assembly that includes the Group's findings and recommendations

In addition, the act requires the Secretary of Natural Resources to report to the General Assembly on or before January 15, 2027, regarding whether to establish a program to certify wetlands professionals in the State for the purposes of identifying and delineating wetlands boundaries. The report shall describe the benefits and disadvantages of a wetlands professional certification program and discuss how a wetlands professional certification program could impact the liability of wetlands professionals. If the Secretary of Natural Resources recommends the establishment of a program to certify wetlands professionals, the report shall include a description of the proposed program; the proposed requirements for certification; a description of the activities that a wetlands professional would be authorized to conduct as part of or exclusively under a certification; and what benefit, if any, services from a certified wetlands professional would provide to customers or in regulatory proceedings.

Effective Date: June 18, 2026