

1 H.488

2 Introduced by Representative Deen of Westminster

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; natural resources; stormwater; high
6 elevation renewable energy and telecommunications facilities

7 Statement of purpose: This bill proposes to require the agency of natural
8 resources to report to the general assembly by a date certain on stormwater
9 permits issued pursuant to rules allowing hydrology credits for high elevation
10 renewable energy and telecommunications facilities.

11 An act relating to a report by the agency of natural resources on hydrology
12 credits used in stormwater permits for high elevation facilities

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. REPORT

15 (a) On or before December 15, 2014, the agency of natural resources (the
16 agency) shall submit to the general assembly a report concerning the
17 implementation of watershed protection hydrology credits in permitting
18 stormwater discharges. Amendments by the agency to its stormwater
19 management rule for unimpaired waters, effective March 15, 2011, codify
20 these credits as Sec. 3.7 of the Vermont Stormwater Management Manual.

1 The credits may be applied to renewable energy projects at high elevations
2 and, under Sec. 3a(b) of No. 53 of the Acts of 2011, to telecommunications
3 facilities at the same elevations if the discharge is to a water not principally
4 impaired by stormwater runoff.

5 (b) The report required by this section shall:

6 (1) Identify each stormwater discharge permit issued on or before
7 June 30, 2014 based in whole or in part on the hydrology credit described in
8 subsection (a) of this section. This identification shall include the name,
9 location, and a brief project description, including the project type
10 (e.g., renewable energy, telecommunications).

11 (2) For each such permit, state the amount of the hydrology credit given,
12 the practices and actions proposed by the applicant that supported granting the
13 credit, and the reasons why those practices and actions supported granting
14 the credit.

15 (3) For each such permit, provide a brief evaluation of the impact to date
16 of the permitted discharge on the quality of the receiving waters. In
17 performing this evaluation, the agency may not rely on the terms of the permit
18 or the permittee's compliance with the permit.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2012.