

(5) "Time" shall be reckoned in the manner prescribed by 1 V.S.A. § 138.

(6) "Abandoned dam" means a dam that has no identifiable owner or a dam for which the owner fails to comply with the requirements of section 1104 of this title.

1 (7) "Dam" means any artificial barrier, impoundment, or structure and
2 its appurtenant works that are, were, or will be capable of impounding water
3 or other liquid after construction or alteration, except for:

4 (A) waste management systems constructed and operated according
5 to the accepted agricultural practices as administered by the Agency of
6 Agriculture, Food and Markets;

(B) barriers, impoundments, or structures created by beaver or any
other wild animal as that term is defined in 10 V.S.A. § 4001;

7 (C) impoundments that are capable of impounding no more than
8 500,000 cubic feet of liquid with a surface area less than one acre;

9 (D) municipal underground or elevated tanks to store water; or

10 (E) any other structure identified by the Department in a duly-
11 adopted rule.

(8) "Pond" means a natural body of water with a volume exceeding
500,000 cubic feet.